

**SUPPLEMENTAL
BOARD BOOK OF MAY 25, 2017**



J. Paul Ozer, Chair
Leslie Bingham Escareño, Vice-Chair
Juan Muñoz, Member
T. Tolbert Chisum, Member
Tom H. Gann, Member
J. B. Goodwin, Member

**TEXAS DEPARTMENT OF HOUSING AND COMMUNITY AFFAIRS
GOVERNING BOARD MEETING**

**A G E N D A
9:00 AM
May 25, 2017**

**The University of Texas at Austin
Thompson Conference Center
2405 Robert Dedman Drive
Room 3.102
Austin, Texas 78712**

CALL TO ORDER

ROLL CALL

Leslie Bingham-Escareño, Vice Chair

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.

Resolution recognizing June as *Homeownership Month*

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.

ITEM 1: APPROVAL OF THE FOLLOWING ITEMS PRESENTED IN THE BOARD MATERIALS:

EXECUTIVE

- a) Presentation, discussion, and possible action on Board meeting minutes summary for February 23, 2017

J. Beau Eccles
Board Secretary

LEGAL

- b) Presentation, discussion, and possible action regarding the adoption of an Agreed Final Order concerning Angelica Homes (HOME 539109 / CMTS 2605)
- c) Presentation, discussion, and possible action on Agreed Final Order of Debarment for Avalon Apartments, L.L.C, Xheladin Jasari, and Flaza Jasaroski for a period of ten years

Jeffrey T. Pender
Deputy General Counsel

HOME AND HOMELESS PROGRAMS

- d) Presentation, discussion, and possible action to amend the 2017 HOME Investment Partnerships Program ("HOME") Single Family Programs Homebuyer Assistance ("HBA") and Tenant-Based Rental Assistance ("TBRA") Open Cycle Notice of Funding Availability ("NOFA"), and the notification of the posting of the NOFA amendment to the Department's website, and directing its publication for public comment in the *Texas Register*
- e) Presentation, discussion, and possible action on awards for the 2017 HOME Investment Partnerships Program ("HOME") Single Family Programs Homebuyer Assistance ("HBA") and Tenant-Based Rental Assistance ("TBRA") Open Cycle Notice of Funding Availability ("NOFA")

Jennifer Molinari
Director

COMMUNITY AFFAIRS

- f) Presentation, discussion, and possible action on the selection of an Eligible Entity to administer the Community Services Block Grant (“CSBG”) to provide services in Dimmit and La Salle counties
- g) Presentation, discussion, and possible action on awards for Federal Fiscal Year (“FFY”) 2017 Community Services Block Grant (“CSBG”) Discretionary Funds for education and employment services to Native American and Migrant Seasonal Farm Worker populations

Michael DeYoung
Director

HOUSING RESOURCE CENTER

- h) Presentation, discussion, and possible action on the Draft 2018 Regional Allocation Formula Methodology

Elizabeth Yevich
Director

ASSET MANAGEMENT

- i) Presentation, discussion and possible action regarding Material Amendments to the Housing Tax Credit Land Use Restriction Agreement (“LURA”)
 - 01165 McMullen Square Apartments San Antonio
 - 02036 Gateway East Apartments El Paso
 - 060629 Villas at Henderson Place Cleburne
- j) Presentation, discussion and possible action regarding an Ownership Transfer prior to IRS Form 8609 Issuance or Construction Completion
 - 16164 Saralita Senior Village Kerrville
 - 16370 The Providence Lubbock
- k) Presentation, discussion and possible action regarding Material Amendments to the Housing Tax Credit Application
 - 16172 Lumberton Senior Village Lumberton

Raquel Morales
Director

MULTIFAMILY FINANCE

- l) Presentation, discussion and possible action on a Determination Notice for Housing Tax Credits with another Issuer
 - 17406 Heights on Parmer Phase II Austin
 - 17410 Lakecrest Village Houston
 - 17418 Alton Park Fort Worth
 - 17415 Campus Apartments Fort Worth
 - 17424 Creekview Apartment Homes Austin
- m) Presentation, discussion, and possible action regarding an amendment to the Construction Loan Agreement for Chicory Court Lake Dallas, LP

Marni Holloway
Director

BOND FINANCE

- n) Presentation, discussion, and possible action on Resolution 17-019 authorizing request to Texas Bond Review Board for annual waiver of Single-Family Mortgage Revenue Bond set-aside requirements; authorizing the execution of documents and instruments relating thereto; making certain findings and determinations in connection therewith; and containing other provisions relating to the subject
- o) Presentation, discussion, and possible action on Resolution 17-020 authorizing down payment assistance funding sources for Program 79; authorizing the execution of documents and instruments relating to the foregoing; and containing other provisions relating to the subject

Monica Galuski
Director

RULES

- p) Presentation, discussion, and possible action on orders proposing actions to 10 TAC Chapter 7, Homelessness Programs to amend §7.1002, Distribution of Funds and Formula, and directing its publication for public comment in the *Texas Register*
- q) Presentation, discussion, and possible action on proposed new 10 TAC, Chapter 1, Administration, Subchapter A, General Policies and Procedures, §1.3 concerning Sick Leave Pool, and directing its publication in the *Texas Register*
- r) Presentation, discussion, and possible action on an order proposing the new 10 TAC Chapter 1 Subchapter E, §1.501 Housing Finance Corporation Reporting Requirements

Jennifer Molinari
Director, HOME and
Homeless Programs

Jeffrey T. Pender
Deputy General Counsel

Tom Gouris
Deputy Executive Director

and directing that they be published for public comment in the *Texas Register*

- s) Presentation, discussion, and possible action on an order adopting amendments to 10 TAC Chapter 6 Community Affairs Programs, including the 1) amendments in Subchapter A, General Provisions, of §6.2 Definitions, §6.4 Income Determination, and §6.5 Documentation and Frequency of Determining Customer Eligibility; and 2) amendments in Subchapter C, Comprehensive Energy Assistance Program (“CEAP”), of §6.308 Allowable Subrecipient Administrative, Program Services Costs, and Assurance 16, and §6.310 Household Crisis Component; and directing that they be published for adoption in the *Texas Register*

Michael DeYoung
Director, Community
Affairs

CONSENT AGENDA REPORT ITEMS

ITEM 2: THE BOARD ACCEPTS THE FOLLOWING REPORTS:

- a) TDHCA Outreach Activities, May-June 2017
- b) Report on the Department’s 2nd Quarter Investment Report in accordance with the Public Funds Investment Act (“PFIA”)
- c) Report on the Department’s 2nd Quarter Investment Report relating to funds held under Bond Trust Indentures
- d) Report on Request for Proposal (“RFP”) for Program Administrator for the Texas First Time Homebuyer Program, the My First Texas Home Program, and the Texas Mortgage Credit Certificate (“MCC”) Program
- e) Report on 2018 Qualified Allocation Plan (“QAP”) Project

Michael Lyttle
Chief, External Affairs

David Cervantes
Chief Financial Officer

Monica Galuski
Director, Bond Finance

Cathy Gutierrez
Director, Texas
Homeownership

Marni Holloway
Director, MF Finance

ACTION ITEMS

ITEM 3: MULTIFAMILY FINANCE

- a) Presentation, discussion, and possible action on an Amendment to the 2017-1 Multifamily Direct Loan Notice of Funding Availability
- b) Presentation, discussion and possible action on a Determination Notice for Housing Tax Credits with another Issuer and an Award of a Direct Loan Funds
17402 Harris Ridge Apartments Austin
- c) Presentation, discussion and possible action on staff determinations regarding Application disclosures under 10 TAC §10.101(a)(3) related to Applicant Disclosure of Undesirable Neighborhood Characteristics
 - 17008 East Meadows Phase II San Antonio
 - 17013 Rio Lofts San Antonio
 - 17028 The Vineyard on Lancaster Fort Worth
 - 17186 Oasis on Ella Houston
 - 17273 The Residence at Lamar Wichita Falls
 - 17336 Westwind of Lamesa Lamesa
- d) Presentation, discussion, and possible action on timely filed appeals under 10 TAC §10.901 et seq. of the Department’s Multifamily Program Rules (Subchapter G) related to Fee Schedule, Appeals and other Provisions
 - 17151 Albany Village Albany
 - 17036 Merritt McGowan Manor McKinney
 - 17134 Vista Park West Fort Worth
 - 17253 Samuel Place Apartments Corpus Christi
 - 17275 Aria Grand Austin
 - 17331 Westwind of Killeen Killeen
 - 17363 Residences of Long Branch Rowlett
 - 17708 Cedar Ridge Apartments Dayton
 - 17724 Liv Senior at Johnson Ranch Bulverde
 - 17736 Providence at Ted Trout Drive Hudson

Marni Holloway
Director

- e) Presentation, discussion, and possible action regarding awards of Direct Loan funds from the 2017-1 Multifamily Direct Loan Notice of Funding Availability
 - 17503 The Reserve at Dry Creek Hewitt
 - 17504 Merritt Heritage Georgetown
 - 17505 Merritt Monument Midland
- f) Presentation, discussion, and possible action regarding a waiver of 10 TAC §13.11(b) of the Multifamily Direct Loan Rule
- g) Presentation, discussion and possible action regarding a request for waiver, appeals under 10 TAC §10.901 et seq. of the Department's Multifamily Program Rules, and disclosures under 10 TAC §10.101(a)(3) related to Applicant Disclosure of Undesirable Neighborhood Characteristics for Blue Flame, HTC #17330

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

EXECUTIVE SESSION

The Board may go into Executive Session (close its meeting to the public):

1. 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;
2. 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;
3. 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;
4. 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
5. 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.

Leslie Bingham-Escareño
Vice Chair

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.state.tx.us 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 Twitter.

Individuals who require auxiliary aids, services or sign language interpreters for this meeting should contact Gina Esteves, ADA Responsible Employee, at 512-475-3943 or Relay Texas at 1-800-735-2989, at least three (3) days before the meeting so that appropriate arrangements can be made.

Non-English speaking individuals who require interpreters for this meeting should contact Elena Peinado, 512-475-3814, at least three (3) days before the meeting so that appropriate arrangements can be made.

Personas que hablan español y requieren un intérprete, favor de llamar a Elena Peinado, al siguiente número 512-475-3814 por lo menos tres días antes de la junta para hacer los preparativos apropiados.

NOTICE AS TO HANDGUN PROHIBITION DURING THE OPEN MEETING OF A GOVERNMENTAL ENTITY IN THIS ROOM ON THIS DATE:

Pursuant to Section 30.06, Penal Code (trespass by license holder with a concealed handgun), a person licensed under Subchapter H, Chapter 411, Government Code (handgun licensing law), may not enter this property with a concealed handgun.

De acuerdo con la sección 30.06 del código penal (ingreso sin autorización de un titular de una licencia con una pistola oculta), una persona con licencia según el subcapítulo h, capítulo 411, código del gobierno (ley sobre licencias para portar pistolas), no puede ingresar a esta propiedad con una pistola oculta.

Pursuant to Section 30.07, Penal Code (trespass by license holder with an openly carried handgun), a person licensed under Subchapter H, Chapter 411, Government Code (handgun licensing law), may not enter this property with a handgun that is carried openly.

De acuerdo con la sección 30.07 del código penal (ingreso sin autorización de un titular de una licencia con una pistola a la vista), una persona con licencia según el subcapítulo h, capítulo 411, código del gobierno (ley sobre licencias para portar pistolas), no puede ingresar a esta propiedad con una pistola a la vista.

NONE OF THESE RESTRICTIONS EXTEND BEYOND THIS ROOM ON THIS DATE AND DURING THE MEETING OF THE GOVERNING BOARD OF THE TEXAS DEPARTMENT OF HOUSING AND COMMUNITY AFFAIRS

3c

BOARD ACTION REQUEST
MULTIFAMILY FINANCE DIVISION
MAY 25, 2017

Presentation, discussion and possible action on staff determinations regarding Application disclosures under 10 TAC §10.101(a)(3) related to Applicant Disclosure of Undesirable Neighborhood Characteristics

17008	East Meadows Phase II	San Antonio
17013	Rio Lofts	San Antonio
17028	The Vineyard on Lancaster	Fort Worth
17186	Oasis on Ella	Houston
17273	The Residence at Lamar	Wichita Falls

RECOMMENDED ACTION

WHEREAS, pursuant to 10 TAC §10.101(a)(3) of the 2017 Uniform Multifamily Rules related to Undesirable Neighborhood Characteristics, if a Development Site has any of the characteristics described in subparagraph B of the subsection, the Applicant must disclose the presence of each such characteristic to the Department at the time the Application is submitted to the Department;

WHEREAS, Applicants have disclosed the presence of Undesirable Neighborhood Characteristics and provided documentation of mitigating factors; and

WHEREAS, pursuant to 10 TAC §10.101(a)(3)(A), staff has conducted a further review of the proposed sites and the surrounding neighborhoods and prepared a summary for the Board with recommendations with respect to the eligibility of the sites;

NOW, therefore, it is hereby,

RESOLVED, that the Board accepts staff recommendation, and finds the sites for Applications 17008, 17013, 17028, 17186, and 17273 eligible in satisfaction of the requirements of 10 TAC §10.101(a)(3) of the Uniform Multifamily Rules.

BACKGROUND

The following tables describe the staff reviews and recommendations for 2017 Competitive Housing Tax Credit (“HTC”) applications that included disclosures related to §10.101(a)(3) of the 2017 Uniform Multifamily Rules (the “Rules”), related to Undesirable Neighborhood Characteristics. Pursuant to the rule, such disclosures are required if one of three undesirable neighborhood characteristics exists where the proposed Development Site is located. Applicants are required to provide an Undesirable Neighborhood Characteristics Report (“UNCR”), which includes information regarding mitigating factors and general description of the site and surrounding area.

Each entry identifies the HTC development/application identification number (TDHCA ID#), the name of the development, city, region, and application review status, along with staff’s recommendation with respect to eligibility of the site. A brief summary of each disclosure has been included and is followed by Department staff’s analysis of the site.

Where staff is recommending in this report that a site be found eligible, the Department's Governing Board has final decision making authority in making an affirmative determination or finding the site ineligible. Pursuant to 10 TAC §10.101(a)(3), should the Board make the determination that a Development Site is ineligible based on this report, the termination of the Application resulting from such Board action is not subject to appeal.

TDHCA ID#	17008	Development Name:	East Meadows Phase II		
City:	San Antonio	Region:	9	Review Status:	Complete
Staff recommendation:	Site is eligible under §10.101(a)(3)				

Review of the Development Site indicates that the densely populated area is predominately urban, single family residential with a mix of multifamily development. Median household income for the census tract is \$21,667 which places the census tract in the fourth quartile. The poverty rate is 49% and the Part 1 violent crime rate is 18.06 per 1,000 persons. The subject general population development is the New Construction of the Phase II of the existing Wheatley Courts (#14191) general population development. The site is located in San Antonio’s Eastside neighborhood, which received a Choice Neighborhoods grant from the U.S. Department of Housing and Urban Development (“HUD”) in 2011. Per the announcement of the award, “HUD’s new Choice Neighborhoods Initiative (CN) promotes a comprehensive approach to transforming distressed areas of concentrated poverty by linking housing improvements with a wider variety of public services including schools, public transit and employment opportunities.”

Summary of Disclosure: The Development Site is located within a census tract that has a poverty rate above 40 percent for individuals (or 55 percent for Developments in regions 11 and 13).

Analysis: The Undesirable Neighborhoods Characteristics Report (“UNCR”) indicates that the poverty rate has reduced from 51.2% according to data collected in 2016 to 49% according to data collected in 2017. The Development Site is located in the Eastside Choice Neighborhood of San Antonio, and is under the auspices of the Eastside Choice Neighborhood Transformation Plan. Per the Executive Summary of this plan:

“The current situation in the Eastside Choice Neighborhood is challenged. Many of the streets in the area are blighted, with over 180 vacant lots and abandoned structures. There is a lack of adequate park space within a walkable distance to the neighborhood and the public transit system is inefficient relative to the transit needs of the residents. The dropout rate at Sam Houston High School hovers around 46% and close to 43% of adults in the area did not graduate from High School. Female headed households make up over half of families among the 3,667 households in the Eastside Choice Neighborhood, compared to 27% in Bexar County. Of these households, 44% live below the federal poverty level. The primary concern of area residents is safety and security.”

Rebuilding Wheatley Courts, the name of the existing public housing development, is mentioned as part of the revitalization plan for the area:

“To address these challenges, the Eastside Choice Transformation Plan integrates three areas of emphasis, People, Housing and Neighborhoods, into a cohesive plan which builds upon the strengths of the area while providing for catalytic projects that will encourage private investment over the long term. This will be accomplished by rebuilding Wheatley Courts, a distressed public housing site, into a mixed-income rental housing development that is energy efficient, offers a community center and is connected into the surrounding neighborhood through a network of pedestrian friendly streets and sidewalks that are well lit

and landscaped. It will incorporate a two-acre community park that will be open to all residents in the area. In a parallel effort, a series of Neighborhood initiatives will be undertaken. In turn, these initiatives will be tied to the work to be completed through the People component of the plan.”

The plan acknowledges the current weaknesses of the area, including low incomes, a gap in the supply of quality housing, the lack of local/neighborhood retail and restaurants. To combat poverty in the area, the plan includes investment principles to provide sustainable opportunities for new jobs within 1-5 years. Per the plan:

- **Household**
One of the most promising opportunities for the Wheatley Courts area is the development of local-serving household and personal services (home/automobile maintenance, repair, landscaping, etc.) which could be provided by new or existing small businesses.
- **Business Support**
Business support services provide another relatively strong opportunity for the establishment of new small businesses in the Wheatley Courts area, by leveraging the neighborhood’s proximity to major employers to provide supplies and support services to the major commercial/office areas in the Central Business District and to nearby industrial areas.
- **Public/Social Support**
The redevelopment of the public housing complex, along with the high levels of poverty in the neighborhood, provide a unique opportunity for the Wheatley Courts area to develop a cluster of public/social support facilities, ranging from health clinics to community centers that serve the surrounding area.

The plan also includes more long-term investment principals that build upon the short-term gains listed above. The plan’s 5-10 year investment principals include:

- **Household**
As the Wheatley Courts area revitalizes and experiences accelerated population growth, the demand for household and personal services will also increase.
- **Business Support**
Demand for business support services associated with the Central Business District and other nearby employment centers will likely increase substantially over the long-term. The Wheatley Courts area is uniquely positioned to accommodate some of this demand.
- **Public/Social Support**
The potential for additional public and social support services in the Wheatley Courts area will continue to remain strong in the long-term. There is potential for services such as new educational facilities, specialized medical clinics, and other public facilities that serve not only the Wheatley Courts area, but the entire Eastside of San Antonio.

While the plan has a 1-10 year outlook, the plan also mentions several projects, “completed or currently underway”, indicating investment in the area:

- **Brewery & Hays Street Bridge.** Proposed Alamo Brewery near Hays Street Bridge to boost economic development on the City’s eastside
- **Sutton Oaks Apartments and the Park at Sutton Oaks.** SAHA mixed-income developments to be Built to San Antonio Green (BSAG) Level II
- **Wheatley Heights Sports Complex.** New \$10 million sports venue on the eastside of San Antonio

- **University of the Incarnate Word (UIW) Eye Clinic.** 30,000-square-foot modern public health care facility to be built on the City’s eastside, across from St. Philips Community College
- **Robert Thompson Transit Center.** Part of Proposed Streetcar and Transit Improvement, located at the Alamodome on the City’s eastside
- **Good Samaritan Hospital.** Proposed Bond Project that will offer resources for veterans
- **Community Gardens.** Planned for vacant lots as health and beautification projects within the Choice neighborhood.

Summary of Disclosure: The Development Site is located in a census tract or within 1,000 feet of any census tract in an Urban Area and the rate of Part I violent crime is greater than 18 per 1,000 persons (annually) as reported on neighborhoodscout.com.

Analysis: The Undesirable Neighborhoods Characteristics Report (“UNCR”) indicates, and staff has confirmed, that the Part 1 violent crime rate has reduced from 25.68 per 1,000 persons according to data collected in 2016 to 18.06 per 1,000 according to data collected in 2017. This is a positive trend that leads staff to conclude that there is a high probability and reasonable expectation the undesirable characteristic will be sufficiently mitigated or significantly improved within a reasonable time; and that the undesirable characteristic demonstrates a positive trend and continued improvement.

Summary of Disclosure: The Development Site is located within the attendance zones of an elementary school, a middle school or a high school that does not have a Met Standard rating by the Texas Education Agency.

Analysis: The Undesirable Neighborhoods Characteristics Report (“UNCR”) indicates that Houston High School had an accountability rating of “Improvement Required” in 2014 and a rating of “Met Standard” in 2015 and 2016. Wheatley Middle School had a rating of “Met Standard” in 2014 and an “Improvement Required” rating in 2015 and 2016. Pursuant to §10.101(a)(3):

Any school in the attendance zone that has not achieved Met Standard for three consecutive years and has failed by at least one point in the most recent year, unless there is a clear trend indicating imminent compliance, shall be unable to mitigate due to the potential for school closure as an administrative remedy pursuant to Chapter 39 of the Texas Education Code.

The Eastside Choice Neighborhood Transformation Plan describes the schools serving the area of the Development Site:

“The quality of education in Eastside schools is poor, contributing to parents enrolling their children in private and charter schools. While 79% of elementary school-age children attend neighborhood public schools, only 63% of middle-school-age students and 50% of high-school-age students attend area public schools. Standardized test results verify parents’ concerns (67% of 5th graders in public schools make adequate yearly progress in reading and 65% do so in math). Other statistics include:

- The dropout rate at Sam Houston High School is 46% and students consistently perform below their counterparts in other districts.
- According to the latest 2011 Texas Assessment of Knowledge and Skills (TAKS) scores, 49% of individuals across 9th–11th grade failed the overall exam, up 11% from the previous year.

Review of 2016 Texas Education Agency (“TEA”) reporting indicates that for Sam Houston High School, 54% of students met the satisfactory standard on the STAAR Test, and the school had an 81.3% graduation rate. For Wheatley Middle School, 41% of students met the satisfactory standard on the STAAR test. The UNCR includes the District Improvement Plan for the San Antonio Independent School District (“SAISD”), which indicated the goals for the 2014-2015 term for individual campuses. TEA uses four “indexes” to measure campus performance: Index 1 Student Achievement, Index 2 Student Progress, Index 3 Closing Performance Gaps, and Index 4 Postsecondary Readiness. The progress of Wheatley Middle School and Houston High School follows:

Wheatley Middle School Index Performance (“IR” = Improvement Required, “MS” = Met Standard)

	Index 1 Score	Index 2 Score	Index 3 Score	Index 4 Score	Rating
2013	57	36	54	Not calculated	IR
2014	59	33	30	15	MS
2015	61 (goal); 51 (actual)	38 (goal); 28 (actual)	32 (goal); 26 (actual)	17 (goal); 11 (actual)	IR
2016	41	31	20	10	IR

Houston High School Index Performance

	Index 1 Score	Index 2 Score	Index 3 Score	Index 4 Score	Rating
2013	56	19	59	77	MS
2014	59	Not calculated	36	53	IR
2015	61 (goal); 62 (actual)	24 (goal); 18 (actual)	38 (goal); 35 (actual)	57 (goal); 63 (actual)	MS
2016	54	18	31	63	MS

Wheatley Middle School failed to meet the established goal in every index category and performance has decreased in each category since the improvement plan was established. Houston High School exceeded the established goal on two of the four indexes; however performance has declined or remained constant since the improvement plan was established.

SAISD is a partner in the Eastside Choice Neighborhood Transformation Plan, along with the San Antonio Housing Authority, the City of San Antonio, and the United Way. The Eastside neighborhood received the Eastside Promise Neighborhood (“EPN”) grant, described as “a means to implement rigorous educational goals which are fully integrated into the Transformation Plan”:

“The Eastside Promise Neighborhood aims to address significant challenges faced by students and families living in high-poverty communities by providing resources to plan and implement a continuum of services from early learning to college and career. Plans include a range of services from improving a neighborhood’s health, safety, and stability to expanding access to learning technology and Internet connectivity, and boosting family engagement in student learning.”

The U.S. Department of Education publishes an annual report of progress under the EPN. Findings of the 2015 and 2016 reports include:

- The chief accomplishments that factor into a strengthened formal early childhood system in the neighborhood include EPN’s partner school district, San Antonio Independent School District’s (SAISD), expansion of Pre-K classrooms and the progress being made by the 3 EPN partner child development centers towards a higher level of quality through accreditation (Texas Rising Star).
- To further expand options for formal early childhood development in the future, the City of San Antonio has entered into an agreement with the 3 EPN centers to offer Early Head Start beginning the Fall of 2015.

- EPN launched a new plan in 2015 to strengthen the quality of resources and practices that can be brought into homes caring for young children.
- Preliminary results for student outcomes in the EPN partner schools are mixed. Although progress is being made in kindergarten readiness with 5 year old children deemed ‘very vulnerable’ (i.e. not kinder-ready), the percent of ‘very ready’ or ‘on track’ children has remained flat or slightly lost ground since the baseline year.
- On a composite basis (3rd through 8th grade and once in high school), based on preliminary state testing data analysis by SAISD, the EPN partner schools are keeping pace with the increased rigor as the overall percent of students who performed at or above grade level for Reading/ELA increased slightly, meeting the established EPN target.
- However, when viewed by grade, gains were made in 4th, 6th, and high school; 7th grade was level; slight declines occurred in 3rd and 5th; and the greatest decline occurred in 8th grade.
- A number of academic reforms have already been implemented in direct response to these outcomes, including immediate (first nine weeks) after-hours intervention for students identified as academically at-risk.
- High school performance in Math met the EPN target.
- Results for attendance were mixed: while the middle school made progress in both attendance and chronic absenteeism, the high school lost ground in both areas.
- EPN strategies to enhance educational achievement included enhanced curriculum and instruction support, continued implementation of the SAISD STEM Strategic plan, in-school supports (whole child/whole school model, parent engagement model) and out of school time supports (approximately 600 students participated in Spring 2015). All three EPN partner elementary schools exceeded the district’s science STAAR scores in 2015, a direct result of the STEM focus.
- The State high school graduation rate for the EPN partner school (preliminary) is holding at approximately 80 percent.
- EPN has significantly expanded the quality and quantity of early childhood learning options in the neighborhood.
- Early Head Start, San Antonio ISD (SAISD) pre-k, child care centers moving toward Texas Rising Star accreditation and a peer network for informal caregivers are now available for children 0 to 5 and their families.
- Only 31% of neighborhood children were kinder-ready at the onset of EPN; today, over 40% of children are kinder-ready.

Staff Recommendation: Pursuant to §10.101(a)(3), in order to be considered as an eligible Site despite the presence of such undesirable neighborhood characteristic, an Applicant must demonstrate actions being taken that would lead a reader to conclude that there is a high probability and reasonable expectation the undesirable characteristic will be sufficiently mitigated or significantly improved within a reasonable time, typically prior to placement in service, and that the undesirable characteristic demonstrates a positive trend and continued improvement.

Staff recognizes the ongoing local, state, and federal resources that have been expended to improve the Eastside neighborhood, including two previous awards of housing tax credits. While plans to address poverty and crime seem to be producing measurable results, progress in school performance is less apparent. It is apparent that resources continue to be applied, including two grants from the U.S. Department of Education totaling \$24,012,000 “to put school improvement at the center of local efforts to revitalize underserved neighborhoods.” While progress on school improvement is not as apparent when considering the TEA ratings, examination of other evidence points to future continued improvements. For

instance, when the Eastside Choice Neighborhood Transformation Plan was drafted in 2011, the dropout rate at Sam Houston High School was 46%, and in 2016 the school had an 81.3% graduation rate. Similarly, performance on comprehensive testing has improved. Improvements in school performance based on enhanced early childhood education will take many years to appear consistently in school ratings. Based on the variety and depth of efforts, along with grant funding and coordination between the partners in the EPN, it is reasonable to conclude that the schools will continue to improve such that the Undesirable Characteristic will be mitigated.

TDHCA ID#	17013	Development Name:	Rio Lofts		
City:	San Antonio	Region:	9	Review Status:	Complete
Staff recommendation:	Site is eligible under §10.101(a)(3)				

Review of location of the Development Site indicates an area dominated by single-family residential uses with some light industrial uses. The area is bounded by I-10 on the near north, I-35 on the near west, and the San Antonio River on the near east and south. Median household income for the census tract is \$56,543 which places the census tract in the second quartile, and the poverty rate for the census tracts is 14.8.

Summary of Disclosure: The Applicant disclosed that the Development Site is located within 1,000 feet of a single vacant single family home.

Analysis: Pursuant to §10.101(a)(3), if the Development Site has any of the characteristics described in subparagraph (B) of this paragraph, the Applicant must disclose the presence of such characteristics in the Application submitted to the Department. The item in subparagraph (B) for which the Applicant provided disclosure states:

The Development Site is located within 1,000 feet (measured from nearest boundary of the Site to the nearest boundary of blighted structure) of multiple vacant structures that have fallen into such significant disrepair, overgrowth, and/or vandalism that they would commonly be regarded as blighted or abandoned.

Staff Recommendation: Staff visited the area of the Development Site and determined that the structure that is the subject of the disclosure is the only vacant structure within 1,000 feet of the Development Site. As such, staff has determined that the presence of a single vacant structure does not meet the requirement for a characteristic requiring disclosure. Staff is recommending that the Board find the Development Site eligible.

TDHCA ID#	17028	Development Name:	The Vineyard on Lancaster		
City:	Fort Worth	Region:	3	Review Status:	Complete
Staff recommendation:	Site is eligible under §10.101(a)(3)				

Review of the Development Site indicates an area that is surrounded by I-35W on the near west, I-30 on the north, Highway 287 on the near east, and railroad tracks on the near south. The City of Fort Worth has designated 16 “urban villages.” The area containing the Development Site is called the Near East Side Urban Village, and the area is under the auspices of the Near East Side Urban Village Master Plan.

Summary of Disclosure: Development Site is located in a census tract has poverty rate above 40% for individuals (or 55% for Developments in regions 11 and 13).

Analysis: According to the UNCR, the Near East Side Urban Village includes market rate rental housing, single family housing, transitional housing, and emergency homeless shelters. Other housing included in the census tract includes Butler Place, a large public housing development owned by the Fort Worth Housing Authority that is planned for redevelopment, and the United Riverside area of Fort Worth. The Butler Place development has approximately 900 residents, and this large concentration of public housing residents will skew the poverty rate in the census tract, which has an estimated population of 2,134 adult residents. As the Housing Authority redevelops the property to include market rate units, it is reasonable to expect that the poverty rate will decrease. The area includes a small amount of residential use (three single family homes and 22 market rate apartments) along with a mix of light industrial and human services-oriented organizations, including particularly a collection of homelessness services providers linked to the Union Gospel Mission and the Presbyterian Night Shelter. These uses provide context for the median household income for the census tract of \$10,417 which places the census tract in the fourth quartile, and the poverty rate of 78.9% for the census tract. The median income for the City of Fort Worth is \$69,400. Only 4.3% of the residents in the census tract earns that much or more, while 61.8% of the residents earn \$15,000 or less. Census data indicates that the percentage of families whose income in the past 12 months is below the poverty level was reduced from 86.4% in 2011 to 72.4% in 2015. The UNCR points to programs providing job readiness training, GED preparation, and securing identification documents provided by the Union Gospel Mission, Presbyterian Night Shelter and the Leg Up program, as well as services provided by the Veteran's Administration and Tarrant County Mental Health and Mental Retardation services for these gains. It is important to note that the Application proposes the New Construction of Supportive Housing for residents moving from transitional housing, as well as residents from the greater community.

Summary of Disclosure: The Development Site is located in a census tract or within 1,000 feet of any census tract in an Urban Area and the rate of Part I violent crime is greater than 18 per 1,000 persons annually.

Analysis: The Part 1 violent crime rate for the area is 41.06 per 1,000 residents. The UNCR provides several mitigating factors for this rate. Per a letter from Joel F. Fitzgerald, Chief of Police:

The proposed site of The Vineyard on Lancaster is within the Fort Worth Police Department's Central Patrol Division. Within the Central Patrol Division, an area identified as a Directions Home High Impact Zone was created for the purpose of providing crime offense data near homelessness service providers in the Department's quarterly crime report. Directions Home is Fort Worth's plan to end chronic homelessness. The project site is within the High Impact Zone primary area. Crime statistics are reported separately for this area from the rest of the city within the Fort Worth Police Department's quarterly crime reports. The Fort Worth Police Department uses the National Incident Report System to report crime data, which separates crime offenses into Group A and Group B. Group A includes crime offenses against persons, property, and society, and Group B offenses are reported only when an individual is arrested. Crime offenses [in Group A] decreased 2.8% in 2016 compared to 2015 in the High Impact Zone.

While the reduction in Group A crimes is fairly small, it is progress. Also, the very small area of the High Impact Zone serves to magnify changes that might not have a strong impact in larger areas. For instance, the reduction from 2015 to 2016 is a difference of 13 offenses across a wide range in Group A.

This project will expand the security efforts of the neighborhood. The project property and buildings will have a 24-hour security person to patrol the site and adjacent public properties. Security will also be enhanced by the use of 50 site security cameras. All building entrances, elevators, residential floor hallways, parking lots, and commercial spaces will have live view cameras and a recording system.

Summary of Disclosure: The Development Site is located within the attendance zones of an elementary school, a middle school or a high school that does not have a Met Standard rating by the Texas Education Agency.

Analysis: Van Zandt Guinn Elementary School had accountability ratings of “Met Standard” in 2014, 2015, and 2016. Morningside Middle School had accountability ratings of “Improvement Required” in 2014, “Met Standard” in 2015 and “Improvement Required” in 2016. Polytechnic High School had an accountability rating of “Improvement Required” in 2014 and “Met Standard” with distinctions in 2015 and 2016. Pursuant to §10.101(a)(3):

Any school in the attendance zone that has not achieved Met Standard for three consecutive years and has failed by at least one point in the most recent year, unless there is a clear trend indicating imminent compliance, shall be unable to mitigate due to the potential for school closure as an administrative remedy pursuant to Chapter 39 of the Texas Education Code.

Morningside Middle School Index Performance (“IR” = Improvement Required, “MS” = Met Standard)

	Index 1 Score	Index 2 Score	Index 3 Score	Index 4 Score	Rating
2014	55	33	30	13	IR
2015	52	29	29	14	MS
2016	52	33	23	14	IR

The UNCR includes a letter from Angele Hodges, the school’s Principal, which details the following information regarding student performance and improvement efforts:

- To date our 8th graders have completed the district benchmark assessment in math and reading. In January 2016, 7th graders had a 40% passing rate on the district benchmark, this year as 8th graders, 58% of 8th graders have passed the January 2017 benchmark.
- A year ago as 7th graders, 29% of African Americans and 45% of Hispanic students passed the district math benchmark, to date on our most recent 8th grade math benchmark, 51% of African Americans and 65% of our Hispanic students met standard, demonstrating considerable growth from 7th to 8th grade.
- In January 2016 36% of 7th graders passed the reading benchmark. To date 54% of 8th graders passed the January 2017 reading benchmark. In 2016, 31% of African Americans and 39% of Hispanics passed the January 2016 7th grade reading benchmark and to date 50% of African Americans and 61% of Hispanics passed the January 2017 8th grade reading benchmark, demonstrating 18%-22% growth from 7th to 8th grade overall and across the two largest subgroups.
- We have implemented an instructional plan of action to increase performance of all students in our specific areas of needed growth. We are targeting improvement and growth in literacy (reading and writing), math, social studies and with the achievement of our African American students. We have identified improvement strategies that are aligned with our five areas of focus for our campus. Those strategies include but are not limited to, essential and fundamental professional development

for teachers that is directly correlated to content specific instructional practices and overall best instructional practices.

- Our consistent objective as administrators on our campus is to monitor and provide ongoing immediate feedback and support to all teachers to ensure planning and instruction is purposeful and tied to student learning and outcomes. Teachers are provided consistent time to plan together within their content as well as cross-curricular within their grade level with definitive protocols and expectations set forth for purposeful planning and engagement.
- The progress of our students is measured daily with quality formative assessments and common assessments that are provided every three to six weeks. The data analysis is immediate and used to inform teachers and students of areas of strength and areas needing improvement. Students analyze their data as a campus and set goals every six weeks to increase the individual accountability of every child. Every student's progress counts towards the achievement of the entire campus, and we are monitoring the progress of every student by setting goals for achievement both individually and by the subpopulation of our students.
- Teachers provide differentiated instruction to meet the diverse needs and learning styles of our students. We provide targeted interventions both inside the classroom and outside of the classroom based on state standardized data as well as common and formative assessment data.
- In order to reach our students both emotionally and academically, the staff has participated in restorative practices training, diversity training and trauma informed studies as a campus.
- In addition to our targeted improvement plan that is monitored quarterly by the Texas Education Agency, we have a wealth of other strategic partnerships and targeted programs embedded into our learning community. These partnerships and programs provide academic and emotional support and growth for our students, family support, as well as professional development and collaboration for our faculty and staff.

Morningside Middle School is part of FWISD's Schools of Choice initiative. Per the program website:

Schools of Choice largely serve students who desire a non-traditional approach to the learning process. Schools of Choice are stand-alone schools that provide a unique learning opportunity for elementary, middle and high school students. Young students also have the opportunity to become more engaged learners through Fort Worth ISD Programs of Choice. They are offered at several elementary and middle schools across the District. Students receive a full range of learning experiences along with a more intensive curriculum in such fields as math, science, communications, art and foreign language. Exciting and educational electives spark children's imaginations, give them ownership of their education and begin teaching them lifelong skills for success.

Staff Recommendation: Pursuant to §10.101(a)(3), in order to be considered as an eligible Site despite the presence of such undesirable neighborhood characteristic, an Applicant must demonstrate actions being taken that would lead a reader to conclude that there is a high probability and reasonable expectation the undesirable characteristic will be sufficiently mitigated or significantly improved within a reasonable time, typically prior to placement in service, and that the undesirable characteristic demonstrates a positive trend and continued improvement.

Schools in the attendance zone of the proposed Development have shown instability in ratings, but efforts to improve are evident in measures such as increased numbers of students meeting reading benchmarks and

passing grades point to future continued improvement. Decreased crimes rates and the presence of the Fort Worth Police Department store front office in close proximity to the proposed Development should continue to improve safety in the area, and the planned demolition of Butler Place will reduce the number of households below poverty level in the census tract. Based on the information provided regarding mitigation of Undesirable Neighborhood Characteristics, staff recommends that the proposed Development be found eligible.

TDHCA ID#	17186	Development Name:	Oasis on Ella		
City:	Houston	Region:	6	Review Status:	Complete
Staff recommendation:	Site is eligible under §10.101(a)(3)				

Review of the Development Site indicates a suburban area that is surrounded by I-45 on the near east, Beltway 8 on the far south, and Cypress Creek Parkway on the far north and west. Single family homes, multifamily developments and undeveloped land dominate the area, with some light industrial and retail uses. The median household income for the census tract is \$55,737 placing the tract in the second quartile. The poverty rate for the tract is 16.9%.

Summary of Disclosure: Development Site is in an Urban Area and within 1,000 feet of a census tract with a Part I violent crime rate greater than 18 per 1,000 persons annually.

Analysis: The Part 1 violent crime rate for the census tract containing the Development Site (48201550402) is 9.76 per 1,000, well below the limit of 18 per 1,000. An adjacent tract (48201550200) has a rate of 23.33, and the Applicant has provided disclosure because the site is less than 1,000 feet from the boundary of that census tract. The two tracts are separated by West Rankin Road, a four-lane divided road. The UNCR includes mapping of violent crimes for every year since 2010, which illustrates that the large majority of violent crimes are concentrated in two multifamily developments across Rankin, over ½ mile away from the Development Site.

As evidence of mitigation, the UNCR points to local travel patterns. Occupants of the proposed Development would have little reason to travel through these higher crime areas, and residents of the multifamily developments that are the focus of criminal activity would not be likely to travel near the proposed Development. Funds have been budgeted in 2017 by the North Houston District to create a special Harris County Sherriff's Office Taskforce to provide direct policing services to the District. In addition, the District's public safety coordinator regularly meets with apartment managers to discuss site security. Additionally, the proposed Development will include safety measures such as full perimeter fencing and controlled access gates to increase resident safety.

Staff Recommendation: The majority of the crime appears to be concentrated in two multifamily developments in the census tract adjacent to the proposed Development, and residents are not likely to travel into those areas. The Applicant is taking measures to protect tenant safety at the Development. Due to these mitigating factors, Staff is recommending that the Board find the Development Site eligible.

TDHCA ID#	17273	Development Name:		Residence at Lamar	
City:	Wichita Falls	Region:	2	Review Status:	Complete
Staff recommendation:	Site is eligible under §10.101(a)(3)				

Review of the Development Site indicates an area that is in downtown Wichita Falls within the central business district. The site is located in Tax Increment Financing Zone #4 (“TIRZ”) and is under the auspices of the TIRZ Downtown Area Project and Financial Plan. The area is bounded by 6th Street on the far north, I-44 on the far west, Highway 287 (Bus) on the east, and Kell E Boulevard on the south. The neighborhood is composed of office buildings common to a downtown core, light industrial and retail uses, with some single family homes. The median household income for the census tract is \$21,820 placing the tract in the fourth quartile.

Summary of Disclosure: The Development Site is located in a census tract with a poverty rate above 40% for individuals (or 55% for Developments in regions 11 and 13).

Analysis: The poverty rate for the tract is 43.3%. The UNCR included documentation from the City of Wichita Falls of public and private development projects taking place in the downtown area Per the UNCR, “the recent creation of the TIRZ will lead to additional future investments in the area, which indicates that there is a high probability and reasonable expectation the undesirable characteristic will be sufficiently mitigated or significantly improved within a reasonable time. ... While poverty does not show a downward trend, census data shows an increase of households within the census tract with incomes over \$50,000. ... Additionally, there are significant increases in households making over \$100,000 and 2014 and 2015 ACS data shows households making over \$150,000 for the first time. Trends show that higher income households are relocating to Downtown.”

Staff confirmed the following American Community Survey (“ACS”) data:

- 2015: 25.6% of households in the census tract had income over \$50,000
- 2014: 26.7% of households in the census tract had income over \$50,000
- 2013: 18.6% of households in the census tract had income over \$50,000
- 2012: 24.2% of households in the census tract had income over \$50,000
- 2011: 14% of households in the census tract had income over \$50,000.

- 2015: 7.5 of households in the census tract had income over \$100,000
- 2014: 5.9% of households in the census tract had income over \$100,000
- 2013: 5.3% of households in the census tract had income over \$100,000
- 2012: 4.1% of households in the census tract had income over \$100,000
- 2011: 0% of households in the census tract had income over \$100,000.

Staff Recommendation: Staff recognizes a trend of rising incomes within the census tract, and is recommending that the Board find the Development Site eligible.

17336

Westwind of La Mesa

Pulled from this Agenda

3d

17151

Albany Village

Pulled from this *Agenda*

BOARD ACTION ITEM
MULTIFAMILY FINANCE DIVISION
MAY 25, 2017

Presentation, discussion, and possible action on timely filed scoring appeals under 10 TAC §10.901 et seq. of the Department's Multifamily Program Rules (Subchapter G) related to Fee Schedule, Appeals and other Provisions.

RECOMMENDED ACTION

WHEREAS, a 9% Housing Tax Credit Application #17036, for Merritt McGowan Manor was submitted to the Department by the Full Application Delivery Date;

WHEREAS, staff has determined that the Application is not eligible for 12 points requested under 10 TAC §11.9(e)(2) Cost of Development per Square Foot, and that the point reduction from this item is more than six (6) points, rendering the application ineligible for the six (6) Pre-application points;

WHEREAS, a Competitive HTC scoring notice was provided to the Applicant identifying points that the Applicant elected but did not qualify to receive under 10 TAC §11.9 related to Competitive HTC Selection Criteria;

WHEREAS, the Applicants timely filed an appeal; and

WHEREAS, the Executive Director denied the appeal;

NOW, therefore, it is hereby

RESOLVED, that the scoring appeal for Application #17036, Merritt McGowan Manor is hereby denied.

BACKGROUND

10 TAC §11.9 related to Competitive HTC Selection Criteria identifies the scoring criteria used in evaluating and ranking Applications. It includes those items required under Tex. Gov't Code, ch. 2306, §42 of the Internal Revenue Code (the "Code"), and other criteria established in a manner consistent with ch. 2306 and §42 of the Code.

The Merritt McGowan Manor Application proposes the New Construction of 136 units for the general population in McKinney.

§11.9(e)(2) Cost of Development per Square Foot

For points under §11.9(e)(2) of the 2017 Qualified Allocation Plan (“QAP”) related to Cost of Development per Square Foot, an Application can qualify as a “high cost development” if the Development Site qualifies for a minimum of five (5) points under subsection §11.9(c)(4) of this the QAP, related to Opportunity Index, and is located in an Urban Area. That subsection includes two parts. The first part is a threshold requirement that must be met in order to score additional points under the second part.

In their appeal, the Applicant takes the position that the Application is eligible for designation as a “high cost development” because the Application qualifies for five points under §11.9(c)(4)(B) Opportunity Index. The appeal uses as an example the exception included in §11.9(d)(7) Concerted Revitalization Plan, particularly (A)(III) and (B)(iv), which states:

Applications will receive (1) point in addition to those under subclause (I) and (II) if the development is in a location that would score at least 4 points under Opportunity Index, §11.9(c)(4)(B), *except for the criteria found in §11.9(c)(4)(A) and subparagraphs §11.9(c)(4)(A)(i) and §11.9(c)(4)(A)(ii).*(emphasis added)

This exception identified in the rule assures applicants that applications including a concerted revitalization plan are not required to meet the threshold requirements of a high opportunity area. Notably, no such exception is included in §11.9(e)(2). An Application seeking designation as a high cost development under this scoring item must be eligible to score points under §11.9(c)(4). In order to score points for area amenities, the Applications must meet one of the two threshold items under that scoring item. Per §11.9(c)(4)(B):

An application that meets the foregoing criteria [§11.9(c)(4)(A)] may qualify for additional points (for a maximum of seven (7) points) for any one or more of the following factors. Each facility or amenity may be used only once for scoring purposes, regardless of the number of categories it fits: (emphasis added)

The Application does not meet the threshold requirements of §11.9(c)(4)(A) as the Development is in a census tract that has a poverty rate that is greater than 20% and greater than the median poverty rate for the region. Therefore, the Application cannot score points for amenities under the Opportunity Index, and does not qualify for designation as a "high cost development". Without this designation, the costs of the Development per square foot exceed the cost threshold for the points requested.

§11.9(e)(3) Pre-application Participation

Per §11.9(e)(3) Pre-application Participation, one of the requirements for an application to qualify to receive up to six (6) points under this item is that the application final score (inclusive of only scoring items reflected on the self score form) does not vary by more than six (6) points from what was reflected in the pre-application self score. Due to the loss of 12 points under §11.9(e)(2), the application is not eligible to receive pre-application points.

Staff recommends that the Board deny the appeal.

17036

Scoring Notice and
Documentation



MULTIFAMILY FINANCE PRODUCTION DIVISION
Housing Tax Credit Program - 2017 Application Round
Scoring Notice - Competitive Housing Tax Credit Application

Roslyn Miller

Phone #: (972) 542-5641

Email: rmiller@mckinneyha.org

Second Email: whenderson@carletonrp.com

Date: April 10, 2017

**THIS NOTICE WILL ONLY BE
TRANSMITTED VIA EMAIL**

**RE: 2017 Competitive Housing Tax Credit (HTC) Application for Merritt McGowan Manor, TDHCA
Number: 17036**

The Texas Department of Housing and Community Affairs has completed its program review of the Application referenced above as further described in the 2017 Qualified Allocation Plan ("QAP"). This scoring notice provides a summary of staff's assessment of the application's score. The notice is divided into several sections.

Section 1 of the scoring notice provides a summary of the score requested by the Applicant followed by the score staff has assessed based on the Application submitted. You should note that four scoring items are not reflected in this scoring comparison but are addressed separately.

Section 2 of the scoring notice includes each of the five scoring criteria for which points could not be requested by the Applicant in the application self-score form and include: §11.9(d)(1) Local Government Support, §11.9(d)(4) Quantifiable Community Participation, §11.9(d)(5) Community Support from State Representative, §11.9(d)(6) Input from Community Organizations, and §11.9(d)(7) Concerted Revitalization Plan.

Section 3 provides information related to any point deductions assessed under §11.9(f) of the QAP or §10.201(7)(A) of the Uniform Multifamily Rules.

Section 4 provides the final cumulative score in bold.

Section 5 includes an explanation of any differences between the requested and awarded score as well as any penalty points assessed.

The scores provided herein are merely informational at this point in the process and may be subject to change. For example, points awarded under §11.9(e)(4) "Leveraging of Private, State, and Federal Resources", 11.9(b)(1)(A) "Unit Sizes", 11.9(b)(1)(B) "Unit and Development Features", 11.9(c)(1) "Income Levels of Tenants", 11.9(c)(2) "Rent Levels of Tenants", 11.9(e)(1) "Financial Feasibility", 11.9(e)(3) "Pre-Application Participation", and may be adjusted should the underwriting review result in changes to the Application that would affect these scores. If a scoring adjustment is necessary, staff will provide the Applicant a revised scoring notice.

Be further advised that if the Applicant failed to properly disclose information in the Application that could have a material impact on the scoring information provided herein, the score included in this notice may require adjustment and/or the Applicant may be subject to other penalties as provided for in the Department's rules.

This preliminary scoring notice is provided by staff at this time to ensure that an Applicant has sufficient notice to exercise any appeal process provided under §10.902 of the Uniform Multifamily Rules. All information in this scoring notice is further subject to modification, acceptance, and/or approval by the Department's Governing Board.



MULTIFAMILY FINANCE PRODUCTION DIVISION
Housing Tax Credit Program - 2017 Application Round
Scoring Notice - Competitive Housing Tax Credit Application

Page 2 of Final Scoring Notice: 17036, Merritt McGowan Manor

Section 1:

Score Requested by Applicant (Does not include points for §11.9(d)(1), (4), (5), or (6) of the 2017 QAP):	114
Score Awarded by Department staff (Does not include points for §11.9(d)(1), (4), (5), or (6) of the 2017 QAP):	96
Difference between Requested and Awarded:	18

Section 2:

Points Awarded for §11.9(d)(1) Local Government Support:	17
Points Awarded for §11.9(d)(4) Quantifiable Community Participation:	4
Points Awarded for §11.9(d)(5) Community Support from State Representative:	8
Points Awarded for §11.9(d)(6) Input from Community Organizations:	4
Points Awarded for §11.9(d)(7) Concerted Revitalization Plan:	7

Section 3:

Points Deducted for §11.9(f) of the QAP or §10.201(7)(A) of the Uniform Multifamily Rules:	0
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Section 4:

Final Score Awarded to Application by Department staff:	136
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Section 5:

Explanation for Difference between Points Requested and Points Awarded by the Department as well as penalties assessed:

§11.9(e)(2) Cost of Development per Square Foot. The Application requested 12 points but is not eligible for points under this item. The Application only qualifies for four points under Opportunity Index and is not eligible for the high cost development allowance. (Requested 12, Awarded 0)

§11.9(e)(3) Pre-application Participation. The Application requested 6 points but is not eligible for points under this item because the Application final score (inclusive of only scoring items reflected on the self score form) varies by more than six (6) points from what was reflected in the preapplication self score. (Requested 6, Awarded 0)

Restrictions and requirements relating to the filing of an appeal can be found in §10.902 of the Uniform Multifamily Rules. If you wish to appeal this scoring notice, you must file your appeal with the Department no later than 5:00 p.m. Austin local time, Monday, April 17, 2017. If an appeal is denied by the Executive Director, an Applicant may appeal to the Department's Board.

In an effort to increase the likelihood that Board appeals related to scoring are heard at the Board meeting, the Department has provided an Appeal Election Form for all appeals submitted to the Executive Director. In the event an appeal is denied by the Executive Director, the Applicant is able to request that the appeal automatically be added to the Board agenda.

If you have any concerns regarding potential miscalculations or errors made by the Department, please contact Sharon Gamble at (512) 936-7834 or by email at <mailto:sharon.gamble@tdhca.state.tx.us>.

Sincerely,

Sharon Gamble

Sharon Gamble
 9% Competitive HTC Program Administrator


Development is Rural and Development Site is within the required distance of eligible amenities and/or services pursuant to §11.9(c)(4)(B)(ii) of the QAP. A map showing the Development Site, scale showing radius, location of the amenities, and other evidence as applicable is included behind this tab.

Application is seeking points for Opportunity Index. Total Points Claimed: 

If necessary, provide a brief summary of how the Development Site is justifying the points selected:

3. §11.9(c)(8) - Proximity to the Urban Core (Competitive HTC Applications Only)

- Development Site is located in a City with a population over 300,000 and is *not* in At-Risk Set-Aside.
- AND**
- Population of City is 300,000-500,000 and Development is located w/in 2 miles of City Hall facility.
- OR**
- Population of City is more than 500,000 and Development is located w/in 4 miles of City Hall facility.

Application is seeking points for Proximity to the Urban Core. Total Points Claimed: 

4. §11.9(c)(6) - Underserved Area (Competitive HTC and Direct Loan Applications Only)

Applications may qualify for up to five (5) points for proposed Developments located in one of the following areas:

- Colonia (Note: Not eligible if application qualifies for Opportunity Index points) ;
- Economically Distressed Area (Note: Not eligible if application qualifies for Opportunity Index points) ;
- Yes** A census tract within the boundaries of an incorporated area that has not received a competitive tax credit allocation or a 4% non-competitive tax credit allocation for a Development within the last 15 years; and continues to appear on Department's inventory
- If not the previous item, a census tract that does not have a Development subject to an active tax credit LURA, (or has received a tax credit award but not yet reached the point where its LURA must be recorded);
- A census tract within the boundaries of an incorporated area and all contiguous census tracts for which neither the census tract within which the Development is located nor the contiguous census tracts have received an award or HTC allocation within the last 15 years and continues to appear on the Department's inventory (**only applies in cities with a population of ≥300,000 and will not apply in At-Risk**).

Contiguous Census Tract #	<input type="text"/>	Contiguous Census Tract #	<input type="text"/>
Contiguous Census Tract #	<input type="text"/>	Contiguous Census Tract #	<input type="text"/>
Contiguous Census Tract #	<input type="text"/>	Contiguous Census Tract #	<input type="text"/>

Application is seeking points for Underserved Area. Total Points Claimed: 

5. **§11.9(d)(7) - Concerted Revitalization Plan (Competitive HTC Applications Only)**

Region:

- Development is in an Urban Area.
- Concerted Revitalization Plan has been adopted by the municipality or county and resolution or certification is attached behind this tab.
- Letter from appropriate local official , Target Area map, and supporting documentation are provided behind this tab.
- Development is explicitly identified by the city or county as contributing more than any other to the concerted revitalization efforts of the city or county; resolution stating such is provided behind this tab.
- No points were claimed for Opportunity Index, but location would qualify for at least 4 points:

university or community college (5 miles)	full service grocery store or pharmacy (1 mile)
health-related facility (3 miles)	museum (2 miles)

OR

- Development is in a Rural Area. Rehabilitation Demolition/Reconstruction
- Development is currently leased at 85% or more by low income households, and was constructed prior to 1985 as either public housing or as affordable housing with support from USDA, HUD, HOME, or CDBG.


AND

- Demolition and relocation of units has been determined locally to be necessary to comply with Affirmatively Furthering Fair Housing Rule or to create acceptable distance from Undesirable Neighborhood Characteristics, or such characteristics are disclosed and found to be acceptable.

OR

- Rehabilitation of units and the proposed location requires no disclosure of Undesirable Neighborhood Characteristics, or such characteristics are disclosed and found to be acceptable.
- Development is explicitly identified by the city or county as contributing more than any other to the concerted revitalization efforts of the city or county; letter from Governing Body stating such is provided behind this tab.
- No points were claimed for Opportunity Index, but location would qualify for at least 4 points under §11.9(c)(4)(B):

<input type="text"/>	<input type="text"/>
<input type="text"/>	<input type="text"/>

Application is seeking points for Concerted Revitalization. Total Points Claimed: 

6. **§11.9(d)(3) - Declared Disaster Area Scoring (Competitive HTC Applications ONLY)**

- Development is located in an area that qualifies as a Declared Disaster Area as defined in §11.9(d)(3).

Application is seeking points for Declared Disaster Area. Total Points Claimed:

BUILDING COSTS*:

Concrete	1,297,741		1,116,057
Masonry	665,561		572,382
Metals	202,800		174,408
Woods and Plastics	2,993,504		2,574,413
Thermal and Moisture Protection	207,502		178,452
Roof Covering	136,367		117,276
Doors and Windows	420,880		361,957
Finishes	1,618,267		1,391,710
Specialties	455,240		391,506
Equipment	7,480		6,433
Furnishings	250,920		215,791
Special Construction			
Conveying Systems (Elevators)			
Mechanical (HVAC; Plumbing)	1,566,080		1,346,829
Electrical	1,210,217		1,040,787

Individually itemize costs below:

Detached Community Facilities/Building			
Carpports and/or Garages			
Lead-Based Paint Abatement			
Asbestos Abatement (Rehabilitation Only)			
Structured Parking			
Commercial Space Costs			
Other (specify) - see footnote 1			
Subtotal Building Costs Before 11.9(e)(2)	\$11,032,559	\$0	\$9,488,001

Voluntary Eligible Building Costs (After 11.9(e)(2)) Enter amount to be used to achieve desired score.	\$73.98 psf	\$9,488,001
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*Enter score for Building **OR** Hard Costs at end of form

TOTAL BUILDING COSTS & SITE WORK (including site amenities)	\$13,483,839	\$0	\$11,123,102
---	--------------	-----	--------------

Contingency	4.79%	\$646,548		556,031
-------------	-------	-----------	--	---------

TOTAL HARD COSTS	\$14,130,387	\$0	\$11,679,133
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OTHER CONSTRUCTION COSTS	%THC			%EHC	
General requirements (<6%)	5.49%	775,857		667,237	5.71%
Field supervision (within GR limit)					
Contractor overhead (<2%)	1.83%	258,619		222,412	1.90%
G & A Field (within overhead limit)					
Contractor profit (<6%)	5.49%	775,857		667,237	5.71%

TOTAL CONTRACTOR FEES	\$1,810,333	\$0	\$1,556,886
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TOTAL CONSTRUCTION CONTRACT	\$15,940,720	\$0	\$13,236,019
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Voluntary Eligible "Hard Costs" (After 11.9(e)(2)) Enter amount to be used to achieve desired score.	\$103.20 psf	\$13,236,019
--	--------------	--------------

*Enter score for Building **OR** Hard Costs at end of form

OTHER FINANCING COSTS³

Tax credit fees	75,000		
Tax and/or bond counsel			
Payment bonds			
Performance bonds	153,907		153,907
Credit enhancement fees			
Mortgage insurance premiums			
Cost of underwriting & issuance			
Syndication organizational cost			
Tax opinion			
Relocation	363,000		0
Other (specify) - see footnote 1			
Subtotal Financing Cost	\$1,936,150	\$0	\$1,410,001

DEVELOPER FEES³

Housing consultant fees ⁴			
General & administrative			
Profit or fee	2,250,000		2,250,000
Subtotal Developer Fees 12.16%	\$2,250,000	\$0	\$2,250,000

RESERVES

Rent-up	50,000		
Operating	540,384		
Replacement	40,800		
Escrows			
Subtotal Reserves	\$631,184	\$0	\$0

TOTAL HOUSING DEVELOPMENT COSTS⁵

\$22,465,054	\$0	\$18,303,020
--------------	-----	--------------

The following calculations are for HTC Applications only.

Deduct From Basis:

Federal grants used to finance costs in Eligible Basis		
Non-qualified non-recourse financing		
Non-qualified portion of higher quality units §42(d)(5)		
Historic Credits (residential portion only)		
Total Eligible Basis	\$0	\$18,303,020
**High Cost Area Adjustment (100% or 130%)		130%
Total Adjusted Basis	\$0	\$23,793,926
Applicable Fraction		100%
Total Qualified Basis	\$23,793,926	\$23,793,926
Applicable Percentage ⁶		9.00%
Credits Supported by Eligible Basis	\$2,141,453	\$2,141,453

(May be greater than actual request)

*11.9(c)(2) Cost Per Square Foot: DO NOT ROUND! Applicants are advised to ensure that figure is not rounding down to the maximum dollar figure to support the elected points.

Requested Score for 11.9(e)(2)

12

Name of contact for Cost Estimate: **Neal Hildebrandt**

Phone Number for Contact: **972-980-9810**

17036

Applicant Appeal to
Executive Director



MULTIFAMILY FINANCE PRODUCTION DIVISION
Housing Tax Credit Program - 2017 Application Round
Scoring Notice - Competitive Housing Tax Credit Application

Appeal Election Form: 17036, Merritt McGowan Manor

Note: If you do not wish to appeal this notice, do not submit this form.

I am in receipt of my 2017 scoring notice and am filing a formal appeal to the Executive Director on or before Monday, April 17, 2017.

If my appeal is denied by the Executive Director:

I do wish to appeal to the Board of Directors and request that my application be added to the Department Board of Directors meeting agenda. My appeal documentation, which identifies my specific grounds for appeal, is attached. If no additional documentation is submitted, the appeal documentation to the Executive Director will be utilized.

I do not wish to appeal to the Board of Directors.

Signed

Rob McE

Title

EXECUTIVE DIRECTOR

Date

04/12/17

Please email to Sharon Gamble:
<mailto:sharon.gamble@tdhca.state.tx.us>

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A PROFESSIONAL CORPORATION

BARRY PALMER
DIRECTOR

BPALMER@COATSROSE.COM
DIRECT: (713) 653-7395
FAX: (713) 890-3944

SCORING NOTICE APPEAL

April 17, 2017

Mr. Tim Irvine, Executive Director
Ms. Sharon Gamble, Competitive Housing Tax Credit Program Administrator
Texas Department of Housing and Community Affairs
PO Box 13941
Austin, TX 78711

RE: Merritt McGowan Manor (TDHCA #17036) – Scoring Notice Appeal and Deficiency Response

Dear Mr. Irvine and Ms. Gamble,

The Scoring Notice dated April 10, 2017 (the “Scoring Notice”), for Merritt McGowan Manor (the “Project”) denied 12 points for the Project’s cost of development per square foot on the grounds that the Project does not meet the definition of high cost development contained in §11.9(e)(2)(A) of the 2017 Qualified Allocation Plan (the “QAP”), and thus cannot be eligible for 12 points under §11.9(e)(2)(B)(iv) (the “Development Cost Points”). The denial of these 12 points in turn resulted in a variance of greater than 6 points between the final application score and the pre-application self-score, and on this basis the Scoring Notice also denied 6 points for the pre-application participation in §11.9(e)(3) of the QAP (the “Pre-Application Points”).

Applicant also received a deficiency notice on the same date (the “April Deficiency Notice”) in which the sole deficiency item identified by staff pertains to cost of development per square foot. Please consider this letter to serve as both an appeal of the Scoring Notice and a response to the April Deficiency Notice. Applicant’s position and response with respect to both is set forth below.

- (i) The Project does meet the definition of high cost development in accordance with §11.9(e)(2)(A)(iv), and is thus entitled to the 12 Development Cost Points claimed.

§11.9(e)(2)(A)(iv) of the QAP provides that a Development is a high cost development if the Development Site *qualifies* for a minimum of five (5) points under §11.9(c)(4), related to Opportunity Index, and is located in an Urban Area. (emphasis added). The Project is located in an Urban Area (McKinney). The Applicant elected to score Community Revitalization Plan (“CRP”) points (§11.9(d)(7)) in lieu of Opportunity Index points, however, had the Applicant elected to score under the Opportunity Index, the Project site would have qualified for five (5) points based on its proximity to community assets listed in 11.9(c)(4)(B)(i)(II) [within ½ mile on an accessible route from Public Transportation], (III) [within 1 mile of a full-service grocery store], (IV) [within 3 miles of a health-related facility], (VII)

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WEB: www.coatsrosc.com

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4833-4659-7958.v5

[within 1 mile of a public library], and (X) [within 2 miles of a museum]. Therefore, with its Urban Area location and qualification for five (5) points under §11.9(c)(4), the Applicant reasonably concluded that the Project met the definition of high cost development, and was thus eligible for 12 points because the Project's voluntary Eligible Hard Cost per square foot is less than \$104 per square foot.

The Applicant's interpretation of the high cost development condition listed in §11.9(e)(2)(A)(iv) and conclusion that the Project satisfied said condition were reasonable and are consistent with the understanding of a similarly-posed scoring item contained in the 2017 9% Application. Specifically, for one point under the CRP scoring criteria, applicants are eligible to score if, although "no points were claimed for Opportunity Index [§11.9(c)(4)], but location would qualify for at least 4 points" and a listing of at least 4 community assets specified in §11.9(c)(4)(B)(i) is provided. See §11.9(d)(7) and item 5 on Tab 9 of 2017 9% Application. Applicant rightly scored the offered CRP point described in the preceding sentence because the Project site would qualify for five (5) points for Opportunity Index. In the Pre-Application filing the Applicant showed eight amenities that would qualify for points for Opportunity Index. In the Full Application, four of these amenities were reiterated through listing in Tab 9 for CRP purposes. In the Market Analysis submitted as part of the Application, a map included (see Exhibit A attached hereto) showing the location of at least five required amenities within the appropriate distances from the Project site, as indicated above. Faced with similarly-posed criteria in 11.9(e)(2)(A)(iv), and understanding that the Project site would qualify for the requisite five (5) points under §11.9(c)(4), Applicant reasonably concluded that the Project was considered a high cost development which could score 12 points having satisfied the cost per square foot threshold under §11.9(e)(2)(B)(iv).

In the April Deficiency Notice, TDHCA staff requested a response from Applicant explaining the Project's qualification as a high cost development which "should consider that the development must qualify for points under §11.9(c)(4)(A) of the opportunity index scoring item with respect to the cost per square foot scoring item before it can qualify under subsection (B) of that item." Prior to the receipt of the April Deficiency Notice containing staff's interpretation of the high cost development condition contained in §11.9(e)(2)(A)(iv), no rule, guidance or application instruction specified that, in order to qualify as a high cost development under that subsection, the development site must qualify for points under §11.9(c)(4)(A). Because the maximum possible score permitted for the Opportunity Index is seven (7) points, and the most one can score under §11.9(c)(4)(A) is two (2) points, it is entirely reasonable to infer that the reference to §11.9(c)(4) could be satisfied if the development site would qualify for at least five (5) points under any part of the referenced Opportunity Index section. If the intent of the QAP drafters was to limit the high cost development definition of §11.9(e)(2)(A)(iv) to development sites that *scored* at least five (5) points under §11.9(c)(4) or to those development sites meeting §11.9(c)(4)(A)(i) or (ii) only, then the language of §11.9(e)(2)(A)(iv) should have specified one or both of those limitations.

Imposing an unwritten condition to the definition of high cost development in a post-application submission communication such as the April Deficiency Notice unfair to applicants, especially when the interpretation is inconsistent with the similarly-posed CRP scoring item contained earlier in the application. Notably, Development Cost Points claimed by the Applicant were previously addressed in a March 30, 2017 Deficiency Notice, however, the April Deficiency Notice was the first to contain the staff interpretation that, if upheld, would effectively add a limitation to the high cost development definition not published in the QAP.

- (ii) Pre-Application Points should not be denied where a significant number of points claimed on the pre-application self-score were not awarded on the basis of a controversial interpretation.

For the reasoning set forth above, Applicant's self-score total reasonably included the 12 Development Cost Points, and the variance between the self-score and the final score contained in the Scoring Notice resulted entirely from the staff's contested interpretation contained in the April Deficiency Notice which imposes a limitation on a scoring item not included in the QAP. Denying the Pre-Application Points on the basis of staff's interpretation of a provision of the QAP that is evidently capable

of multiple, differing interpretations is inappropriate, especially when the staff's stated interpretation does not conform with the understanding of a similarly-posed CRP scoring item.

- (iii) Assuming that the Project is ineligible for the 12 Development Cost Points pursuant to §11.9(e)(2)(B), the Application should not be denied the 11 Development Cost Points which it is eligible for under §11.9(e)(2)(C)(i).

If staff's interpretation of the high cost development condition contained in the April Deficiency Notice is accepted, denying the full 12 points claimed, there is no justification for an all-or-nothing approach which would also deny the Application any points under §11.9(e)(2), despite the Project's undisputed eligibility for 11 points pursuant to §11.9(e)(2)(C). Specifically, §11.9(e)(2)(C)(i) provides that an Application for New Construction will be eligible for eleven (11) points if the voluntary Eligible Building Cost per square foot is less than \$78 per square foot. As is shown on tab 30 of the Application, the Project has a voluntary Eligible Building Cost of \$73.98 per square foot. Thus, even with a reasonably mistaken interpretation of the Project's qualification as a high cost development, the difference between the points requested and the points awarded would be one (1) point and of no consequence to the Pre-Application Points.

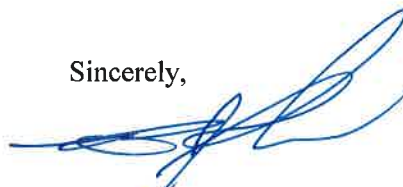
The explanation of the difference between points requested and points awarded contained in the Scoring Notice is as follows: "§11.9(e)(2) Cost of Development per Square Foot. The Application requested 12 points but is not eligible for points under this item." This explanation is inaccurate, as the Application clearly qualifies for eleven (11) points under §11.9(e)(2) even if it is ineligible for twelve (12) points thereunder.

Denial of all possible points under a high scoring section such as the Cost of Development Per Square Foot with the consequence of losing an additional six (6) Pre-Application Points is highly punitive and not consistent with the TDHCA's past actions. The permitted variance of up to six (6) points between self-score and points awarded exists for precisely the common circumstance presented here: an applicant self-score is a few points higher than the score it is eligible to receive, but the point variance is within a range deemed not significant enough to warrant discounting of its pre-application participation. Permitting the significant denial of points contained in the Scoring Notice to stand would communicate to all future applicants that, absent conservative self-scoring and under-scoring at the pre-application stage, they could lose out on a critically high number of points.

Please accept this appeal to the Scoring Notice in defense of the Cost of Development per Square Foot of the Merritt McGowan Manor and concurrent response to the April Deficiency Notice. The Application meets the *written* requirements of the QAP to be considered a high cost development eligible for 12 points under §11.9(e)(2), and, even if an unwritten staff interpretation of that definition is accepted, the Application is eligible for 11 points under §11.9(e)(2) and should be awarded those points accordingly. The Pre-App points should not be rescinded in either of these scenarios.

We thank you for your time and look forward to hearing from you.

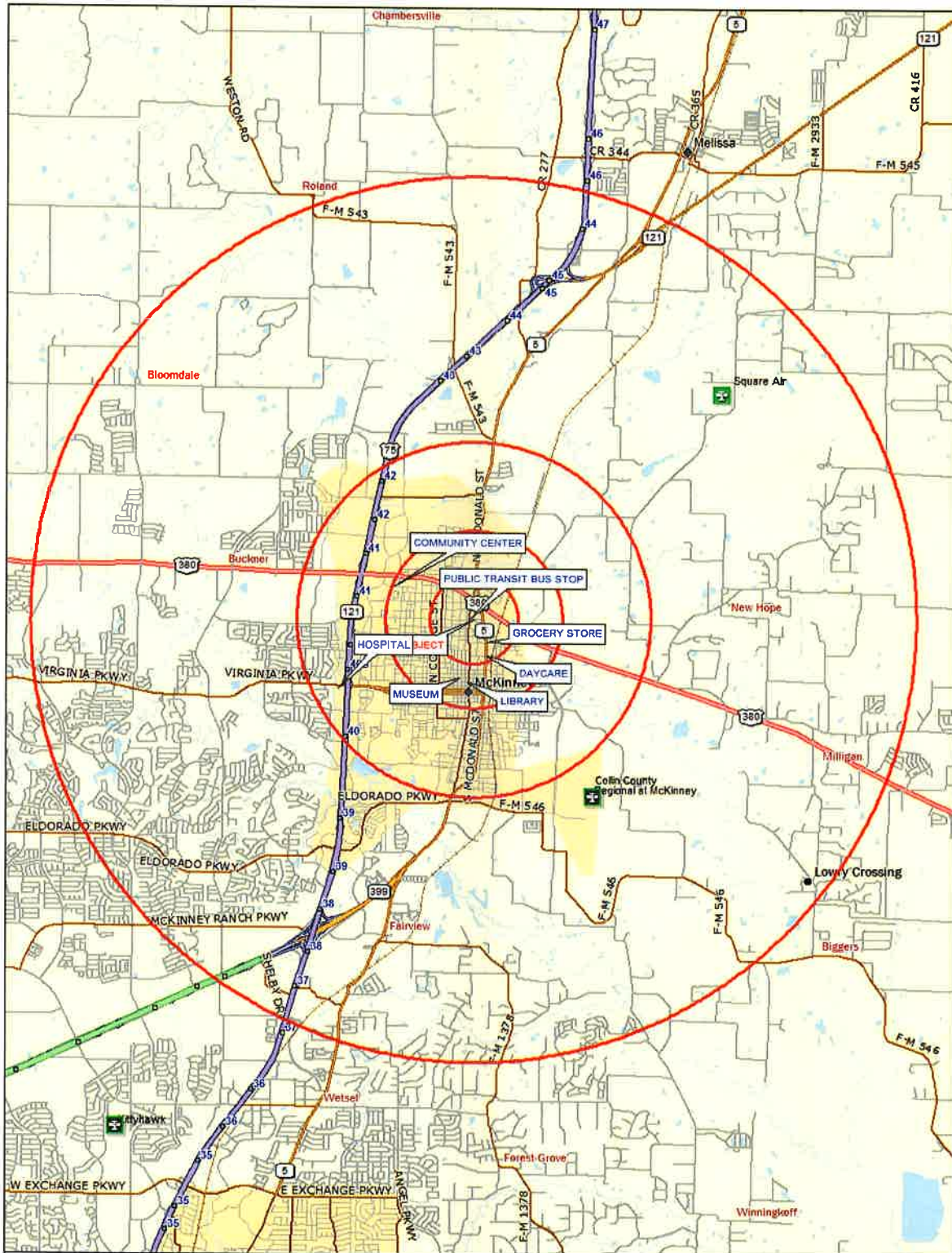
Sincerely,



Barry J. Palmer

EXHIBIT A

AMENITIES PROXIMITY MAP



17036

Executive Director's
Response



TEXAS DEPARTMENT OF HOUSING AND COMMUNITY AFFAIRS

www.tdhca.state.tx.us

Greg Abbott
GOVERNOR

BOARD MEMBERS
J. Paul Oxer, *Chair*
Leslie Bingham-Escareño, *Vice Chair*
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T. Tolbert Chisum
Tom H. Gann
J.B. Goodwin

May 5, 2017

Writer's direct phone # (512) 475-3296
Email: tim.irvine@tdhca.state.tx.us

Mr. Barry Palmer
Director
Coates Rose
9 Greenway Plaza, Ste 1100
Houston, TX 77046

RE: APPEAL OF SCORING NOTICE: 17036 MERRITT MCGOWAN MANOR, MCKINNEY, TEXAS

Dear Mr. Palmer:

The Texas Department of Housing and Community Affairs (the "Department") is in receipt of your appeal, dated April 17, 2017, of the scoring notice for the above referenced Application. This Application was denied 12 points under 10 TAC §11.9(e)(2) of the 2017 Qualified Allocation Plan ("QAP"), related to Cost of Development per Square Foot, because the Application only qualifies for four points under Opportunity Index and is not eligible for the high cost development allowance. The loss of these points led to the loss of six points under §11.9(e)(3) Pre-application Participation.

In your appeal you take the position that the Application is eligible for designation as a "high cost development" under §11.9(e)(2) because the Application qualifies for five points under §11.9(c)(4)(B) Opportunity Index. The appeal uses as an example the exception included in §11.9(d)(7) Concerted Revitalization Plan, particularly (A)(III) and (B)(iv), which state:

Applications will receive (1) point in addition to those under subclause (I) and (II) if the development is in a location that would score at least 4 points under Opportunity Index, §11.9(c)(4)(B), *except for the criteria found in §11.9(c)(4)(A) and subparagraphs §11.9(c)(4)(A)(i) and §11.9(c)(4)(A)(ii).* (emphasis added)

This exception assures applicants that applications including a concerted revitalization plan are not required to meet the threshold requirements of a high opportunity area. Purposefully, no such exception is included in §11.9(e)(2). An Application seeking designation as a high cost development under this scoring item must be eligible to score points under §11.9(c)(4). In order to score points for area amenities, the Applications must meet one of the two threshold items under that scoring item. Per §11.9(c)(4)(B):

An application that meets the foregoing criteria [§11.9(c)(4)(A)] may qualify for additional points (for a maximum of seven (7) points) for any one or more of the



MAY 5, 2017

Page 2

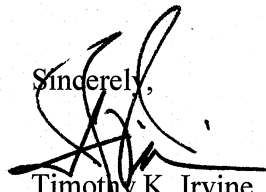
following factors. Each facility or amenity may be used only once for scoring purposes, regardless of the number of categories it fits: (emphasis added)

The Application does not meet the threshold requirements of §11.9(c)(4)(A) as the Development is in a census tract that is greater than 20% and greater than the median poverty rate for the region. Therefore, the Application cannot score points for amenities under the Opportunity Index.

I do not find that the points raised in your appeal clearly demonstrate that the Application is eligible for the points requested, and accordingly I must deny the appeal. You have indicated that you wish to appeal this decision directly to the Governing Board. Therefore, this appeal has been placed on the agenda for the next meeting scheduled for May 25, 2017.

Should you have any questions, please contact Sharon Gamble, Competitive Tax Credit Program Administrator, at sharon.gamble@tdhca.state.tx.us or by phone at 512-936-7834.

Sincerely,



Timothy K. Irvine
Executive Director

TKI

17134

Vista Park West

Pulled from this Agenda

BOARD ACTION ITEM
MULTIFAMILY FINANCE DIVISION
MAY 25, 2017

Presentation, discussion, and possible action on timely filed scoring appeals under 10 TAC §10.901 et seq. of the Department's Multifamily Program Rules (Subchapter G) related to Fee Schedule, Appeals and other Provisions.

RECOMMENDED ACTION

WHEREAS, a 9% Housing Tax Credit Application #17253, for Samuel Place Apartments was submitted to the Department by the Full Application Delivery Date;

WHEREAS, staff has determined that the Application is not eligible for 12 points requested under 10 TAC 11.9(e)(2) regarding Cost of Development per Square Foot and 18 points under 11.9(e)(1) related to Financial Feasibility; and that the point reduction from these items is more than six (6) points, rendering the application ineligible for the six (6) Pre-application points;

WHEREAS, a Competitive HTC scoring notice was provided to the Applicant identifying points that the Applicant elected but did not qualify to receive under 10 TAC §11.9 related to Competitive HTC Selection Criteria, after the Administrative Deficiency process was completed;

WHEREAS, the Applicants timely filed an appeal; and

WHEREAS, the Executive Director denied the appeal;

NOW, therefore, it is hereby

RESOLVED, that the scoring appeal for Application 17253, Samuel Place Apartments is hereby denied.

BACKGROUND

10 TAC §11.9 related to Competitive HTC Selection Criteria identifies the scoring criteria used in evaluating and ranking Applications. It includes those items required under Tex. Gov't Code, ch. 2306, §42 of the Internal Revenue Code (the "Code"), and other criteria established in a manner consistent with ch. 2306 and §42 of the Code.

The Samuel Place Apartments Application proposes the Acquisition and Rehabilitation of 60 units for the General population in Corpus Christi.

§11.9(e)(1) Financial Feasibility

Pursuant to §11.9(e)(1) related to Financial Feasibility:

Financial Feasibility. (§2306.6710(b)(1)(A)) An Application may qualify to receive a maximum of eighteen (18) points for this item. To qualify for points, a 15-year pro forma itemizing all projected income including Unit rental rate assumptions, operating expenses and debt service, and specifying the underlying growth assumptions and reflecting a minimum must-pay debt coverage ratio of 1.15 for each year must be submitted. *The pro forma must include the signature and contact information evidencing that it has been reviewed and found to be acceptable by an authorized representative of a proposed Third Party construction or permanent lender.* (emphasis added)

The Application included a pro forma, but the pro forma did not include the signature and contact information evidencing that it has been reviewed and found to be acceptable by an authorized representative of a proposed Third Party construction or permanent lender.

The appeal asserts that the missing signature is an issue that should be allowed to be cured through an Administrative Deficiency. Pursuant to 10 TAC §10.201(7)(B) of the 2017 Uniform Multifamily Rules related to the Administrative Deficiency Process:

The purpose of the Administrative Deficiency process is to allow an Applicant to provide clarification, correction, or non-material missing information to resolve inconsistencies in the original Application or to assist staff in evaluating the Application.

That the Application included an unsigned pro forma is not an issue of missing information or anything that requires clarification or correction. The signature is a mandatory requirement of receiving the associated points, and that requirement was not met.

§11.9(e)(2) Cost of Development per Square Foot

To qualify for 12 points under §11.9(e)(2)(E)(i) of the 2017 Qualified Allocation Plan (“QAP”) related to Cost of Development per Square Foot, an Application proposing Acquisition and Rehabilitation must qualify using Eligible Hard Costs. Per the QAP:

Cost of Development per Square Foot. (§2306.6710(b)(1)(F); §42(m)(1)(C)(iii)) An Application may qualify to receive up to twelve (12) points based on either the Eligible Building Cost or the Eligible Hard Costs per square foot of the proposed Development voluntarily included in eligible basis as originally submitted in the Application. *For purposes of this scoring item, Eligible Building Costs will be defined as Building Costs includable in Eligible Basis for the purposes of determining a Housing Credit Allocation. Eligible Building Costs will exclude structured parking or commercial space that is not included in Eligible Basis, and Eligible Hard Costs will include general contractor overhead, profit, and general requirements. ...* (emphasis added)

The Eligible Hard Costs entered on the Development Cost Schedule, and including general contractor overhead, profit, and general requirements, total \$6,431,890. When this cost is divided by the net rentable area of 55,276 square feet, the cost per square foot totals \$116.36, which is above the threshold of \$104.00. In their appeal, the Applicant seeks to use Eligible Hard Costs excluding the costs for general contractor overhead, profit, and general requirements to get to a total that fits within the cost threshold for 12 points. The reason the costs are above the threshold is not because

the Applicant entered the wrong number in the wrong space; the Applicant omitted costs that are required to be included in the calculation.

The Applicant asserts that though the Application does not qualify for the 12 points requested under §11.9(e)(2)(E)(i), the Application should be awarded 11 points under §11.9(e)(2)(E)(iii) which has a threshold of \$135.20. Pursuant to 10 TAC §10.201(7)(B) of the 2017 Uniform Multifamily Rules related to the Administrative Deficiency Process:

... An Applicant may not change or supplement any part of an Application in any manner after the filing deadline or while the Application is under consideration for an award, and may not add any set-asides, increase the requested credit amount, revise the Unit mix (both income levels and Bedroom mixes), *or adjust their self-score except in response to a direct request from the Department to do so as a result of an Administrative Deficiency.* (emphasis added)

The Application requested points for which it is not eligible, and staff determined that this was not an issue of clarification that would require the Applicant to change the Application self-score.

§11.9(e)(3) Pre-application Participation

Per §11.9(e)(3) Pre-application Participation, one of the requirements for an application to qualify to receive up to six (6) points under this item is that the application final score (inclusive of only scoring items reflected on the self score form) does not vary by more than six (6) points from what was reflected in the pre-application self score. Due to the loss of 18 points under 11.9(e)(1) and 12 points under 11.9(e)(2), the application is not eligible to receive the six (6) pre-application points.

Staff recommends that the Board deny the appeal.

17253

Scoring Notice and
Documentation



MULTIFAMILY FINANCE PRODUCTION DIVISION
Housing Tax Credit Program - 2017 Application Round
Scoring Notice - Competitive Housing Tax Credit Application

Roger H. Canales

Phone #: (210) 821-4300

Email: rogerc@prosperahcs.org

Second Email: bradfordmc@prosperahcs.org

Date: April 19, 2017

**THIS NOTICE WILL ONLY BE
TRANSMITTED VIA EMAIL**

**RE: 2017 Competitive Housing Tax Credit (HTC) Application for Samuel Place Apartments, TDHCA
Number: 17253**

The Texas Department of Housing and Community Affairs has completed its program review of the Application referenced above as further described in the 2017 Qualified Allocation Plan ("QAP"). This scoring notice provides a summary of staff's assessment of the application's score. The notice is divided into several sections.

Section 1 of the scoring notice provides a summary of the score requested by the Applicant followed by the score staff has assessed based on the Application submitted. You should note that four scoring items are not reflected in this scoring comparison but are addressed separately.

Section 2 of the scoring notice includes each of the five scoring criteria for which points could not be requested by the Applicant in the application self-score form and include: §11.9(d)(1) Local Government Support, §11.9(d)(4) Quantifiable Community Participation, §11.9(d)(5) Community Support from State Representative, §11.9(d)(6) Input from Community Organizations, and §11.9(d)(7) Concerted Revitalization Plan.

Section 3 provides information related to any point deductions assessed under §11.9(f) of the QAP or §10.201(7)(A) of the Uniform Multifamily Rules.

Section 4 provides the final cumulative score in bold.

Section 5 includes an explanation of any differences between the requested and awarded score as well as any penalty points assessed.

The scores provided herein are merely informational at this point in the process and may be subject to change. For example, points awarded under §11.9(e)(4) "Leveraging of Private, State, and Federal Resources", 11.9(b)(1)(A) "Unit Sizes", 11.9(b)(1)(B) "Unit and Development Features", 11.9(c)(1) "Income Levels of Tenants", 11.9(c)(2) "Rent Levels of Tenants", 11.9(e)(1) "Financial Feasibility", 11.9(e)(3) "Pre-Application Participation", and may be adjusted should the underwriting review result in changes to the Application that would affect these scores. If a scoring adjustment is necessary, staff will provide the Applicant a revised scoring notice.

Be further advised that if the Applicant failed to properly disclose information in the Application that could have a material impact on the scoring information provided herein, the score included in this notice may require adjustment and/or the Applicant may be subject to other penalties as provided for in the Department's rules.

This preliminary scoring notice is provided by staff at this time to ensure that an Applicant has sufficient notice to exercise any appeal process provided under §10.902 of the Uniform Multifamily Rules. All information in this scoring notice is further subject to modification, acceptance, and/or approval by the Department's Governing Board.



MULTIFAMILY FINANCE PRODUCTION DIVISION
 Housing Tax Credit Program - 2017 Application Round
 Scoring Notice - Competitive Housing Tax Credit Application

Page 2 of Final Scoring Notice: 17253, Samuel Place Apartments

Section 1:

Score Requested by Applicant (Does not include points for §11.9(d)(1), (4), (5), or (6) of the 2017 QAP):	115
Score Awarded by Department staff (Does not include points for §11.9(d)(1), (4), (5), or (6) of the 2017 QAP):	85
Difference between Requested and Awarded:	30

Section 2:

Points Awarded for §11.9(d)(1) Local Government Support:	17
Points Awarded for §11.9(d)(4) Quantifiable Community Participation:	8
Points Awarded for §11.9(d)(5) Community Support from State Representative:	8
Points Awarded for §11.9(d)(6) Input from Community Organizations:	0
Points Awarded for §11.9(d)(7) Concerted Revitalization Plan:	7

Section 3:

Points Deducted for §11.9(f) of the QAP or §10.201(7)(A) of the Uniform Multifamily Rules:	0
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Section 4:

Final Score Awarded to Application by Department staff:	119
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Section 5:

Explanation for Difference between Points Requested and Points Awarded by the Department as well as penalties assessed:

§11.9(e)(2) Cost of Development per Square Foot. The Application requested 12 points but is not eligible for points under this item. The Application does not qualify for the high cost development allowance under Opportunity Index. (Requested 12, Awarded 0)

§11.9(e)(1) Financial Feasibility. The Application requested 18 points but is not eligible for points because the Application did not include a pro forma signed by the lender. (Requested 18, Awarded 0)

§11.9(e)(3) Pre-application Participation. The Application requested 6 points but is not eligible for points under this item because the Application final score (inclusive of only scoring items reflected on the self score form) varies by more than six (6) points from what was reflected in the preapplication self score. (Requested 6, Awarded 0)

Restrictions and requirements relating to the filing of an appeal can be found in §10.902 of the Uniform Multifamily Rules. If you wish to appeal this scoring notice, you must file your appeal with the Department no later than 5:00 p.m. Austin local time, Wednesday, April 26, 2017. If an appeal is denied by the Executive Director, an Applicant may appeal to the Department's Board.

In an effort to increase the likelihood that Board appeals related to scoring are heard at the Board meeting, the Department has provided an Appeal Election Form for all appeals submitted to the Executive Director. In the event an appeal is denied by the Executive Director, the Applicant is able to request that the appeal automatically be added to the Board agenda.

If you have any concerns regarding potential miscalculations or errors made by the Department, please contact Sharon Gamble at (512) 936-7834 or by email at <mailto:sharon.gamble@tdhca.state.tx.us>.

Sincerely,

Sharon Gamble

Sharon Gamble

9% Competitive HTC Program Administrator

Development Cost Schedule

Self Score Total: 12

This Development Cost Schedule must be consistent with the Summary Sources and Uses of Funds Statement. All Applications must complete the total development cost column and the Tax Payer Identification column. Only HTC applications must complete the Eligible Basis columns and the Requested Credit calculation below:

TOTAL DEVELOPMENT SUMMARY			Scratch Paper/Notes
Total	Eligible Basis (If Applicable)		
Cost	Acquisition	New/Rehab.	
ACQUISITION			
Site acquisition cost	500,000		
Existing building acquisition cost	1,580,000	0	
Closing costs & acq. legal fees			
Other (specify) - see footnote 1			
Other (specify) - see footnote 1			
Subtotal Acquisition Cost	\$2,080,000	\$0	\$0
OFF-SITES²			
Off-site concrete			
Storm drains & devices			
Water & fire hydrants			
Off-site utilities			
Sewer lateral(s)			
Off-site paving			
Off-site electrical			
Other (specify) - see footnote 1			
Other (specify) - see footnote 1			
Subtotal Off-Sites Cost	\$0	\$0	\$0
SITE WORK³			
Demolition	390,000		
Asbestos Abatement (Demolition Only)	0		
Detention			
Rough grading	150,000		150,000
Fine grading	30,000		30,000
On-site concrete	75,000		75,000
On-site electrical	120,000		120,000
On-site paving	240,000		240,000
On-site utilities	201,000		201,000
Decorative masonry	10,500		10,500
Bumper stops, striping & signs	6,000		6,000
Other (specify) - see footnote 1			
Subtotal Site Work Cost	\$1,222,500	\$0	\$832,500
SITE AMENITIES			
Landscaping	60,000		60,000
Pool and decking	0		
Athletic court(s), playground(s)	50,000		50,000
Fencing	30,000		30,000
dumpster enclosures	15,000		15,000
Subtotal Site Amenities Cost	\$155,000	\$0	\$155,000

BUILDING COSTS*:

Concrete	300,000		300,000
Masonry	240,000		240,000
Metals	108,000		108,000
Woods and Plastics	696,000		696,000
Thermal and Moisture Protection	90,000		90,000
Roof Covering	36,000		36,000
Doors and Windows	201,000		201,000
Finishes	759,000		759,000
Specialties	54,600		54,600
Equipment	90,000		90,000
Furnishings	195,000		195,000
Special Construction	0		0
Conveying Systems (Elevators)	0		0
Mechanical (HVAC; Plumbing)	702,000		702,000
Electrical	330,000		330,000

Individually itemize costs below:

Detached Community Facilities/Building	340,000		340,000
Carports and/or Garages			
Lead-Based Paint Abatement			
Asbestos Abatement (Rehabilitation Only)	102,000		
Structured Parking			
Commercial Space Costs			
Other (specify) - see footnote 1			
Subtotal Building Costs Before 11.9(e)(2)	\$4,243,600	\$0	\$4,141,600

Voluntary Eligible Building Costs (After 11.9(e)(2)) Enter amount to be used to achieve desired score.	\$71.07 psf	\$4,141,600
--	-------------	-------------

*Enter score for Building **OR** Hard Costs at end of form

TOTAL BUILDING COSTS & SITE WORK (including site amenities)	\$5,621,100	\$0	\$5,129,100
---	-------------	-----	-------------

Contingency	10.00%	\$562,110		512,910
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TOTAL HARD COSTS	\$6,183,210	\$0	\$5,642,010
-------------------------	-------------	-----	-------------

OTHER CONSTRUCTION COSTS	%THC			%EHC	
General requirements (<6%)	6.00%	370,992		338,520	6.00%
Field supervision (within GR limit)					
Contractor overhead (<2%)	2.00%	123,664		112,840	2.00%
G & A Field (within overhead limit)					
Contractor profit (<6%)	6.00%	370,992		338,520	6.00%

TOTAL CONTRACTOR FEES	\$865,648	\$0	\$789,880
------------------------------	-----------	-----	-----------

TOTAL CONSTRUCTION CONTRACT	\$7,048,858	\$0	\$6,431,890
------------------------------------	-------------	-----	-------------

Voluntary Eligible "Hard Costs" (After 11.9(e)(2)) Enter amount to be used to achieve desired score.	\$110.37 psf	\$6,431,890
--	--------------	-------------

*Enter score for Building **OR** Hard Costs at end of form

OTHER FINANCING COSTS³

Tax credit fees	60,000		
Tax and/or bond counsel			
Payment bonds			
Performance bonds			
Credit enhancement fees			
Mortgage insurance premiums			
Cost of underwriting & issuance			
Syndication organizational cost	10,000		
Tax opinion			
TDHCA Fee	4,800		4,800
Soft Cost Contingency	50,000		0
Subtotal Financing Cost	\$907,300	\$0	\$571,800

DEVELOPER FEES³

Housing consultant fees ⁴				
General & administrative				
Profit or fee	1,447,453		1,373,653	
Subtotal Developer Fees 14.92%	\$1,447,453	\$0	\$1,373,653	15.00%

RESERVES

Rent-up	100,000		
Operating	250,000		
Replacement			
Escrows			
Subtotal Reserves	\$350,000	\$0	\$0

TOTAL HOUSING DEVELOPMENT COSTS⁵

	\$14,137,611	\$0	\$10,531,343
--	--------------	-----	--------------

The following calculations are for HTC Applications only.

Deduct From Basis:

Federal grants used to finance costs in Eligible Basis			
Non-qualified non-recourse financing			
Non-qualified portion of higher quality units §42(d)(5)			
Historic Credits (residential portion only)			
Total Eligible Basis		\$0	\$10,531,343
**High Cost Area Adjustment (100% or 130%)			130%
Total Adjusted Basis		\$0	\$13,690,746
Applicable Fraction			100%
Total Qualified Basis	\$13,690,746	\$0	\$13,690,746
Applicable Percentage ⁶			9.00%
Credits Supported by Eligible Basis	\$1,232,167	\$0	\$1,232,167

(May be greater than actual request)

*11.9(c)(2) Cost Per Square Foot: DO NOT ROUND! Applicants are advised to ensure that figure is not rounding down to the maximum dollar figure to support the elected points.

Requested Score for 11.9(e)(2)

12

Name of contact for Cost Estimate: **Kevin C. Smith - Kevin C. Smith Consulting Services, Inc.**

Phone Number for Contact: **(210) 865-0788**

Footnotes:

- ¹ An itemized description of all "other" costs must be included at the end of this exhibit.
- ² All Off-Site costs must be justified by a Third Party engineer in accordance with the Department's format provided in the Offsite Cost Breakdown form.
- ³ (HTC Only) Site Work expenses, indirect construction costs, developer fees, construction loan financing and other financing costs may or may not be included in Eligible Basis. Site Work costs must be justified by a Third Party engineer in accordance with the Department's format provided in the Site Work Cost Breakdown form.
- ⁴ (HTC Only) Only fees paid to a consultant for duties which are not ordinarily the responsibility of the developer, can be included in Eligible Basis. Otherwise, consulting fees are included in the calculation of maximum developer fees.
- ⁵ (HTC Only) Provide all costs & Eligible Basis associated with the Development.
- ⁶ (HTC Only) Use the appropriate Applicable Percentages as defined in §10.3 of the Uniform Mutifamily Rules.

Development is Rural and Development Site is within the required distance of eligible amenities and/or services pursuant to §11.9(c)(4)(B)(ii) of the QAP. A map showing the Development Site, scale showing radius, location of the amenities, and other evidence as applicable is included behind this tab.

Application is seeking points for Opportunity Index. Total Points Claimed: 0

If necessary, provide a brief summary of how the Development Site is justifying the points selected:
 We are claiming no points in this section

3. §11.9(c)(8) - Proximity to the Urban Core (Competitive HTC Applications Only)

- Development Site is located in a City with a population over 300,000 and is *not* in At-Risk Set-Aside.
- AND**
- Population of City is 300,000-500,000 and Development is located w/in 2 miles of City Hall facility.
- OR**
- Population of City is more than 500,000 and Development is located w/in 4 miles of City Hall facility.

Application is seeking points for Proximity to the Urban Core. Total Points Claimed: 0

4. §11.9(c)(6) - Underserved Area (Competitive HTC and Direct Loan Applications Only)

Applications may qualify for up to five (5) points for proposed Developments located in one of the following areas:

- No Colonia (Note: Not eligible if application qualifies for Opportunity Index points) ;
- No Economically Distressed Area (Note: Not eligible if application qualifies for Opportunity Index points) ;
- Yes A census tract within the boundaries of an incorporated area that has not received a competitive tax credit allocation or a 4% non-competitive tax credit allocation for a Development within the last 15 years; and continues to appear on Department's inventory
- No If not the previous item, a census tract that does not have a Development subject to an active tax credit LURA, (or has received a tax credit award but not yet reached the point where its LURA must be recorded);
- No A census tract within the boundaries of an incorporated area and all contiguous census tracts for which neither the census tract within which the Development is located nor the contiguous census tracts have received an award or HTC allocation within the last 15 years and continues to appear on the Department's inventory (**only applies in cities with a population of ≥300,000 and will not apply in At-Risk**).

Contiguous Census Tract #	<input type="text"/>	Contiguous Census Tract #	<input type="text"/>
Contiguous Census Tract #	<input type="text"/>	Contiguous Census Tract #	<input type="text"/>
Contiguous Census Tract #	<input type="text"/>	Contiguous Census Tract #	<input type="text"/>

Application is seeking points for Underserved Area. Total Points Claimed: 3

5. §11.9(d)(7) - Concerted Revitalization Plan (Competitive HTC Applications Only)

Region:

- Development is in an Urban Area.
- Concerted Revitalization Plan has been adopted by the municipality or county and resolution or certification is attached behind this tab.
- Letter from appropriate local official , Target Area map, and supporting documentation are provided behind this tab.
- Development is explicitly identified by the city or county as contributing more than any other to the concerted revitalization efforts of the city or county; resolution stating such is provided behind this tab.
- No points were claimed for Opportunity Index, but location would qualify for at least 4 points:

public transportation route (.5 mile)	full service grocery store or pharmacy (1 mile)
health-related facility (3 miles)	indoor recreation facility available to public (1 mile)

OR

- Development is in a Rural Area. Rehabilitation Demolition/Reconstruction
- Development is currently leased at 85% or more by low income households, and was constructed prior to 1985 as either public housing or as affordable housing with support from USDA, HUD, HOME, or CDBG.


AND

- Demolition and relocation of units has been determined locally to be necessary to comply with Affirmatively Furthering Fair Housing Rule or to create acceptable distance from Undesirable Neighborhood Characteristics, or such characteristics are disclosed and found to be acceptable.

OR

- Rehabilitation of units and the proposed location requires no disclosure of Undesirable Neighborhood Characteristics, or such characteristics are disclosed and found to be acceptable.
- Development is explicitly identified by the city or county as contributing more than any other to the concerted revitalization efforts of the city or county; letter from Governing Body stating such is provided behind this tab.
- No points were claimed for Opportunity Index, but location would qualify for at least 4 points under §11.9(c)(4)(B):

<input type="text"/>	<input type="text"/>
<input type="text"/>	<input type="text"/>

Application is seeking points for Concerted Revitalization. Total Points Claimed: 

6. §11.9(d)(3) - Declared Disaster Area Scoring (Competitive HTC Applications ONLY)

- Development is located in an area that qualifies as a Declared Disaster Area as defined in §11.9(d)(3).

Application is seeking points for Declared Disaster Area. Total Points Claimed:

Finance Scoring (for Competitive HTC Applications ONLY)

Self Score Total: 115

1. Commitment of Development Funding by Local Political Subdivision (§11.9(d)(2))

Name of the Local Political Subdivision providing the funding: City of Corpus Christi

A letter from an official of the political subdivision stating that the political subdivision will provide a loan, grant, reduced fees or contribution of other value is in the application.

The letter includes the dollar value of the contribution and the terms under which it will be provided.

The commitment of development funding is reflected in the Application as a financial benefit to the Development, i.e. reported as a source of funds on the Sources and Uses Form and/or reflected in a lower cost in the Development Cost Schedule, such as notation of a reduction in building permits and related costs.

Total Points Claimed: 1

2. Financial Feasibility (§11.9(e)(1))

Eligible Pro-Forma and letter stating the Development is financially feasible. 0

Eligible Pro-Forma and letter stating Development **and** Principals are acceptable. 18

Total Points Claimed: 18

3. Leveraging of Private, State, and Federal Resources (§2306.6725(a)(3); §11.9(e)(4))

Percent of Units restricted to serve households at or below 30% of AMGI 11.67%

HTC funding request as a percent of Total Housing Development Cost 7.99%

eligible for points:

Development Leverages CDBG Disaster Recovery, HOPE VI, RAD or Choice Neighborhood Funding 0

Housing Tax Credit Request 8% of Total Housing Development Cost 3

Housing Tax Credit Request 9% of Total Housing Development Cost 2

Housing Tax Credit Request 10% of Total Housing Development Cost 1

** Be sure no more than 50% of Developer fees are deferred.*

Total Points Claimed: 3

Supporting Documents Should be Included Behind this Tab

- Executed Pro Forma from Permanent or Construction Lender
- Letter from lender regarding approval of Principals
- Evidence of Permanent and Construction Financing (term sheets, loan agreements)
- Evidence of any Gap Financing
- Evidence of any Owner Contributions
- Evidence of Equity Financing (HTC applications only)
- Letter from Texas Historical Commission (THC) indicating preliminary eligibility for historic (rehabilitation) tax credits and documentation of Certified Historic Structure status as detailed in QAP §11.9(e)(6) was submitted behind TAB 19.
- Letter from Local Political Subdivision evidencing a loan, grant, reduced fees or contribution of other value to benefit the Development. [QAP §11.9(d)(2)]
- Evidence of Rental Assistance/Subsidy



15 Year Rental Housing Operating Pro Forma (All Programs)

The pro forma should be based on the operating income and expense information for the base year (first year of stabilized occupancy using today's best estimates of market rents, restricted rents, rental income and expenses), and principal and interest debt service. The Department uses an annual growth rate of 2% for income and 3% for expenses. Written explanation for any deviations from these growth rates or for assumptions other than straight-line growth made during the proforma period should be attached to this exhibit.

INCOME	YEAR 1	YEAR 2	YEAR 3	YEAR 4	YEAR 5	YEAR 10	YEAR 15
POTENTIAL GROSS ANNUAL RENTAL INCOME	\$556,512	\$567,642	\$578,995	\$590,575	\$602,386	\$665,083	\$734,306
Secondary Income	\$ 14,400	\$ 14,688	\$ 14,982	\$ 15,281	\$ 15,587	\$ 17,209	\$ 19,000
POTENTIAL GROSS ANNUAL INCOME	\$570,912	\$582,330	\$593,977	\$605,856	\$617,974	\$682,293	\$753,306
Provision for Vacancy & Collection Loss	(\$28,546)	(\$29,117)	(\$29,699)	(\$30,293)	(\$30,899)	(\$34,115)	(\$37,665)
Rental Concessions	\$0						
EFFECTIVE GROSS ANNUAL INCOME	\$542,366	\$553,214	\$564,278	\$575,564	\$587,075	\$648,178	\$715,641
EXPENSES							
General & Administrative Expenses	\$27,600	\$28,428	\$29,281	\$30,159	\$31,064	\$36,012	\$41,747
Management Fee	\$ 27,750	\$ 28,305	\$ 28,871	\$ 29,449	\$ 30,037	\$ 33,164	\$ 36,616
Payroll, Payroll Tax & Employee Benefits	\$ 84,000	\$ 86,520	\$ 89,116	\$ 91,789	\$ 94,543	\$ 109,601	\$ 127,058
Repairs & Maintenance	\$ 37,500	\$ 38,625	\$ 39,784	\$ 40,977	\$ 42,207	\$ 48,929	\$ 56,722
Electric & Gas Utilities	\$ 7,500	\$ 7,725	\$ 7,957	\$ 8,195	\$ 8,441	\$ 9,786	\$ 11,344
Water, Sewer & Trash Utilities	\$ 50,000	\$ 51,500	\$ 53,045	\$ 54,636	\$ 56,275	\$ 65,239	\$ 75,629
Annual Property Insurance Premiums	\$ 40,600	\$ 41,818	\$ 43,073	\$ 44,365	\$ 45,696	\$ 52,974	\$ 61,411
Property Tax	\$ 34,000	\$ 35,020	\$ 36,071	\$ 37,153	\$ 38,267	\$ 44,362	\$ 51,428
Reserve for Replacements	\$ 18,000	\$ 18,540	\$ 19,096	\$ 19,669	\$ 20,259	\$ 23,486	\$ 27,227
Other Expenses	\$ 12,400	\$ 12,772	\$ 13,155	\$ 13,550	\$ 13,956	\$ 16,179	\$ 18,756
TOTAL ANNUAL EXPENSES	\$339,350	\$349,253	\$359,448	\$369,942	\$380,746	\$439,731	\$507,938
NET OPERATING INCOME	\$203,016	\$203,961	\$204,830	\$205,621	\$206,329	\$208,447	\$207,702
DEBT SERVICE							
First Deed of Trust Annual Loan Payment	\$140,267	\$140,267	\$140,267	\$140,267	\$140,267	\$140,267	\$143,619
Second Deed of Trust Annual Loan Payment	9,103	9,103	9,103	9,103	9,103	9,103	9,103
Third Deed of Trust Annual Loan Payment	16,000	16,000	16,000	16,000	16,000	16,000	16,000
Other Annual Required Payment							
Other Annual Required Payment							
ANNUAL NET CASH FLOW	\$37,646	\$38,591	\$39,460	\$40,251	\$40,959	\$43,077	\$38,980
CUMULATIVE NET CASH FLOW	\$37,646	\$76,237	\$115,698	\$155,949	\$196,908	\$406,997	\$612,140
Debt Coverage Ratio	1.23	1.23	1.24	1.24	1.25	1.26	1.23
Other (Describe)							
Other (Describe)							

By signing below I (we) are certifying that the above 15 Year pro forma, is consistent with the unit rental rate assumptions, total operating expenses, net operating income, and debt service coverage based on the bank's current underwriting parameters and consistent with the loan terms indicated in the term sheet and preliminarily considered feasible pending further diligence review. The debt service for each year maintains no less than a 1.15 debt coverage ratio. (Signature only required if using this pro forma for points under §11.9(e)(1) relating to Financial Feasibility)

Phone: _____

Email: _____

Signature, Authorized Representative, Construction or Permanent Lender

Printed Name

Date

Signature, Authorized Representative, Syndicator

Printed Name

Date

17253

Applicant Appeal to
Executive Director



Via Electronic Submission

April 26, 2017

Texas Department of Housing and Community Affairs
211 East 11th Street
Austin, Texas 78701-2410
Attention: Mr. Tim Irvine, Executive Director

RE: #17253 – Samuel Place Apartments, Corpus Christi, Texas 78411
Appeal of Final Scoring Notice for 2017 9% Application

Gilbert M. Piette
Executive Director

- 0 -

Administrative Notice:

*TG 110, Inc. is an
affiliate of Housing and
Community Services,
Inc.*

210.821.4300
210.821.4303 Fax
888.732.3394 Toll Free

- 0 -

Property Location:

3126 B Ray Ellison
Corpus Christi, Texas
78415

Dear Mr. Irvine,

We are appealing the attached Final Scoring Notice for the above referenced 2017 9% tax credit application that details we are not eligible for points under §11.9(e)(2) Cost of Development per Square Foot (12 Points), §11.9(e)(1) Financial Feasibility (18 points), or §11.9(e)(3) Pre-Application Participation (6 points).

Item One - §11.9(e)(2) Cost of Development per Square Foot (12 Points)

The justification provided for denying the points under §11.9(e)(2) is as follows:

§11.9(e)(2) Cost of Development per Square Foot. The Application requested 12 points but is not eligible for points under this item. The Application does not qualify for the high cost development allowance under Opportunity Index. (Requested 12, Awarded 0)

In our appeals to Staff regarding this item throughout the deficiency period we attempted to explain that we were not requesting points for this category based on the high cost development allowance under the Opportunity Index to no avail and are therefore appealing to you.

It appears the justification for the elimination of points under §11.9(e)(2) was based on Staff's assumption that we were requesting points under §11.9(e)(2)(B)(iv):

- (B) Applications proposing New Construction or Reconstruction will be eligible for twelve (12) points if one of the following conditions is met:
- (i) The voluntary Eligible Building Cost per square foot is less than \$72.80 per square foot;
 - (ii) The voluntary Eligible Building Cost per square foot is less than \$78 per square foot, and the Development meets the definition of a high cost development;
 - (iii) The voluntary Eligible Hard Cost per square foot is less than \$93.60 per square foot; or
 - (iv) The voluntary Eligible Hard Cost per square foot is less than \$104 per square foot, **and the Development meets the definition of high cost development.**

or possibly §11.9(e)(2)(E)(ii):

(E) Applications proposing Adaptive Reuse or Rehabilitation (excluding Reconstruction) will be eligible for points if one of the following conditions is met:

- (i) Twelve (12) points for Applications which include voluntary Eligible Hard Costs plus acquisition costs included in Eligible Basis that are less than \$104 per square foot;
- (ii) Twelve (12) points for Applications which include voluntary Eligible Hard Costs plus acquisition costs included in Eligible Basis that are less than \$135.20 per square foot, located in an Urban Area, **and that qualify for 5 or 7 points under subsection (c)(4) of this section, related to Opportunity Index;** or
- (iii) Eleven (11) points for Applications which include voluntary Eligible Hard Costs plus acquisition costs included in Eligible Basis that are less than \$135.20 per square foot.

It is clear throughout our application that our development qualifies as a “Rehabilitation”. Therefore, our application cannot qualify for points under §11.9(e)(2)(B) or (C) or (D). Our application can only qualify for points under §11.9(e)(2)(E) and we were requesting 12 points under §11.9(e)(2)(E)(i):

(E) Applications proposing Adaptive Reuse or Rehabilitation (excluding Reconstruction) will be eligible for points if one of the following conditions is met:

- (i) Twelve (12) points for Applications which include voluntary Eligible Hard Costs plus acquisition costs included in Eligible Basis that are less than \$104 per square foot;
- (ii) Twelve (12) points for Applications which include voluntary Eligible Hard Costs plus acquisition costs included in Eligible Basis that are less than \$135.20 per square foot, located in an Urban Area, and that qualify for 5 or 7 points under subsection (c)(4) of this section, related to Opportunity Index; or
- (iii) Eleven (11) points for Applications which include voluntary Eligible Hard Costs plus acquisition costs included in Eligible Basis that are less than \$135.20 per square foot.

The definition of “Hard Costs” in the approved Uniform Multifamily Rules is:

(64) Hard Costs – The sum of total Building Costs, Site Work Costs, Off-Site Construction costs and contingency.

We qualify for points under §11.9(e)(2)(E)(i) because the sum of our Eligible Hard Costs – detailed as \$5,642,010 in the attached Development Cost Schedule taken from our previously submitted application – plus the acquisition costs included in Eligible Basis – detailed as \$0 – totals to \$5,642,010. When this is divided by the Net Rentable Area (NRA) – detailed as 55,276 in the Rent Schedule submitted in our application – the result is \$102.07 per square foot, which is below \$104 and qualifies for the points.

Unfortunately, instead of entering the “Total Hard Costs” amount of \$5,642,010 (because we had no Acquisition Costs in Eligible Basis) in the appropriate box, we incorrectly entered the “Total Construction Contract” amount of \$6,431,890 in the box resulting in a figure over the \$104 per square foot limit.

We understand from the Uniform Multifamily Rules that an item qualifies as an “Administrative Deficiency” if “information requested by Department staff ... is required to clarify or correct one or more inconsistencies...” We believe that our mistake in entering the wrong amount into the box for §11.9(e)(2) points is something that creates an inconsistency between the points we requested and the points for which we qualify.

Entering the amount of "Total Construction Contract" costs instead of "Total Hard Costs" in the box on Tab 30 is inconsistent with our status as a Rehabilitation development. Because we qualify for and requested the full 12 points under §11.9(e)(2)(E)(i), we would ask that we be allowed to correct the inconsistency by entering the amount of “Total Hard Costs” previously submitted with our application in the box for

§11.9(e)(2) points and thereby cure the Administrative Deficiency. We submitted a revised Tab 30 to the application in response to the Administrative Deficiency. §10.201(7) of the Uniform Multifamily Rules states that an applicant may not change its application except in response to an Administrative Deficiency. We have followed the rules and should be able to correct this error without a total loss of points.

Additionally, if for some reason we are mistaken about the amount that should be entered in the appropriate box on Tab 30 for the points requested and, in fact, the “Total Construction Contract” amount of \$6,431,890 is the appropriate number to enter in the box on Tab 30 or we cannot change such number, we believe we should then be awarded the 11 points under §11.9(e)(2)(E)(iii).

This is supported by the fact that the \$6,431,890 divided by the NRA of 55,276 discussed above results in \$116.35 per square foot, which is below the \$135.20 ceiling. (The amount of \$116.36 differs from the \$110.37 listed in Tab 30 because the TDHCA spreadsheet is inaccurately treating the project as a Supportive Housing Development and pulling the square footage listed in cell AF87 of the “23. BldgUnit Config” Tab instead of cell AF77.)

Item Two - §11.9(e)(1) Financial Feasibility (18 points)

The justification provided for denying the points under §11.9(e)(1) Financial Feasibility is as follows:

§11.9(e)(1) Financial Feasibility. The Application requested 18 points but is not eligible for points because the Application did not include a pro forma formed (sic) by the lender. (Requested 18, Awarded 0)

Although the signed version of the proforma was inadvertently left out of the application submission, an unsigned copy of the proforma was included in Tab 27. Therefore, we should be able to correct this oversight through an Administrative Deficiency; however, we were provided no notice of the deficiency and not allowed to correct it previous to receiving the Final Scoring Notice. The QAP states:

Due to the highly competitive nature of the program, Applicants that elect points where supporting documentation is required but fail to provide any supporting documentation will not be allowed to cure the issue through an Administrative Deficiency.

In this case, the applicant did not fail to provide any supporting documentation. The applicant did submit the pro forma as supporting documentation. However, the pro forma was not signed. We believe the lack of the signature constitutes missing information that should be allowed to be cured as an Administrative Deficiency.

Item Three - §11.9(e)(3) Pre-Application Participation (6 points)

The justification provided for denying the points under §11.9(e)(3) Pre-Application Participation is as follows:

§11.9(e)(3) Pre-application Participation. The Application requested 6 points but is not eligible for points under this item because the Application final score (inclusive of only scoring items reflected on the self score form) varies by more than six (6) points from what was reflected in the preapplication self score. (Requested 6, Awarded 0)

With the granting of our appeals for points under §11.9(e)(2) Cost of Development per Square Foot and §11.9(e)(1) Financial Feasibility, the Application final score will not vary by more than six points and therefore we are eligible for the six points requested.

We appreciate your favorable consideration of our request and please let us know if you have any questions or if you require any additional information.

Sincerely,



Gilbert M. Piette
Executive Director of sole member

Attachments 1. Original Deficiency Response dated April 10, 2017
 2. Second Deficiency Response dated April 17, 2017
 3. Final Scoring Notice - #17253 Samuel Place Apartments
 4. Tab 30 "Development Cost Schedule" excerpt from submitted application

Gilbert M. Piette
Executive Director

- o -

Administrative Notice:

*TG 110, Inc. is an affiliate of
Housing and Community
Services, Inc.*

210.821.4300
210.821.4303 Fax
888.732.3394 Toll Free

- o -

Property Location:

3126 B Ray Ellison
Corpus Christi, Texas 78415

April 10, 2017

Shannon Roth
Multifamily Housing Specialist
Texas Department of Housing and Community Affairs
221 E. 11th Street
Austin, TX 78701

Re: Samuel Place Apartments # 17253

Dear Ms. Roth:

In response to your email dated April 10, 2017, regarding the deficiency I assume the Hard Cost you are looking at includes the Other Construction Costs.

Completing the calculation without the other construction costs, the number will be at \$102.07 per square foot which is below the required \$104 need to receive the 12 points. See information below along with the Development Cost Schedule:

Total Square footage	Hard with Other Construction costs	Hard without Other Construction Costs
55276	\$ 6,431,890.00	\$ 5,642,010.00
Cost Per square foot	\$ 116.36	\$ 102.07

The following rules apply:

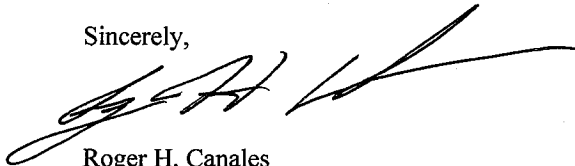
10.3(a) (64) Hard Costs--The sum total of Building Costs, Site Work costs, Off-Site Construction costs and contingency.

11.9(e)(2)(E) Applications proposing Adaptive Reuse or **Rehabilitation** (excluding Reconstruction) will be eligible for points if one of the following conditions is met:

- (i) Twelve (12) points for Applications which include voluntary Eligible Hard Costs plus acquisition costs included in Eligible Basis that are less than \$104 per square foot;

If you have any further question please feel free to call.

Sincerely,



Roger H. Canales
Director of Real Estate Development

Development Cost Schedule

Self Score Total: 12

This Development Cost Schedule must be consistent with the Summary Sources and Uses of Funds Statement. All Applications must complete the total development cost column and the Tax Payer Identification column. Only HTC applications must complete the Eligible Basis columns and the Requested Credit calculation below:

TOTAL DEVELOPMENT SUMMARY			Scratch Paper/Notes
Total	Eligible Basis (If Applicable)		
Cost	Acquisition	New/Rehab.	
ACQUISITION			
Site acquisition cost	500,000		
Existing building acquisition cost	1,580,000	0	
Closing costs & acq. legal fees			
Other (specify) - see footnote 1			
Other (specify) - see footnote 1			
Subtotal Acquisition Cost	\$2,080,000	\$0	\$0
OFF-SITES²			
Off-site concrete			
Storm drains & devices			
Water & fire hydrants			
Off-site utilities			
Sewer lateral(s)			
Off-site paving			
Off-site electrical			
Other (specify) - see footnote 1			
Other (specify) - see footnote 1			
Subtotal Off-Sites Cost	\$0	\$0	\$0
SITE WORK³			
Demolition	390,000		
Asbestos Abatement (Demolition Only)	0		
Detention			
Rough grading	150,000		150,000
Fine grading	30,000		30,000
On-site concrete	75,000		75,000
On-site electrical	120,000		120,000
On-site paving	240,000		240,000
On-site utilities	201,000		201,000
Decorative masonry	10,500		10,500
Bumper stops, striping & signs	6,000		6,000
Other (specify) - see footnote 1			
Subtotal Site Work Cost	\$1,222,500	\$0	\$832,500
SITE AMENITIES			
Landscaping	60,000		60,000
Pool and decking	0		
Athletic court(s), playground(s)	50,000		50,000
Fencing	30,000		30,000
dumpster enclosures	15,000		15,000
Subtotal Site Amenities Cost	\$155,000	\$0	\$155,000

BUILDING COSTS*:

Concrete	300,000		300,000
Masonry	240,000		240,000
Metals	108,000		108,000
Woods and Plastics	696,000		696,000
Thermal and Moisture Protection	90,000		90,000
Roof Covering	36,000		36,000
Doors and Windows	201,000		201,000
Finishes	759,000		759,000
Specialties	54,600		54,600
Equipment	90,000		90,000
Furnishings	195,000		195,000
Special Construction	0		0
Conveying Systems (Elevators)	0		0
Mechanical (HVAC; Plumbing)	702,000		702,000
Electrical	330,000		330,000

Individually itemize costs below:

Detached Community Facilities/Building	340,000		340,000
Carports and/or Garages			
Lead-Based Paint Abatement			
Asbestos Abatement (Rehabilitation Only)	102,000		
Structured Parking			
Commercial Space Costs			
Other (specify) - see footnote 1			
Subtotal Building Costs Before 11.9(e)(2)	\$4,243,600	\$0	\$4,141,600

Voluntary Eligible Building Costs (After 11.9(e)(2))	\$71.07 psf	\$4,141,600
Enter amount to be used to achieve desired score.		

*Enter score for Building **OR** Hard Costs at end of form

TOTAL BUILDING COSTS & SITE WORK (including site amenities)	\$5,621,100	\$0	\$5,129,100
--	-------------	-----	-------------

Use this number

Contingency	10.00%	\$562,110		512,910
TOTAL HARD COSTS		\$6,183,210	\$0	\$5,642,010

OTHER CONSTRUCTION COSTS		%THC			%EHC
General requirements (<6%)	6.00%	370,992		338,520	6.00%
Field supervision (within GR limit)					
Contractor overhead (<2%)	2.00%	123,664		112,840	2.00%
G & A Field (within overhead limit)					
Contractor profit (<6%)	6.00%	370,992		338,520	6.00%
TOTAL CONTRACTOR FEES		\$865,648	\$0	\$789,880	

This number includes Other Construction costs

TOTAL CONSTRUCTION CONTRACT	\$7,048,858	\$0	\$6,431,890
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Voluntary Eligible "Hard Costs" (After 11.9(e)(2))	\$110.37 psf	\$6,431,890
Enter amount to be used to achieve desired score.		

*Enter score for Building **OR** Hard Costs at end of form



TG 110, Inc.

TAX ID # 74-2699492

c/o Housing and Community Services, Inc.
8610 North New Braunfels, Suite 500
San Antonio, Texas 78217-6397

Bert M. Piette
Executive Director

April 17, 2017

Ms. Shannon Roth
Multifamily Housing Specialist
Texas Department of Housing and Community Affairs
211 E. 11th Street
Austin, TX 78701

RE: Samuel Place Apartments; TDHCA #17253

Dear Ms. Roth,

Upon further consideration of your email dated April 10, 2017 regarding a deficiency identified in the above-referenced 9% application, along with our response (attached) dated April 10, 2017 and our subsequent discussion, it is now clear that we are discussing two different points.

It appears that the application review identified a deficiency in that it was assumed that we were requesting 12 points for "Cost of Development per Square Foot" under Sec 11.9(e)(2)(B)(iv) as a development that meets the requirement for a "High Cost Development." Therefore we were asked to demonstrate, without providing any additional information not previously submitted in the application, how our development qualified for this status.

However, we were actually requesting the 12 points for "Cost of Development per Square Foot" under Sec 11.9(e)(2)(E)(i), as a rehabilitation development where the Eligible Hard Costs plus Eligible Acquisition Costs is below \$104 per Square Foot. Our mistake was in inserting the wrong amount in the box at the bottom of the worksheet as illustrated on the attached excerpt from the "Development Cost Schedule" included in our original application – instead of inserting the amount of "Total Hard Costs" we inserted the amount of "Total Construction Contract" costs.

We understand from the Uniform Multifamily Rules that an item qualifies as an "Administrative Deficiency" if "information requested by Department staff ... is required to clarify or correct one or more inconsistencies..." We believe that our mistake in entering the wrong amount into the box for Sec 11.9(e)(2) points is something that creates an inconsistency between the points we requested and the points for which we qualify.

It is clear throughout our application that our development qualifies as a "Rehabilitation". Therefore, our application cannot qualify for points under Sec 11.9(e)(2)(B) or (C) or (D). Our application can only qualify for points under Sec 11.9(e)(2)(E). Entering the amount of "Total Construction Contract" costs instead of "Total Hard Costs" in the box on Tab 30 is inconsistent with our status as a Rehabilitation development. Because we qualify for and requested the full 12 points under Sec 11.9(e)(2)(E)(i), we would ask that we be allowed to correct the inconsistency by entering the amount of "Total Hard Costs" previously submitted with our application in the box for Sec 11.9(e)(2) points and thereby cure the Administrative Deficiency.

We appreciate your favorable consideration of our request and please let us know if you have any questions or if you require any additional information.

Sincerely,

A handwritten signature in black ink, appearing to read "Gilbert M. Piette". The signature is fluid and cursive, with a large initial "G" and "P".

Gilbert M. Piette
Executive Director of sole member

Attachments

1. Our Original Response Dated April 10, 2017
2. Excerpt from Development Cost Schedule with Comments

BUILDING COSTS*:

Concrete	300,000		300,000
Masonry	240,000		240,000
Metals	108,000		108,000
Woods and Plastics	696,000		696,000
Thermal and Moisture Protection	90,000		90,000
Roof Covering	36,000		36,000
Doors and Windows	201,000		201,000
Finishes	759,000		759,000
Specialties	54,600		54,600
Equipment	90,000		90,000
Furnishings	195,000		195,000
Special Construction	0		0
Conveying Systems (Elevators)	0		0
Mechanical (HVAC; Plumbing)	702,000		702,000
Electrical	330,000		330,000

Individually itemize costs below:

Detached Community Facilities/Building	340,000		340,000
Carpports and/or Garages			
Lead-Based Paint Abatement			
Asbestos Abatement (Rehabilitation Only)	102,000		
Structured Parking			
Commercial Space Costs			
Other (specify) - see footnote 1			
Subtotal Building Costs Before 11.9(e)(2)	\$4,243,600	\$0	\$4,141,600

Voluntary Eligible Building Costs (After 11.9(e)(2)) \$71.07 psf \$4,141,600
 Enter amount to be used to achieve desired score.

*Enter score for Building **OR** Hard Costs at end of form

TOTAL BUILDING COSTS & SITE WORK \$5,621,100 \$0 \$5,129,100
 (including site amenities)

Contingency	10.00%	\$562,110		512,910
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TOTAL HARD COSTS \$6,183,210 \$0 \$5,642,010

OTHER CONSTRUCTION COSTS		%THC			%EHC
General requirements (<6%)	6.00%	370,992		338,520	6.00%
Field supervision (within GR limit)					
Contractor overhead (<2%)	2.00%	123,664		112,840	2.00%
G & A Field (within overhead limit)					
Contractor profit (<6%)	6.00%	370,992		338,520	6.00%

TOTAL CONTRACTOR FEES \$865,648 \$0 \$789,880

TOTAL CONSTRUCTION CONTRACT \$7,048,858 \$0 \$6,431,890

Voluntary Eligible "Hard Costs" (After 11.9(e)(2)) \$96.82 psf \$5,642,010
 Enter amount to be used to achieve desired score.

*Enter score for Building **OR** Hard Costs at end of form

Attachment 1

OTHER FINANCING COSTS³

Tax credit fees	60,000		
Tax and/or bond counsel			
Payment bonds			
Performance bonds			
Credit enhancement fees			
Mortgage insurance premiums			
Cost of underwriting & issuance			
Syndication organizational cost	10,000		
Tax opinion			
TDHCA Fee	4,800		4,800
Soft Cost Contingency	50,000		0
Subtotal Financing Cost	\$907,300	\$0	\$571,800

DEVELOPER FEES³

Housing consultant fees ⁴			
General & administrative			
Profit or fee	1,447,453		1,373,653
Subtotal Developer Fees	\$1,447,453	\$0	\$1,373,653

14.92% 16.42%

RESERVES

Rent-up	100,000		
Operating	250,000		
Replacement			
Escrows			
Subtotal Reserves	\$350,000	\$0	\$0

TOTAL HOUSING DEVELOPMENT COSTS⁵

\$14,137,611	\$0	\$9,741,463
---------------------	------------	--------------------

The following calculations are for HTC Applications only.

Deduct From Basis:

Federal grants used to finance costs in Eligible Basis		
Non-qualified non-recourse financing		
Non-qualified portion of higher quality units §42(d)(5)		
Historic Credits (residential portion only)		
Total Eligible Basis	\$0	\$9,741,463
**High Cost Area Adjustment (100% or 130%)		130%
Total Adjusted Basis	\$0	\$12,663,902
Applicable Fraction		100%
Total Qualified Basis	\$12,663,902	\$12,663,902
Applicable Percentage ⁶		9.00%
Credits Supported by Eligible Basis	\$1,139,751	\$1,139,751

(May be greater than actual request)

*11.9(c)(2) Cost Per Square Foot: DO NOT ROUND! Applicants are advised to ensure that figure is not rounding down to the maximum dollar figure to support the elected points.

Requested Score for 11.9(e)(2)

12

Name of contact for Cost Estimate: Kevin C. Smith - Kevin C. Smith Consulting Services, Inc.

Phone Number for Contact: (210) 865-0788

Attachment 1

Footnotes:

- ¹ An itemized description of all "other" costs must be included at the end of this exhibit.
- ² All Off-Site costs must be justified by a Third Party engineer in accordance with the Department's format provided in the Offsite Cost Breakdown form.
- ³ (HTC Only) Site Work expenses, indirect construction costs, developer fees, construction loan financing and other financing costs may or may not be included in Eligible Basis. Site Work costs must be justified by a Third Party engineer in accordance with the Department's format provided in the Site Work Cost Breakdown form.
- ⁴ (HTC Only) Only fees paid to a consultant for duties which are not ordinarily the responsibility of the developer, can be included in Eligible Basis. Otherwise, consulting fees are included in the calculation of maximum developer fees.
- ⁵ (HTC Only) Provide all costs & Eligible Basis associated with the Development.
- ⁶ (HTC Only) Use the appropriate Applicable Percentages as defined in §10.3 of the Uniform Mutifamily Rules.

Gilbert M. Piette
Executive Director

- o -

Administrative Notice:

*TG 110, Inc. is an affiliate of
Housing and Community
Services, Inc.*

210.821.4300
210.821.4303 Fax
888.732.3394 Toll Free

- o -

Property Location:

3126 B Ray Ellison
Corpus Christi, Texas 78415

April 10, 2017

Shannon Roth
Multifamily Housing Specialist
Texas Department of Housing and Community Affairs
221 E. 11th Street
Austin, TX 78701

Re: Samuel Place Apartments # 17253

Dear Ms. Roth:

In response to your email dated April 10, 2017, regarding the deficiency I assume the Hard Cost you are looking at includes the Other Construction Costs.

Completing the calculation without the other construction costs, the number will be at \$102.07 per square foot which is below the required \$104 need to receive the 12 points. See information below along with the Development Cost Schedule:

Total Square footage	Hard with Other Construction costs	Hard without Other Construction Costs
55276	\$ 6,431,890.00	\$ 5,642,010.00
Cost Per square foot	\$ 116.36	\$ 102.07

The following rules apply:

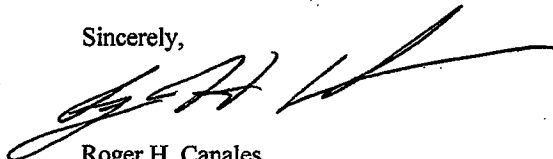
10.3(a) (64) Hard Costs--The sum total of Building Costs, Site Work costs, Off-Site Construction costs and contingency.

11.9(e)(2)(E) Applications proposing Adaptive Reuse or **Rehabilitation** (excluding Reconstruction) will be eligible for points if one of the following conditions is met:

(i) Twelve (12) points for Applications which include voluntary Eligible Hard Costs plus acquisition costs included in Eligible Basis that are less than \$104 per square foot;

If you have any further question please feel free to call.

Sincerely,



Roger H. Canales
Director of Real Estate Development

Attachment 2

Development Cost Schedule

Self Score Total: 12

This Development Cost Schedule must be consistent with the Summary Sources and Uses of Funds Statement. All Applications must complete the total development cost column and the Tax Payer Identification column. Only HTC applications must complete the Eligible Basis columns and the Requested Credit calculation below:

ACQUISITION

- Site acquisition cost
- Existing building acquisition cost
- Closing costs & acq. legal fees
- Other (specify) - see footnote 1
- Other (specify) - see footnote 1
- Subtotal Acquisition Cost**

TOTAL DEVELOPMENT SUMMARY		
Total Cost	Eligible Basis (If Applicable)	
	Acquisition	New/Rehab.
500,000		
1,580,000	0	
\$2,080,000	\$0	\$0

OFF-SITES²

- Off-site concrete
- Storm drains & devices
- Water & fire hydrants
- Off-site utilities
- Sewer lateral(s)
- Off-site paving
- Off-site electrical
- Other (specify) - see footnote 1
- Other (specify) - see footnote 1
- Subtotal Off-Sites Cost**

TOTAL DEVELOPMENT SUMMARY		
Total Cost	Eligible Basis (If Applicable)	
	Acquisition	New/Rehab.
\$0	\$0	\$0

SITE WORK³

- Demolition
- Asbestos Abatement (Demolition Only)
- Detention
- Rough grading
- Fine grading
- On-site concrete
- On-site electrical
- On-site paving
- On-site utilities
- Decorative masonry
- Bumper stops, striping & signs
- Other (specify) - see footnote 1
- Subtotal Site Work Cost**

TOTAL DEVELOPMENT SUMMARY		
Total Cost	Eligible Basis (If Applicable)	
	Acquisition	New/Rehab.
390,000		
0		
150,000		150,000
30,000		30,000
75,000		75,000
120,000		120,000
240,000		240,000
201,000		201,000
10,500		10,500
6,000		6,000
\$1,222,500	\$0	\$832,500

SITE AMENITIES

- Landscaping
- Pool and decking
- Athletic court(s), playground(s)
- Fencing
- dumpster enclosures
- Subtotal Site Amenities Cost**

TOTAL DEVELOPMENT SUMMARY		
Total Cost	Eligible Basis (If Applicable)	
	Acquisition	New/Rehab.
60,000		
0		
50,000		
30,000		
15,000		
\$155,000	\$0	\$155,000

Scratch Paper/Notes

Attachment 2

BUILDING COSTS*:

Concrete	300,000		300,000
Masonry	240,000		240,000
Metals	108,000		108,000
Woods and Plastics	696,000		696,000
Thermal and Moisture Protection	90,000		90,000
Roof Covering	36,000		36,000
Doors and Windows	201,000		201,000
Finishes	759,000		759,000
Specialties	54,600		54,600
Equipment	90,000		90,000
Furnishings	195,000		195,000
Special Construction	0		0
Conveying Systems (Elevators)	0		0
Mechanical (HVAC; Plumbing)	702,000		702,000
Electrical	330,000		330,000

Individually itemize costs below:

Detached Community Facilities/Building	340,000		340,000
Carpools and/or Garages			
Lead-Based Paint Abatement			
Asbestos Abatement (Rehabilitation Only)	102,000		
Structured Parking			
Commercial Space Costs			
Other (specify) - see footnote 1			
Subtotal Building Costs Before 11.9(e)(2)	\$4,243,600	\$0	\$4,141,600

Voluntary Eligible Building Costs (After 11.9(e)(2)) \$71.07 psf \$4,141,600
 Enter amount to be used to achieve desired score.

*Enter score for Building **OR** Hard Costs at end of form

TOTAL BUILDING COSTS & SITE WORK \$5,621,100 \$0 \$5,129,100
 (including site amenities)

Contingency	10.00%	\$562,110		512,910
TOTAL HARD COSTS		\$6,183,210	\$0	\$5,642,010

OTHER CONSTRUCTION COSTS		%THC			%EHC
General requirements (<6%)	6.00%	370,992		338,520	6.00%
Field supervision (within GR limit)					
Contractor overhead (<2%)	2.00%	123,664		112,840	2.00%
G & A Field (within overhead limit)					
Contractor profit (<6%)	6.00%	370,992		338,520	6.00%

TOTAL CONTRACTOR FEES \$865,648 \$0 \$789,880

TOTAL CONSTRUCTION CONTRACT \$7,048,858 \$0 \$6,431,890

Voluntary Eligible "Hard Costs" (After 11.9(e)(2)) \$110.37 psf \$6,431,890
 Enter amount to be used to achieve desired score.

*Enter score for Building **OR** Hard Costs at end of form

Use this number

This number includes Other Construction costs

Attachment 2

Development Cost Schedule

Self Score Total: 12

This Development Cost Schedule must be consistent with the Summary Sources and Uses of Funds Statement. All Applications must complete the total development cost column and the Tax Payer Identification column. Only HTC applications must complete the Eligible Basis columns and the Requested Credit calculation below:

TOTAL DEVELOPMENT SUMMARY		
Total Cost	Eligible Basis (If Applicable)	
	Acquisition	New/Rehab.

Scratch Paper/Notes

ACQUISITION

Site acquisition cost
Existing building acquisition cost
Closing costs & acq. legal fees
Other (specify) - see footnote 1
Other (specify) - see footnote 1

Subtotal Acquisition Cost

500,000		
1,580,000	0	
\$2,080,000	\$0	\$0

OFF-SITES²

Off-site concrete
Storm drains & devices
Water & fire hydrants
Off-site utilities
Sewer lateral(s)
Off-site paving
Off-site electrical
Other (specify) - see footnote 1
Other (specify) - see footnote 1

Subtotal Off-Sites Cost

\$0	\$0	\$0

SITE WORK³

Demolition
Asbestos Abatement (Demolition Only)
Detention
Rough grading
Fine grading
On-site concrete
On-site electrical
On-site paving
On-site utilities
Decorative masonry
Bumper stops, striping & signs
Other (specify) - see footnote 1

Subtotal Site Work Cost

390,000		
0		
150,000		150,000
30,000		30,000
75,000		75,000
120,000		120,000
240,000		240,000
201,000		201,000
10,500		10,500
6,000		6,000
\$1,222,500	\$0	\$832,500

SITE AMENITIES

Landscaping
Pool and decking
Athletic court(s), playground(s)
Fencing
dumpster enclosures

Subtotal Site Amenities Cost

60,000		60,000
0		
50,000		50,000
30,000		30,000
15,000		15,000
\$155,000	\$0	\$155,000

Attachment 3

BUILDING COSTS*:

Concrete	300,000		300,000
Masonry	240,000		240,000
Metals	108,000		108,000
Woods and Plastics	696,000		696,000
Thermal and Moisture Protection	90,000		90,000
Roof Covering	36,000		36,000
Doors and Windows	201,000		201,000
Finishes	759,000		759,000
Specialties	54,600		54,600
Equipment	90,000		90,000
Furnishings	195,000		195,000
Special Construction	0		0
Conveying Systems (Elevators)	0		0
Mechanical (HVAC; Plumbing)	702,000		702,000
Electrical	330,000		330,000

Individually itemize costs below:

Detached Community Facilities/Building	340,000		340,000
Carpools and/or Garages			
Lead-Based Paint Abatement			
Asbestos Abatement (Rehabilitation Only)	102,000		
Structured Parking			
Commercial Space Costs			
Other (specify) - see footnote 1			
Subtotal Building Costs Before 11.9(e)(2)	\$4,243,600	\$0	\$4,141,600

Voluntary Eligible Building Costs (After 11.9(e)(2)) \$71.07 psf \$4,141,600
 Enter amount to be used to achieve desired score.

TOTAL BUILDING COSTS & SITE WORK \$5,621,100 \$0 \$5,129,100
 (including site amenities)

Contingency	10.00%	\$562,110		512,910
-------------	--------	-----------	--	---------

TOTAL HARD COSTS \$6,183,210 \$0 \$5,642,010

OTHER CONSTRUCTION COSTS	%THC			%EHC	
General requirements (<6%)	6.00%	370,992		338,520	6.00%
Field supervision (within GR limit)					
Contractor overhead (<2%)	2.00%	123,664		112,840	2.00%
G & A Field (within overhead limit)					
Contractor profit (<6%)	6.00%	370,992		338,520	6.00%
TOTAL CONTRACTOR FEES		\$865,648	\$0	\$789,880	

TOTAL CONSTRUCTION CONTRACT \$7,048,858 \$0 \$6,431,890

Voluntary Eligible "Hard Costs" (After 11.9(e)(2)) \$110.37 psf \$6,431,890
 Enter amount to be used to achieve desired score.

*Enter score for Building OR Hard Costs at end of form

*Enter score for Building OR Hard Costs at end of form

There was a clerical error. The "Total Hard Costs" amount of \$5,642,010 should have been entered into this box instead of the erroneous "Total Construction Contract" amount of \$6,431,890 with no change or addition to the information provided in the application.

Attachment 3



MULTIFAMILY FINANCE PRODUCTION DIVISION
Housing Tax Credit Program - 2017 Application Round
Scoring Notice - Competitive Housing Tax Credit Application

Roger H. Canales

Phone #: (210) 821-4300

Email: rogerc@prosperahcs.org

Second Email: bradfordmc@prosperahcs.org

Date: April 19, 2017

**THIS NOTICE WILL ONLY BE
TRANSMITTED VIA EMAIL**

**RE: 2017 Competitive Housing Tax Credit (HTC) Application for Samuel Place Apartments, TDHCA
Number: 17253**

The Texas Department of Housing and Community Affairs has completed its program review of the Application referenced above as further described in the 2017 Qualified Allocation Plan ("QAP"). This scoring notice provides a summary of staff's assessment of the application's score. The notice is divided into several sections.

Section 1 of the scoring notice provides a summary of the score requested by the Applicant followed by the score staff has assessed based on the Application submitted. You should note that four scoring items are not reflected in this scoring comparison but are addressed separately.

Section 2 of the scoring notice includes each of the five scoring criteria for which points could not be requested by the Applicant in the application self-score form and include: §11.9(d)(1) Local Government Support, §11.9(d)(4) Quantifiable Community Participation, §11.9(d)(5) Community Support from State Representative, §11.9(d)(6) Input from Community Organizations, and §11.9(d)(7) Concerted Revitalization Plan.

Section 3 provides information related to any point deductions assessed under §11.9(f) of the QAP or §10.201(7)(A) of the Uniform Multifamily Rules.

Section 4 provides the final cumulative score in bold.

Section 5 includes an explanation of any differences between the requested and awarded score as well as any penalty points assessed.

The scores provided herein are merely informational at this point in the process and may be subject to change. For example, points awarded under §11.9(e)(4) "Leveraging of Private, State, and Federal Resources", 11.9(b)(1)(A) "Unit Sizes", 11.9(b)(1)(B) "Unit and Development Features", 11.9(c)(1) "Income Levels of Tenants", 11.9(c)(2) "Rent Levels of Tenants", 11.9(e)(1) "Financial Feasibility", 11.9(e)(3) "Pre-Application Participation", and may be adjusted should the underwriting review result in changes to the Application that would affect these scores. If a scoring adjustment is necessary, staff will provide the Applicant a revised scoring notice.

Be further advised that if the Applicant failed to properly disclose information in the Application that could have a material impact on the scoring information provided herein, the score included in this notice may require adjustment and/or the Applicant may be subject to other penalties as provided for in the Department's rules.

This preliminary scoring notice is provided by staff at this time to ensure that an Applicant has sufficient notice to exercise any appeal process provided under §10.902 of the Uniform Multifamily Rules. All information in this scoring notice is further subject to modification, acceptance, and/or approval by the Department's Governing Board.



MULTIFAMILY FINANCE PRODUCTION DIVISION
 Housing Tax Credit Program - 2017 Application Round
 Scoring Notice - Competitive Housing Tax Credit Application

Page 2 of Final Scoring Notice: 17253, Samuel Place Apartments

Section 1:

Score Requested by Applicant (Does not include points for §11.9(d)(1), (4), (5), or (6) of the 2017 QAP):	115
Score Awarded by Department staff (Does not include points for §11.9(d)(1), (4), (5), or (6) of the 2017 QAP):	85
Difference between Requested and Awarded:	30

Section 2:

Points Awarded for §11.9(d)(1) Local Government Support:	17
Points Awarded for §11.9(d)(4) Quantifiable Community Participation:	8
Points Awarded for §11.9(d)(5) Community Support from State Representative:	8
Points Awarded for §11.9(d)(6) Input from Community Organizations:	0
Points Awarded for §11.9(d)(7) Concerted Revitalization Plan:	7

Section 3:

Points Deducted for §11.9(f) of the QAP or §10.201(7)(A) of the Uniform Multifamily Rules:	0
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Section 4:

Final Score Awarded to Application by Department staff:	119
--	------------

Section 5:

Explanation for Difference between Points Requested and Points Awarded by the Department as well as penalties assessed:

§11.9(e)(2) Cost of Development per Square Foot. The Application requested 12 points but is not eligible for points under this item. The Application does not qualify for the high cost development allowance under Opportunity Index. (Requested 12, Awarded 0)

§11.9(e)(1) Financial Feasibility. The Application requested 18 points but is not eligible for points because the Application did not include a pro forma formed by the lender. (Requested 18, Awarded 0)

§11.9(e)(3) Pre-application Participation. The Application requested 6 points but is not eligible for points under this item because the Application final score (inclusive of only scoring items reflected on the self score form) varies by more than six (6) points from what was reflected in the preapplication self score. (Requested 6, Awarded 0)

Restrictions and requirements relating to the filing of an appeal can be found in §10.902 of the Uniform Multifamily Rules. If you wish to appeal this scoring notice, you must file your appeal with the Department no later than 5:00 p.m. Austin local time, Wednesday, April 26, 2017. If an appeal is denied by the Executive Director, an Applicant may appeal to the Department's Board.

In an effort to increase the likelihood that Board appeals related to scoring are heard at the Board meeting, the Department has provided an Appeal Election Form for all appeals submitted to the Executive Director. In the event an appeal is denied by the Executive Director, the Applicant is able to request that the appeal automatically be added to the Board agenda.

If you have any concerns regarding potential miscalculations or errors made by the Department, please contact Sharon Gamble at (512) 936-7834 or by email at <mailto:sharon.gamble@tdhca.state.tx.us>.

Sincerely,

Sharon Gamble

Sharon Gamble
 9% Competitive HTC Program Administrator

Tab 30.
Development Cost
Schedule

Development Cost Schedule

Self Score Total: 12

This Development Cost Schedule must be consistent with the Summary Sources and Uses of Funds Statement. All Applications must complete the total development cost column and the Tax Payer Identification column. Only HTC applications must complete the Eligible Basis columns and the Requested Credit calculation below:

TOTAL DEVELOPMENT SUMMARY			Scratch Paper/Notes
Total	Eligible Basis (If Applicable)		
Cost	Acquisition	New/Rehab.	
ACQUISITION			
Site acquisition cost	500,000		
Existing building acquisition cost	1,580,000	0	
Closing costs & acq. legal fees			
Other (specify) - see footnote 1			
Other (specify) - see footnote 1			
Subtotal Acquisition Cost	\$2,080,000	\$0	\$0
OFF-SITES²			
Off-site concrete			
Storm drains & devices			
Water & fire hydrants			
Off-site utilities			
Sewer lateral(s)			
Off-site paving			
Off-site electrical			
Other (specify) - see footnote 1			
Other (specify) - see footnote 1			
Subtotal Off-Sites Cost	\$0	\$0	\$0
SITE WORK³			
Demolition	390,000		
Asbestos Abatement (Demolition Only)	0		
Detention			
Rough grading	150,000		150,000
Fine grading	30,000		30,000
On-site concrete	75,000		75,000
On-site electrical	120,000		120,000
On-site paving	240,000		240,000
On-site utilities	201,000		201,000
Decorative masonry	10,500		10,500
Bumper stops, striping & signs	6,000		6,000
Other (specify) - see footnote 1			
Subtotal Site Work Cost	\$1,222,500	\$0	\$832,500
SITE AMENITIES			
Landscaping	60,000		60,000
Pool and decking	0		
Athletic court(s), playground(s)	50,000		50,000
Fencing	30,000		30,000
dumpster enclosures	15,000		15,000
Subtotal Site Amenities Cost	\$155,000	\$0	\$155,000

BUILDING COSTS*:

Concrete	300,000		300,000
Masonry	240,000		240,000
Metals	108,000		108,000
Woods and Plastics	696,000		696,000
Thermal and Moisture Protection	90,000		90,000
Roof Covering	36,000		36,000
Doors and Windows	201,000		201,000
Finishes	759,000		759,000
Specialties	54,600		54,600
Equipment	90,000		90,000
Furnishings	195,000		195,000
Special Construction	0		0
Conveying Systems (Elevators)	0		0
Mechanical (HVAC; Plumbing)	702,000		702,000
Electrical	330,000		330,000

Individually itemize costs below:

Detached Community Facilities/Building	340,000		340,000
Carports and/or Garages			
Lead-Based Paint Abatement			
Asbestos Abatement (Rehabilitation Only)	102,000		
Structured Parking			
Commercial Space Costs			
Other (specify) - see footnote 1			
Subtotal Building Costs Before 11.9(e)(2)	\$4,243,600	\$0	\$4,141,600

Voluntary Eligible Building Costs (After 11.9(e)(2))	\$71.07 psf	\$4,141,600
Enter amount to be used to achieve desired score.		

*Enter score for Building OR Hard Costs at end of form

TOTAL BUILDING COSTS & SITE WORK (including site amenities)	\$5,621,100	\$0	\$5,129,100
--	-------------	-----	-------------

Contingency	10.00%	\$562,110		512,910
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TOTAL HARD COSTS	\$6,183,210	\$0	\$5,642,010
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OTHER CONSTRUCTION COSTS	%THC			%EHC	
General requirements (<6%)	6.00%	370,992		338,520	6.00%
Field supervision (within GR limit)					
Contractor overhead (<2%)	2.00%	123,664		112,840	2.00%
G & A Field (within overhead limit)					
Contractor profit (<6%)	6.00%	370,992		338,520	6.00%

TOTAL CONTRACTOR FEES	\$865,648	\$0	\$789,880
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TOTAL CONSTRUCTION CONTRACT	\$7,048,858	\$0	\$6,431,890
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Voluntary Eligible "Hard Costs" (After 11.9(e)(2))	\$110.37 psf	\$6,431,890
Enter amount to be used to achieve desired score.		

*Enter score for Building OR Hard Costs at end of form

OTHER FINANCING COSTS³

Tax credit fees	60,000		
Tax and/or bond counsel			
Payment bonds			
Performance bonds			
Credit enhancement fees			
Mortgage insurance premiums			
Cost of underwriting & issuance			
Syndication organizational cost	10,000		
Tax opinion			
TDHCA Fee	4,800		4,800
Soft Cost Contingency	50,000		0
Subtotal Financing Cost	\$907,300	\$0	\$571,800

DEVELOPER FEES³

Housing consultant fees ⁴			
General & administrative			
Profit or fee	1,447,453		1,373,653
Subtotal Developer Fees 14.92%	\$1,447,453	\$0	\$1,373,653 15.00%

RESERVES

Rent-up	100,000		
Operating	250,000		
Replacement			
Escrows			
Subtotal Reserves	\$350,000	\$0	\$0

TOTAL HOUSING DEVELOPMENT COSTS⁵

	\$14,137,611	\$0	\$10,531,343
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The following calculations are for HTC Applications only.

Deduct From Basis:

Federal grants used to finance costs in Eligible Basis			
Non-qualified non-recourse financing			
Non-qualified portion of higher quality units §42(d)(5)			
Historic Credits (residential portion only)			
Total Eligible Basis		\$0	\$10,531,343
**High Cost Area Adjustment (100% or 130%)			130%
Total Adjusted Basis		\$0	\$13,690,746
Applicable Fraction			100%
Total Qualified Basis	\$13,690,746	\$0	\$13,690,746
Applicable Percentage ⁶			9.00%
Credits Supported by Eligible Basis	\$1,232,167	\$0	\$1,232,167

(May be greater than actual request)

*11.9(c)(2) Cost Per Square Foot: DO NOT ROUND! Applicants are advised to ensure that figure is not rounding down to the maximum dollar figure to support the elected points.

Requested Score for 11.9(e)(2)

12

Name of contact for Cost Estimate: **Kevin C. Smith - Kevin C. Smith Consulting Services, Inc.**

Phone Number for Contact: **(210) 865-0788**

Footnotes:

- ¹ An itemized description of all "other" costs must be included at the end of this exhibit.
- ² All Off-Site costs must be justified by a Third Party engineer in accordance with the Department's format provided in the Offsite Cost Breakdown form.
- ³ (HTC Only) Site Work expenses, indirect construction costs, developer fees, construction loan financing and other financing costs may or may not be included in Eligible Basis. Site Work costs must be justified by a Third Party engineer in accordance with the Department's format provided in the Site Work Cost Breakdown form.
- ⁴ (HTC Only) Only fees paid to a consultant for duties which are not ordinarily the responsibility of the developer, can be included in Eligible Basis. Otherwise, consulting fees are included in the calculation of maximum developer fees.
- ⁵ (HTC Only) Provide all costs & Eligible Basis associated with the Development.
- ⁶ (HTC Only) Use the appropriate Applicable Percentages as defined in §10.3 of the Uniform Mutifamily Rules.

17253

Executive Director's
Response



TEXAS DEPARTMENT OF HOUSING AND COMMUNITY AFFAIRS

www.tdhca.state.tx.us

Greg Abbott
GOVERNOR

BOARD MEMBERS
J. Paul Ozer, *Chair*
Leslie Bingham-Escareño, *Vice Chair*
Juan S. Muñoz, PhD
T. Tolbert Chisum
Tom H. Gann
J.B. Goodwin

May 15, 2017

Writer's direct phone # (512) 475-3296
Email: tim.irvine@tdhca.state.tx.us

Mr. Gilbert M. Piette
Executive Director
Housing and Community Services, Inc.
8610 N New Braunfels, Ste 500
San Antonio, TX 78217

RE: APPEAL OF SCORING NOTICE: 17253 SAMUEL PLACE APARTMENTS, CORPUS CHRISTI, TEXAS

Dear Mr. Piette:

The Texas Department of Housing and Community Affairs (the "Department") is in receipt of your appeal, dated April 26, 2017, of the scoring notice for the above referenced Application. This Application was denied 18 points under 10 TAC §11.9(e)(1) of the 2017 Qualified Allocation Plan ("QAP") related to Financial Feasibility because the Application did not include a pro forma signed by the lender; and 12 points under 10 TAC §11.9(e)(2), related to Cost of Development per Square Foot because the Application does not qualify for the high cost development allowance under Opportunity Index. The loss of these points led to the loss of six points under §11.9(e)(3) Pre-application Participation.

Regarding the loss of points under §11.9(e)(1) related to Financial Feasibility, you take the position that the submitted pro forma was not signed and that you should be able to correct that omission through an Administrative Deficiency. Pursuant to 10 TAC §10.201(7)(B) of the 2017 Uniform Multifamily Rules related to the Administrative Deficiency Process:

The purpose of the Administrative Deficiency process is to allow an Applicant to provide clarification, correction, or non-material missing information to resolve inconsistencies in the original Application or to assist staff in evaluating the Application.

The Application included an unsigned pro forma. This is not an issue of missing information or anything that requires clarification or correction. The signature is a requirement of receiving the associated points. Per §11.9(e)(1):

Financial Feasibility. (§2306.6710(b)(1)(A)) An Application may qualify to receive a maximum of eighteen (18) points for this item. To qualify for points, a 15-year pro forma itemizing all projected income including Unit rental rate assumptions, operating expenses and debt service, and specifying the underlying growth assumptions and reflecting a minimum must-pay debt coverage ratio of 1.15 for each year must be submitted. *The pro forma must include the signature and contact information evidencing that it has been reviewed and found to be acceptable by an*



authorized representative of a proposed Third Party construction or permanent lender.
(emphasis added)

Regarding the loss of points under §11.9(e)(2), related to Cost of Development per Square Foot, your appeal states that you simply entered the information in the wrong section of the application form. It is true that an application proposing Rehabilitation must qualify for points under this item using Hard Costs, and the application form has information entered under Building Costs. However, simply changing where on the application this information was entered would not cure the issue. Pursuant to §11.9(e)(2):

Cost of Development per Square Foot. (§2306.6710(b)(1)(F); §42(m)(1)(C)(iii)) An Application may qualify to receive up to twelve (12) points based on either the Eligible Building Cost or the Eligible Hard Costs per square foot of the proposed Development voluntarily included in eligible basis as originally submitted in the Application. For purposes of this scoring item, Eligible Building Costs will be defined as Building Costs includable in Eligible Basis for the purposes of determining a Housing Credit Allocation. *Eligible Building Costs will exclude structured parking or commercial space that is not included in Eligible Basis, and Eligible Hard Costs will include general contractor overhead, profit, and general requirements.* (emphasis added)

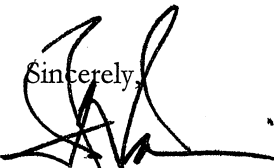
When the computation is run including all of the required costs, the result is \$110.37 per square foot, which exceeds the cost threshold for the points requested by the application.

Your appeal requests that should the Application not qualify for the 12 points requested, the Application be found eligible for 11 points under that same scoring item. Pursuant to 10 TAC §10.201(7)(B) of the 2017 Uniform Multifamily Rules related to the Administrative Deficiency Process:

... An Applicant may not change or supplement any part of an Application in any manner after the filing deadline or while the Application is under consideration for an award, and may not add any set-asides, increase the requested credit amount, revise the Unit mix (both income levels and Bedroom mixes), or adjust their self-score except in response to a direct request from the Department to do so as a result of an Administrative Deficiency. (emphasis added)

The Application requested points for which it is not eligible, and staff will not request a change to the Application self-score.

I do not find that the points raised in your appeal clearly demonstrate that the Application is eligible for the points requested, and accordingly I must deny the appeal. You have indicated that you wish to appeal this decision directly to the Governing Board. Therefore, this appeal has been placed on the agenda for the next meeting scheduled for May 25, 2017. Should you have any questions, please contact Sharon Gamble, Competitive Tax Credit Program Administrator, at sharon.gamble@tdhca.state.tx.us or by phone at 512-936-7834.

Sincerely,

Timothy K. Irvine
Executive Director

BOARD ACTION ITEM
MULTIFAMILY FINANCE DIVISION
MAY 25, 2017

Presentation, discussion, and possible action on timely filed scoring appeals under 10 TAC §10.901 et seq. of the Department's Multifamily Program Rules (Subchapter G) related to Fee Schedule, Appeals and other Provisions.

RECOMMENDED ACTION

WHEREAS, a 9% Housing Tax Credit Application #17275, for Aria Grand was submitted to the Department by the Full Application Delivery Date;

WHEREAS, staff has determined that the Application does not qualify for two tie-breaker selections under 10 TAC §11.9(c)(4) of the 2017 Qualified Allocation Plan ("QAP"), related to Opportunity Index, because the Application did not include evidence of an accessible route between the Development Site and the selected features;

WHEREAS, a Competitive HTC scoring notice was provided to the Applicant identifying that while the final score of the Application was not affected, the Applicant did not qualify to receive two (2) tie-breaker selections under 10 TAC §11.9 related to Competitive HTC Selection Criteria;

WHEREAS, the Applicants timely filed an appeal; and

WHEREAS, the Executive Director denied the appeal;

NOW, therefore, it is hereby

RESOLVED, that the appeal of tie-breaker factors for Application #17275, Aria Grand is hereby denied.

BACKGROUND

10 TAC §11.9 related to Competitive HTC Selection Criteria identifies the scoring criteria used in evaluating and ranking Applications. It includes those items required under Tex. Gov't Code, ch. 2306, §42 of the Internal Revenue Code (the "Code"), and other criteria established in a manner consistent with ch. 2306 and §42 of the Code.

The Aria Grand Application proposes the New Construction of 70 units for the General population in Austin.

§11.9(e)(1) Financial Feasibility

Should there be a tie in points between Applications competing for an award, §11.7 of the QAP, related to Tie Breaker Factors, includes a list of factors to be used to determine which Development will receive preference. The third tie-breaker gives preference to Applications having achieved the maximum Opportunity Index Score and the highest number of point items on the Opportunity Index menu that they were unable to claim because of the 7 point cap on that item. The Applicant selected two items from the Opportunity Index menu related to amenities that are on an accessible route. Per In §11.9(c)(4)(B):

- . . . (I) The Development site is located less than 1/2 mile on an accessible route from a public park with an accessible playground, both of which meet 2010 ADA standards. (1 point)
- (II) The Development Site is located less than 1/2 mile on an accessible route from Public Transportation with a route schedule that provides regular service to employment and basic services. For purposes of this scoring item, regular is defined as scheduled service beyond 8 a.m. to 5 p.m., plus weekend service. (1 point)

The appeal asserts that evidence of the accessible route is not required by the application, the QAP or the 2017 Uniform Multifamily Rules. Both the QAP (at 11.1(b)) and the Multifamily Rules (at 10.2(a)) speak to the responsibility of the Applicant to perform due diligence in the following terms:

- . . . it remains the sole responsibility of the Applicant to perform independently the necessary due diligence to research, confirm, and verify any data, opinions, interpretations, or other information upon which an Applicant bases an Application or includes in any submittal in connection with an Application.

While the QAP does not say “the Applicant must provide evidence of the accessible route,” it is the Department’s position that the assertion that the Development Site is located less than 1/2 mile on an accessible route from the amenity requires supporting documentation to allow staff to make a reasonable determination that the assertion has been researched, confirmed, or somehow verified by the Applicant. The Application included a statement from the local government regarding the accessibility of the playground, an indication that the Application was aware that evidence was required rather than simply a statement that it was accessible. Application reviewers are not accessibility specialists and make no determinations as to whether the entire route meets 2010 ADA standards; they determine whether the documentation provided in the Application supports the request for points. In this case, sufficient documentation of the accessible route was not provided in the Application.

Staff recommends that the Board deny the appeal.

17275
Scoring Notice and
Documentation



MULTIFAMILY FINANCE PRODUCTION DIVISION
Housing Tax Credit Program - 2017 Application Round
Scoring Notice - Competitive Housing Tax Credit Application

Lisa Stephens

Phone #: (352) 213-8700

Email: lisa@saigebrook.com

Second Email: ajcarpen@gmail.com

Date: May 01, 2017

**THIS NOTICE WILL ONLY BE
TRANSMITTED VIA EMAIL**

RE: 2017 Competitive Housing Tax Credit (HTC) Application for Aria Grand, TDHCA Number: 17275

The Texas Department of Housing and Community Affairs has completed its program review of the Application referenced above as further described in the 2017 Qualified Allocation Plan ("QAP"). This scoring notice provides a summary of staff's assessment of the application's score. The notice is divided into several sections.

Section 1 of the scoring notice provides a summary of the score requested by the Applicant followed by the score staff has assessed based on the Application submitted. You should note that four scoring items are not reflected in this scoring comparison but are addressed separately.

Section 2 of the scoring notice includes each of the five scoring criteria for which points could not be requested by the Applicant in the application self-score form and include: §11.9(d)(1) Local Government Support, §11.9(d)(4) Quantifiable Community Participation, §11.9(d)(5) Community Support from State Representative, §11.9(d)(6) Input from Community Organizations, and §11.9(d)(7) Concerted Revitalization Plan.

Section 3 provides information related to any point deductions assessed under §11.9(f) of the QAP or §10.201(7)(A) of the Uniform Multifamily Rules.

Section 4 provides the final cumulative score in bold.

Section 5 includes an explanation of any differences between the requested and awarded score and tie-breakers as well as any penalty points assessed.

The scores provided herein are merely informational at this point in the process and may be subject to change. For example, points awarded under §11.9(e)(4) "Leveraging of Private, State, and Federal Resources", 11.9(b)(1)(A) "Unit Sizes", 11.9(b)(1)(B) "Unit and Development Features", 11.9(c)(1) "Income Levels of Tenants", 11.9(c)(2) "Rent Levels of Tenants", 11.9(e)(1) "Financial Feasibility", 11.9(e)(3) "Pre-Application Participation", and may be adjusted should the underwriting review result in changes to the Application that would affect these scores. If a scoring adjustment is necessary, staff will provide the Applicant a revised scoring notice.

Be further advised that if the Applicant failed to properly disclose information in the Application that could have a material impact on the scoring information provided herein, the score included in this notice may require adjustment and/or the Applicant may be subject to other penalties as provided for in the Department's rules.

This preliminary scoring notice is provided by staff at this time to ensure that an Applicant has sufficient notice to exercise any appeal process provided under §10.902 of the Uniform Multifamily Rules. All information in this scoring notice is further subject to modification, acceptance, and/or approval by the Department's Governing Board.



MULTIFAMILY FINANCE PRODUCTION DIVISION
 Housing Tax Credit Program - 2017 Application Round
 Scoring Notice - Competitive Housing Tax Credit Application

Page 2 of Final Scoring Notice: 17275, Aria Grand

Section 1:

Score Requested by Applicant (Does not include points for §11.9(d)(1), (4), (5), or (6) of the 2017 QAP):	124
Score Awarded by Department staff (Does not include points for §11.9(d)(1), (4), (5), or (6) of the 2017 QAP):	124
Difference between Requested and Awarded:	0

Section 2:

Points Awarded for §11.9(d)(1) Local Government Support:	17
Points Awarded for §11.9(d)(4) Quantifiable Community Participation:	8
Points Awarded for §11.9(d)(5) Community Support from State Representative:	8
Points Awarded for §11.9(d)(6) Input from Community Organizations:	0
Points Awarded for §11.9(d)(7) Concerted Revitalization Plan:	0

Section 3:

Points Deducted for §11.9(f) of the QAP or §10.201(7)(A) of the Uniform Multifamily Rules:	0
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Section 4:

Final Score Awarded to Application by Department staff:	157
--	------------

Section 5:

Explanation for difference between points requested and points awarded by the Department as well as penalties assessed:

NA

Explanation for difference between requested tie-breakers and tie-breakers qualified by the Department:

§11.7 Tie-break Factors. The accessible routes to the park and to public transportation were not adequately documented. (Items Selected 11, Items Qualified 9)

Restrictions and requirements relating to the filing of an appeal can be found in §10.902 of the Uniform Multifamily Rules. If you wish to appeal this scoring notice, you must file your appeal with the Department no later than 5:00 p.m. Austin local time, Monday, May 8, 2017. If an appeal is denied by the Executive Director, an Applicant may appeal to the Department's Board.

In an effort to increase the likelihood that Board appeals related to scoring are heard at the Board meeting, the Department has provided an Appeal Election Form for all appeals submitted to the Executive Director. In the event an appeal is denied by the Executive Director, the Applicant is able to request that the appeal automatically be added to the Board agenda.

If you have any concerns regarding potential miscalculations or errors made by the Department, please contact Sharon Gamble at (512) 936-7834 or by email at <mailto:sharon.gamble@tdhca.state.tx.us>.

Sincerely,

Sharon Gamble

Sharon Gamble
 9% Competitive HTC Program Administrator

Site Information Form Part II

124

1. §11.9(c)(5) - Educational Quality (Competitive HTC Applications Only)

Residents of the proposed development will attend:

School Name	Grades X through X			Accountability Rating	Index 1 Score (e.g. 78)		Overall Rating
Travis Heights Elem	EE	through	5	Met Standard	65	Statewide	no Index 1>=ESC/State score
		through					Elementary
Fulmore Middle	6	through	8	Met Standard	69	Statewide	no Index 1>=ESC/State score
		through					Middle School
Travis High	9	through	12	Met Standard	66	Statewide	no Index 1>=ESC/State score
							High School

School district has no attendance zones and the closest schools are listed.

District Rating (if TEA never rated school):

Education Service Center Region Score (if applicable):

Additional Scoring Item

Application is seeking points for Educational Quality.

Total Points Claimed:



0

If necessary, provide a brief summary of how the Development Site is justifying the points selected:

No points selected.

2. §11.9(c)(4) - Opportunity Index (Competitive HTC and Direct Loan Applications Only)

Development Site is located in a census tract that has a poverty rate that is less than 20% or that is less than the median poverty rate for the region, whichever is higher.

AND

Development Site is located in a census tract with an income rate in the two highest quartiles within the region.

OR

Development Site is located in a census tract with income in the third quartile within the region, and is contiguous to a census tract in the first or second quartile, without physical barriers such as highways or rivers between, and the Development Site is no more than 2 miles from the boundary between the census tracts. A map showing the Development Site, location of the border, scale showing distance, and other evidence as applicable is included behind this tab.

Census Tract #

48453001402

Contiguous Census Tract #

48453001401

(if applicable)

Development is Urban and Development Site is within the required radius of eligible amenities and/or services, pursuant to §11.9(c)(4)(B)(i) of the QAP. A map showing the Development Site, scale showing radius, location of the amenities, and other evidence as applicable is included behind this tab.

accessible public park w/playground (.5 mile)

museum (2 miles)

public transportation route (.5 mile)

indoor recreation facility available to public (1 mile)

full service grocery store or pharmacy (1 mile)

outdoor recreation facility available to public (1 mile)

health-related facility (3 miles)

community, civic or service organization (1 mile)

licensed center serving children (2 miles)

university or community college (5 miles)

census tract with ≥27% associate degrees adults aged ≥25

Development is rural and Development Site is within the required distance or eligible amenities and/or services pursuant to §11.9(c)(4)(B)(ii) of the QAP. A map showing the Development Site, scale showing radius, location of the amenities, and other evidence as applicable is included behind this tab.

Application is seeking points for Opportunity Index. Total Points Claimed:  7

If necessary, provide a brief summary of how the Development Site is justifying the points selected:

3. §11.9(c)(8) - Proximity to the Urban Core (Competitive HTC Applications Only)

- Development Site is located in a City with a population over 300,000 and is *not* in At-Risk Set-Aside.
- AND**
- Population of City is 300,000-500,000 and Development is located w/in 2 miles of City Hall facility.
- OR**
- Population of City is more than 500,000 and Development is located w/in 4 miles of City Hall facility.

Application is seeking points for Proximity to the Urban Core. Total Points Claimed:  5

4. §11.9(c)(6) - Underserved Area (Competitive HTC and Direct Loan Applications Only)

Applications may qualify for up to five (5) points for proposed Developments located in one of the following areas:

- Colonia (*Note: Not eligible if application qualifies for Opportunity Index points*);
- Economically Distressed Area (*Note: Not eligible if application qualifies for Opportunity Index points*);
- Yes** A census tract within the boundaries of an incorporated area that has not received a competitive tax credit allocation or a 4% non-competitive tax credit allocation for a Development within the last 15 years; and continues to appear on Department's inventory

If not the previous item, a census tract that does not have a Development subject to an active tax credit LURA, (or has received a tax credit award but not yet reached the point where its LURA must be recorded);

A census tract within the boundaries of an incorporated area and all contiguous census tracts for which neither the census tract within which the Development is located nor the contiguous census tracts have received an award or HTC allocation within the last 15 years and continues to appear on the Department's inventory (**only applies in cities with a population of ≥300,000 and will not apply in At-Risk**).

Contiguous Census Tract #	<input type="text"/>	Contiguous Census Tract #	<input type="text"/>
Contiguous Census Tract #	<input type="text"/>	Contiguous Census Tract #	<input type="text"/>
Contiguous Census Tract #	<input type="text"/>	Contiguous Census Tract #	<input type="text"/>

Application is seeking points for Underserved Area. Total Points Claimed:  3

5. **§11.9(d)(7) - Concerted Revitalization Plan (Competitive HTC Applications Only)**

Region:

- Development is in an Urban Area.
- Concerted Revitalization Plan has been adopted by the municipality or county and resolution or certification is attached behind this tab.
- Letter from appropriate local official , Target Area map, and supporting documentation are provided behind this tab.
- Development is explicitly identified by the city or county as contributing more than any other to the concerted revitalization efforts of the city or county; resolution stating such is provided behind this tab.
- No points were claimed for Opportunity Index, but location would qualify for at least 4 points:

OR

- Development is in a Rural Area. Rehabilitation Demolition/Reconstruction
 - Development is currently leased at 85% or more by low income households, and was constructed prior to 1985 as either public housing or as affordable housing with support from USDA, HUD, HOME, or CDBG.
- AND**
- Demolition and relocation of units has been determined locally to be necessary to comply with Affirmatively Furthering Fair Housing Rule or to create acceptable distance from Undesirable Neighborhood Characteristics, or such characteristics are disclosed and found to be acceptable.
- OR**
- Rehabilitation of units and the proposed location requires no disclosure of Undesirable Neighborhood Characteristics, or such characteristics are disclosed and found to be acceptable.
 - Development is explicitly identified by the city or county as contributing more than any other to the concerted revitalization efforts of the city or county; letter from Governing Body stating such is provided behind this tab.
 - No points were claimed for Opportunity Index, but location would qualify for at least 4 points under §11.9(c)(4)(B):








Application is seeking points for Concerted Revitalization. Total Points Claimed: 

6. **§11.9(d)(3) - Declared Disaster Area Scoring (Competitive HTC Applications ONLY)**

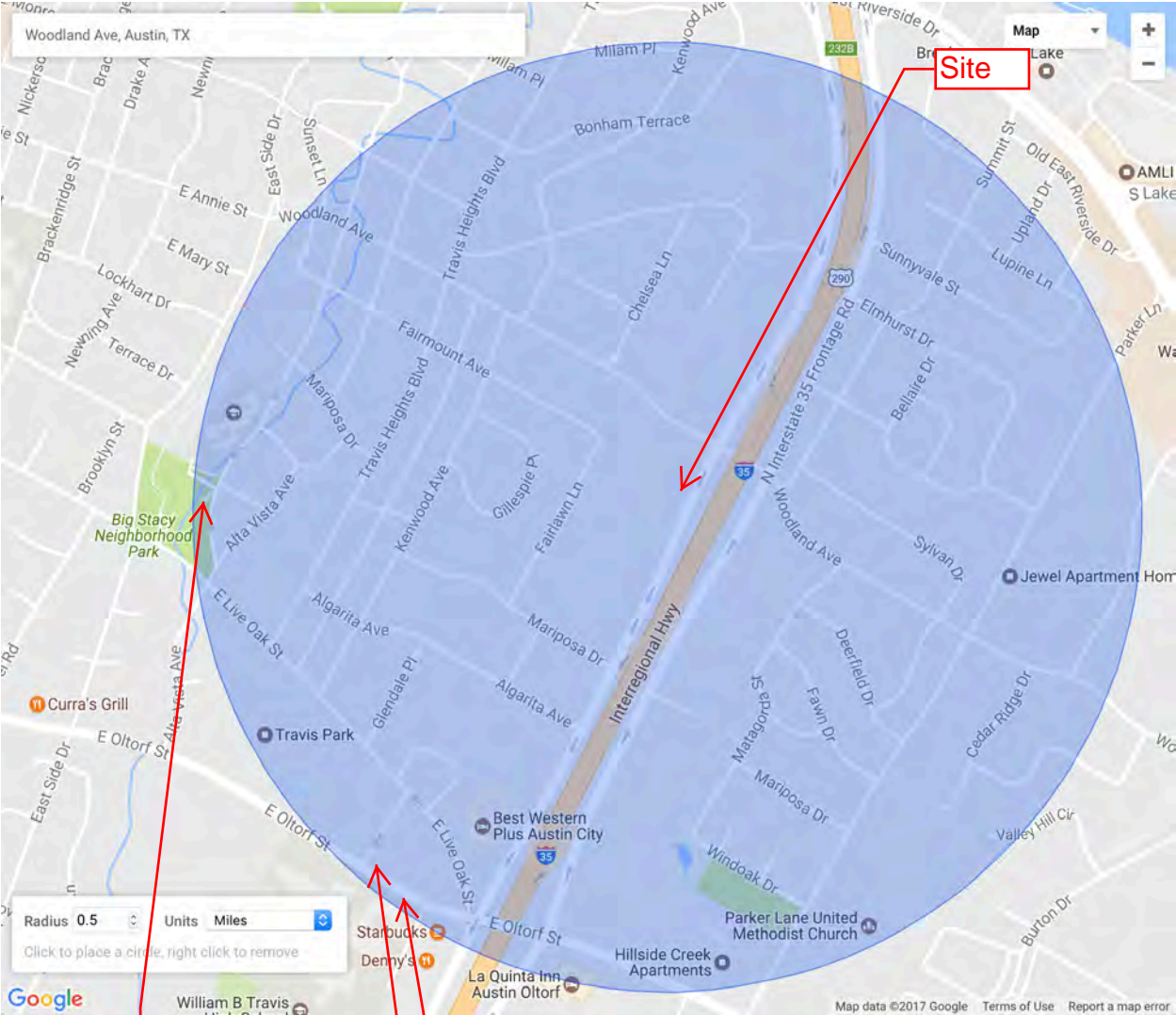
Development is located in an area that qualifies as a Declared Disaster Area as defined in §11.9(d)(3).

Application is seeking points for Declared Disaster Area. Total Points Claimed:

Supporting Documentation for the Site Information Form Part II

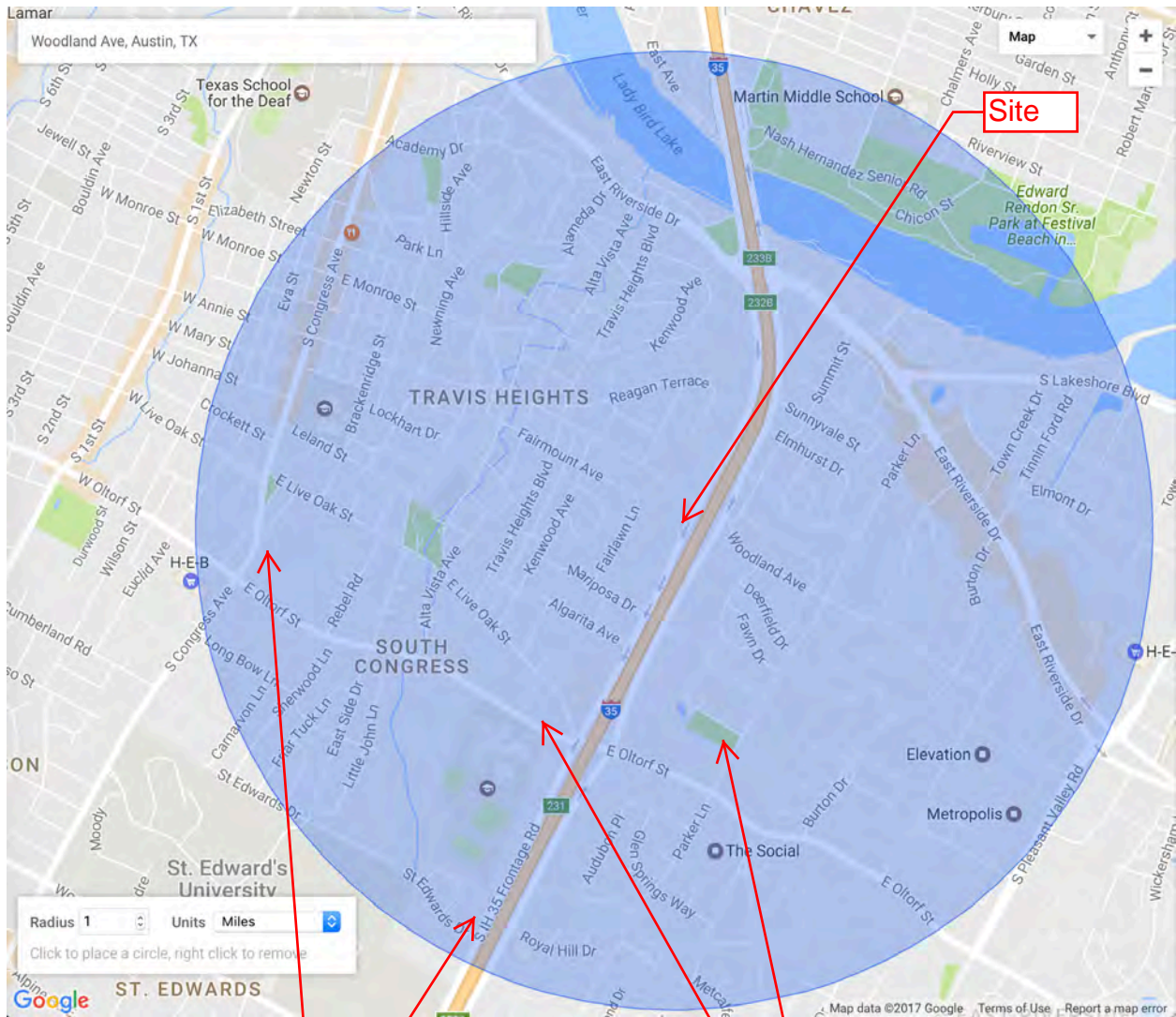
- n/a** Educational Quality (Competitive HTC Only)
- n/a** School Attendance Zone Map with Development labeled and TEA information 
 - n/a** TEA information
- x** Opportunity Index (Competitive HTC and Direct Loan Only)
- x** Map of Community Assets with Development, radius, and each asset labeled. 
 - x** Map with Development, census tract boundaries, and distance labeled. 
 - x** Print-out from DFPS website confirming daycare licensed to serve relevant age groups.
 - x** Miscellaneous information regarding health-related facility, museum, and/or full service grocery.
 - NA** Crime rate information for census tract from Neighborhood Scout or local data source (<https://www.neighborhoodscout.com>)
 - NA** Tabulation from 2010-2014 American Community Survey
 - x** Selections and maps for BOTH score and tie breakers are included
- x** Proximity to Urban Core (Competitive HTC Only)
- x** Map with the appropriate radius, City Hall location, and evidence of meetings regularly scheduled for City Council, City Commission, or similar. 
- x** Evidence of Underserved Area (Competitive HTC and Direct Loan Only)
- n/a** For Colonia:  Evidence from Attorney General of boundaries and map showing distance from Rio Grande river border; and letter from the appropriate local government official or other evidence that the colonia lacks infrastructure and the Development will enable the current dwellings to connect to such infrastructure.
 - n/a** For Economically Distressed Areas: A letter or correspondence from Texas Water Development Board.
- n/a** Concerted Revitalization Plan (Competitive HTC Only)
- Urban: 
- n/a** Map of target area(s) with location of Development Site clearly identified.
 - n/a** Resolution adopting the Concerted Revitalization Plan or certification
 - n/a** Letter from appropriate local official providing documentation of measurable improvements.
- Rural:
- n/a** Current rent roll
 - n/a** Evidence Development constructed prior to 1985 
 - n/a** Evidence Development is public housing or affordable housing supported by USDA, HUD, HOME or CDBG
 - n/a** Evidence demolition and relocation of units has been determined locally to be necessary to comply with Affirmatively Furthering Fair Housing Rule or to create acceptable distance from Undesirable Neighborhood Characteristics.
 - n/a** Letter from appropriate Governing Body describing concerted revitalization effort and identifying Development as contruting more than any other to such effort.

Aria Grand Opportunity Index



(I) Site is located less than 1/2 mile on accessible route from Travis Heights Elementary Playground at Big Stacy Park that meets 2010 ADA Standards

(II) Site is located less than 1/2 mile on accessible route from CapMetro Rte 331 bus stops

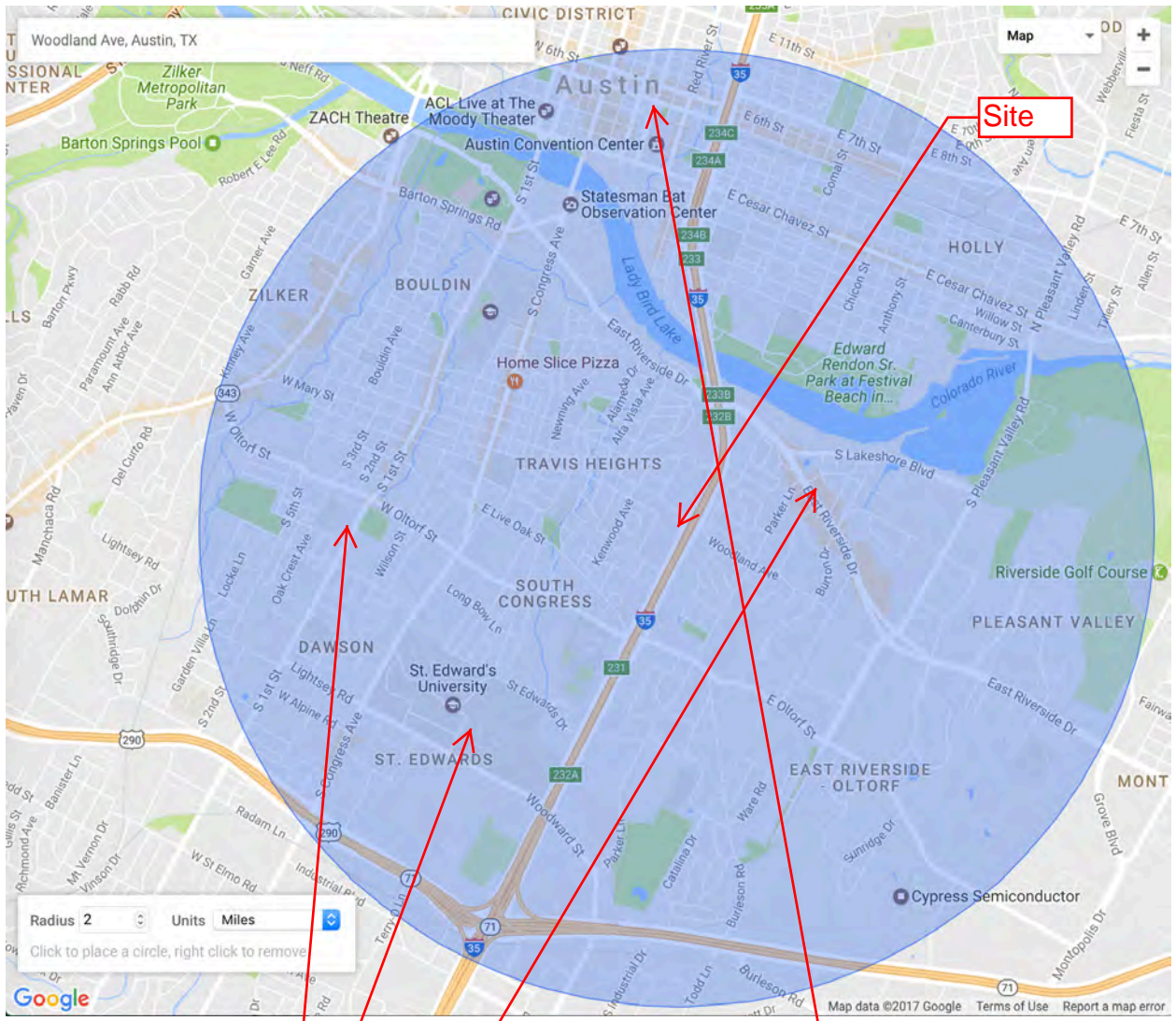


(III) CVS Pharmacy

(XI) Fit and Fearless Gym

(XII) Heritage Oaks Park

(XIII) Faith Presbyterian Church



(V) New Generation Day Care

(VIII) St Edward's University (less than 5 miles)

(IV) FastMed Urgent Care (less than 3 miles)

(IX) Eligible for 27%+ Associates Degree

(X) O. Henry Museum



Alyssa Carpenter <ajcarpen@gmail.com>

Re: Submission from Ask a Question Form: Other

Zack Pearce <zack.pearce@austinisd.org>

Thu, Feb 9, 2017 at 3:00 PM

To: Alyssa Carpenter <ajcarpen@gmail.com>, Isabel Vasquez <isabel.vasquez@austinisd.org>

Alyssa:

Although this playground is old (installed in 2000 and renovated in 2005)--it is in compliance. It is joint owned by the AISD and the COA therefore can be used by the public.

Zack Pearce
Director of Project Management
AISD Construction Management Department
Office: (512) 414-8940
Direct: (512) 414-8946
Cell: (512) 745-2561
Zack.Pearce@AustinISD.org
Follow us on Twitter @AustinISD_CMD

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-----Original Message-----

From: Alyssa Carpenter [mailto:ajcarpen@gmail.com]
Sent: Thursday, February 09, 2017 1:45 PM
To: Isabel Vasquez <isabel.vasquez@austinisd.org>
Cc: Zack Pearce <zack.pearce@austinisd.org>
Subject: Re: Submission from Ask a Question Form: Other

Thank you!

Zack, have you had an opportunity to look at this question?

Regards,

Alyssa Carpenter

On Tue, Feb 7, 2017 at 10:54 AM, Isabel Vasquez <isabel.vasquez@austinisd.org> wrote:
> Ms. Carpenter, I am forwarding your email to Zach Pearce he will be
> able to assist you further.
>

>
> Thank you!
>
> Isabel
>
>
>
> Isabel E. Vasquez
> Department of Communications and Community Engagement
> 1111 West 6th Street, Austin, TX 78703 Phone (512)414-4540 Fax (512)
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> this message

>
>
>
>

> From: Alyssa Carpenter via Austin Independent School District
> <no-reply@austinisd.org>
> Sent: Tuesday, February 7, 2017 9:12 AM
> To: Isabel Vasquez
> Subject: Submission from Ask a Question Form: Other

>
> Submitted on Tuesday, February 7, 2017 - 9:12am

>
> Submitted values are:

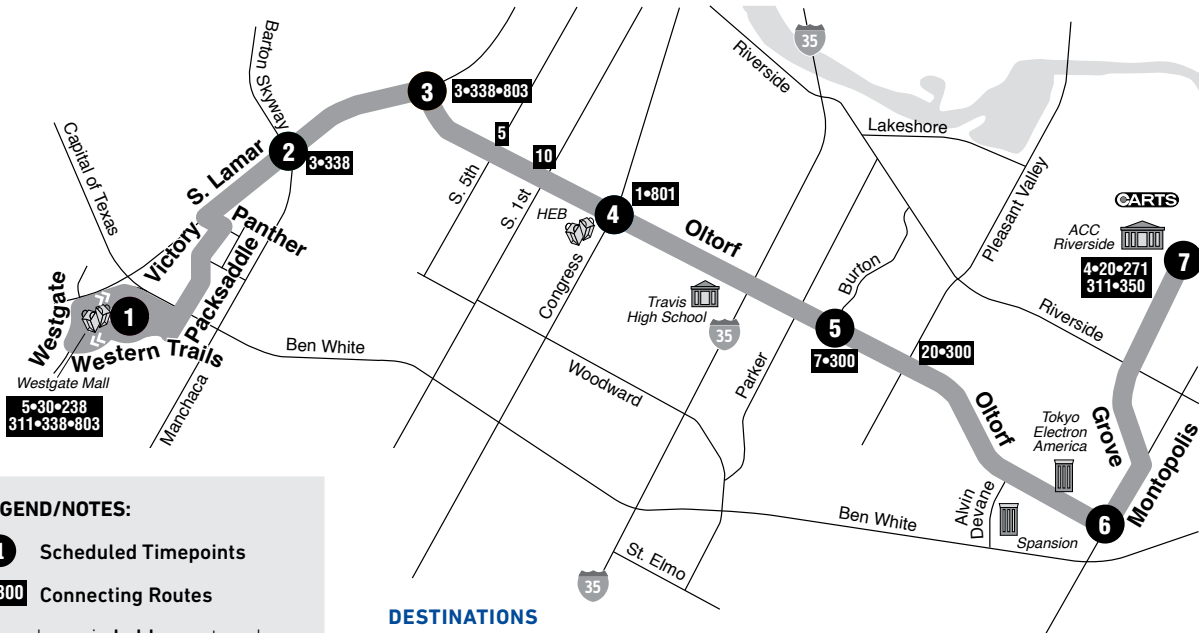
>
> Your Name: Alyssa Carpenter
> Your Email Address: ajcarpen@gmail.com Your Phone Number:
> Choose a Contact: Other
> Your Question/Comment: Can you please tell me whether the playground
> at Travis Heights Elem near Big Stacy Park meets 2010 ADA standards?
> Also, is the playground available for the public to use? Thank you!

>
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331

Oltorf (HIGH FREQUENCY ROUTE)



LEGEND/NOTES:

1 Scheduled Timepoints

7-300 Connecting Routes

Trips shown in **bold** operate only when school is in session.

For more information on CARTS service, please visit ridecarts.com.

DESTINATIONS

- Westgate Mall
- HEB Oltorf/Congress
- Travis High School
- AMD
- ACC Riverside

331 WEEKDAYS / WESTBOUND

331 WEEKDAYS / EASTBOUND

7 ACC Riverside	6 Oltorf at Montopolis	5 Oltorf at Burton	4 Oltorf at Congress	3 Lamar at Oltorf	2 Barton Skyway at Lamar	1 Westgate Mall	To Route/Garage	1 Westgate Mall	2 Barton Skyway at Lamar	3 Lamar at Oltorf	4 Oltorf at Congress	5 Oltorf at Burton	6 Oltorf at Montopolis	7 ACC Riverside	To Route/Garage
5:45	5:52	5:58	6:05	6:11	6:14	6:21		5:35	5:42	5:46	5:53	5:59	6:05	6:11	
6:15	6:22	6:28	6:35	6:41	6:44	6:51		6:05	6:12	6:16	6:23	6:29	6:35	6:41	
6:30	6:37	6:44	6:53	7:01	7:04	7:12		6:35	6:45	6:49	6:58	7:06	7:13	7:19	
6:45	6:52	6:59	7:08	7:16	7:19	7:27		7:05	7:15	7:19	7:28	7:36	7:43	7:49	
7:00	7:07	7:14	7:23	7:31	7:34	7:42		7:20	7:30	7:34	7:43	7:51	7:58	8:04	
7:15	7:22	7:29	7:38	7:46	7:49	7:57		7:35	7:45	7:49	7:58	8:06	8:13	8:19	
7:30	7:37	7:44	7:53	8:01	8:04	8:12		7:50	8:00	8:04	8:13	8:21	8:28	8:34	
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9:45	9:52	9:59	10:08	10:16	10:19	10:27		10:05	10:14	10:18	10:27	10:35	10:41	10:47	
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Continued on next page

331 WEEKDAYS / WESTBOUND

331 WEEKDAYS / EASTBOUND

7	6	5	4	3	2	1	To Route/Garage	1	2	3	4	5	6	7	To Route/Garage
ACC Riverside	Ottorf at Montopolis	Ottorf at Burton	Ottorf at Congress	Lamar at Ottorf	Barton Skyway at Lamar	Westgate Mall		Westgate Mall	Barton Skyway at Lamar	Lamar at Ottorf	Ottorf at Congress	Ottorf at Burton	Ottorf at Montopolis	ACC Riverside	
12:00	12:07	12:14	12:23	12:31	12:34	12:42		12:20	12:29	12:33	12:42	12:50	12:56	1:02	
12:15	12:22	12:29	12:38	12:46	12:49	12:57		12:35	12:44	12:48	12:57	1:05	1:11	1:17	
12:30	12:37	12:44	12:53	1:01	1:04	1:12		12:50	12:59	1:03	1:12	1:20	1:26	1:32	
12:45	12:52	12:59	1:08	1:16	1:19	1:27		1:05	1:14	1:18	1:27	1:35	1:41	1:47	
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8:40	8:47	8:53	9:01	9:08	9:11	9:18		9:25	9:33	9:37	9:45	9:53	10:00	10:06	G
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9:20	9:27	9:33	9:41	9:48	9:51	9:58		10:05	10:13	10:17	10:25	10:33	10:40	10:46	
9:40	9:47	9:53	10:01	10:08	10:11	10:18	G	10:45	10:53	10:57	11:05	11:13	11:20	11:26	G
10:00	10:07	10:13	10:21	10:28	10:31	10:38									
11:05	11:12	11:18	11:26	11:33	11:36	11:43	G								

331 SATURDAYS/WESTBOUND

331 SATURDAYS/EASTBOUND

7 ACC Riverside	6 Oltorf at Montopolis	5 Oltorf at Burton	4 Oltorf at Congress	3 Lamar at Oltorf	2 Barton Skyway at Lamar	1 Westgate Mall	To Route/Garage	1 Westgate Mall	2 Barton Skyway at Lamar	3 Lamar at Oltorf	4 Oltorf at Congress	5 Oltorf at Burton	6 Oltorf at Montopolis	7 ACC Riverside	To Route/Garage
5:50	5:55	6:00	6:06	6:12	6:15	6:21		6:00	6:08	6:12	6:19	6:24	6:29	6:34	
6:20	6:25	6:30	6:36	6:42	6:45	6:51		6:30	6:38	6:42	6:49	6:54	6:59	7:04	
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7:20	7:26	7:31	7:37	7:43	7:46	7:52		7:30	7:38	7:42	7:49	7:54	7:59	8:04	
7:50	7:56	8:01	8:07	8:13	8:16	8:22		8:00	8:08	8:12	8:19	8:24	8:29	8:34	
8:20	8:26	8:31	8:37	8:43	8:46	8:52		8:30	8:39	8:43	8:50	8:56	9:01	9:06	
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9:50	9:56	10:01	10:08	10:14	10:17	10:24		10:00	10:09	10:13	10:20	10:26	10:31	10:36	
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10:30	10:36	10:41	10:48	10:54	10:57	11:04		10:40	10:49	10:53	11:00	11:06	11:11	11:16	
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12:10	12:16	12:22	12:30	12:36	12:39	12:46		12:20	12:29	12:33	12:41	12:48	12:53	12:59	
12:30	12:36	12:42	12:50	12:56	12:59	1:06		12:40	12:49	12:53	1:01	1:08	1:13	1:19	
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331 SUNDAYS / WESTBOUND

331 SUNDAYS / EASTBOUND

7 ACC Riverside	6 Oltorf at Montopolis	5 Oltorf at Burton	4 Oltorf at Congress	3 Lamar at Oltorf	2 Barton Skyway at Lamar	1 Westgate Mall	To Route/Garage	1 Westgate Mall	2 Barton Skyway at Lamar	3 Lamar at Oltorf	4 Oltorf at Congress	5 Oltorf at Burton	6 Oltorf at Montopolis	7 ACC Riverside	To Route/Garage
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17275
Appeal to
Executive Director



MULTIFAMILY FINANCE PRODUCTION DIVISION
Housing Tax Credit Program - 2017 Application Round
Scoring Notice - Competitive Housing Tax Credit Application

Appeal Election Form: 17275, Aria Grand

Note: If you do not wish to appeal this notice, do not submit this form.

I am in receipt of my 2017 scoring notice and am filing a formal appeal to the Executive Director on or before Monday, May 8, 2017.

If my appeal is denied by the Executive Director:

I do wish to appeal to the Board of Directors and request that my application be added to the Department Board of Directors meeting agenda. My appeal documentation, which identifies my specific grounds for appeal, is attached. If no additional documentation is submitted, the appeal documentation to the Executive Director will be utilized.

I do not wish to appeal to the Board of Directors.

Signed

A handwritten signature in blue ink, appearing to read "M. Q. Lasd".

Title

President

Date

5-8-17

Please email to Sharon Gamble:
<mailto:sharon.gamble@tdhca.state.tx.us>



1001 FANNIN STREET, SUITE 2450
HOUSTON, TEXAS 77002-6707
713-437-1800
FAX 713-437-1810
www.joneswalker.com

Antoinette "Toni" Jackson
Direct Dial: 713-437-1888
Direct Fax: 713-437-1938
tjackson@joneswalker.com

May 8, 2017

VIA ELECTRONIC TRANSMISSION

Mr. Tim Irvine, Executive Director
Texas Department of Housing and Community Affairs
P.O. Box 13941
Austin, Texas 78711-3941
E-Mail: tim.irvine@tdhca.state.tx.us

Re: Aria Grand Application No. 17275

Dear Mr. Irvine:

This letter is written on behalf of Aria Grand, TDHCA No. 17275 ("Applicant") to appeal the decision made by TDHCA as evidenced by the Scoring Notice dated May 1, 2017. This appeal is filed pursuant to the provisions of Sections 10.902(a)(2) and 10.902(c) of the 2017 Uniform Multifamily Rules ("Rules").

Background

On April 25, 2017, the Applicant originally received notice of a possible Administrative Deficiency. The notice identified the possible Administrative Deficiency as follows: "*Opportunity Index Tie Breaker-The Application has indicated enough items to score requested points under Opportunity Index. However, regarding the tie-breaker items selected, staff has determined that the accessible routes to the park and to public transportation have not been adequately documented.*"

On May 1, 2017, Applicant submitted its response to the possible Administrative Deficiency (attached as Exhibit "A").

Later on May 1, TDHCA (acting through Sharon D. Gamble, the Competitive Housing Tax Credit Program Administrator) retracted the notice of possible Administrative Deficiency

{HD086311.2}

JONES WALKER LLP

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and reclassified the matter as a scoring item. As a result of the response to the notice of possible Administrative Deficiency from the Applicant and Ms. Gamble's retraction of the notice of possible Administrative Deficiency reclassifying the matter as a scoring item "crossed in the mail," Applicant requested additional guidance as to how to respond. Ms. Gamble advised (on May 3) that, due to the reclassification of the matter as a scoring item rather than as a notice of possible Administrative Deficiency, TDHCA would not be accepting submission of additional information to assist staff in evaluating the Application pursuant to Section 10.201(a)(7) of the Rules.

Analysis

Applicant should be awarded two additional Opportunity Index Tie-Breaker Points by virtue of Applicant's development site being located less than one-half mile on an accessible route from (i) a public park with an accessible playground and (ii) public transportation with a route schedule that provides regular service to employment and basic services.

Nowhere in the application, the Qualified Allocation Plan ("QAP"), the 2017 Multifamily Programs Procedure Manual ("Manual"), or the Rules is it required that an applicant specifically document that the route referenced above is an "accessible" route. The applicable scoring item under the QAP Section 11.9(c)(4)(B)(i)(I-II) does not specify any requirement that such documentation be provided.

Page 19 of the Manual specifies what information must be provided in order to earn the Opportunity Index Tie-Breaker Points. With respect to the scoring items in question, the only requirement contained in page 19 of the Manual is to provide maps indicating the location of the development site and an accurate radius appropriate for the scoring items requested. Other than the requirement that a map be provided, the only other information called for is information pertaining to schools and/or job care centers, neither of which apply to Applicant's Scoring Notice. Finally, the instructions on page 19 of the Manual advise an applicant to "be prepared to submit evidence surrounding the detailed operations of any full-service grocery stores, senior centers, and health-related facilities." Such directive contemplates that an applicant is not required to provide information regarding the detailed operations of such named facilities in its application, but rather "should also be prepared" to submit such evidence. The information pertaining to detailed operations of certain enumerated facilities is not required to be included in an application even though it is specifically referenced and discussed in the Manual. Therefore, TDHCA, through its staff, cannot arbitrarily impose a specific obligation to provide information regarding the "accessibility" of routes from public transportation and public parks, when no such requirement is even referenced in the Manual.

The page titled “Supporting Documentation for the Site Information Form Part II” contained in the application template specifically provides what information is required to be submitted. There is no requirement that the accessibility of the route from a public park or from public transportation to the development site needs to be documented. All that is required to be provided are maps identifying the development site, radius and “community assets”, i.e., various tie-breaker items, and further information with respect to certain “community assets”. Nowhere on the application template or in the QAP is there a requirement for the “accessible route asset”. Also, note that during the 2017 HTC Workshop Part 2 which is also referenced as the TDHCA Application Uptick, no reference was made to the provision of documentation supporting the “accessibility” of the route from the development site to the public park and/or public transportation (see page 56 of the PDF linked on TDHCA’s website, attached as Exhibit “B”).

In the 2017 Competitive HTC Application Cycle Frequently Asked Questions (“FAQ’s”), numerous questions were proposed to TDHCA pertaining to the “accessible route” to public transportation and public parks. One of the questions set forth a situation where sidewalks had not yet been built but the development plan included sidewalks which would connect the proposed development to the public park and transit stop. TDHCA responded that if the missing part of the sidewalk was under the developer’s control for completion and can be verified with the site plan (*emphasis added*), it could qualify. In that instance, TDHCA offered specific guidance as to the type of supporting documentation which would be required i.e. evidence that the developer controlled the subject area and intended to construct the sidewalk as evidenced in the site plan. TDHCA could have offered additional guidance in the FAQ’s regarding the provision of supporting documentation for “accessible routes”, but declined or failed to do so.

To the extent TDHCA determines to award points for the foregoing to applicants who provided aerial views or photos of the sidewalk or other “accessible route”, such documentation does not prove that such sidewalks or routes are in fact “accessible”, or that the public park is in fact ADA compliant. Either (a) all applicants providing maps indicating the location of the public transportation/public park and the radius from the development site should be awarded points for those “assets” because no additional supporting documentation is required, or (b) only those applicants whom provided documentation in their original application from qualified, independent third-party experts verifying the “accessible” nature of the route from the development site to the public transportation/public park and that the public park is in fact ADA compliant should be awarded points for these two tie-breaker “assets.”

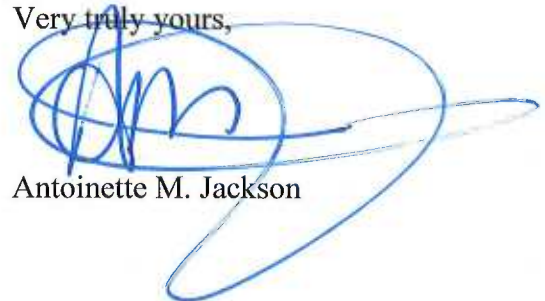
As noted in the aforementioned “Background”, Ms. Gamble advised Applicant that TDHCA would not be accepting submission of additional information to assist in evaluating the Application. However, Section 11.9(a) of the QAP provides, in relevant part, that “...Applicants

that elect points where supporting documentation is required but fail to provide any supporting documentation will not be allowed to cure the issue through an Administrative Deficiency (*emphasis added*). Applicant provided a significant amount of supporting documentation in its application as shown on the attached Exhibit "A", including a radius map for the public park and public transportation referencing the accessible routes. As such, under Section 11.9(a) of the QAP Applicant should be entitled to submit additional supporting documentation and to treat the scoring item as an Administrative Deficiency.

In fact, the Administrative Deficiency process has historically allowed Applicants to provide missing documentation for scoring items. For example, in 2016, Application 16029 failed to provide maps or otherwise document the school attendance zones for Section 11.9(c)(5) Educational Excellence, but was allowed to provide additional documents in response to an Administrative Deficiency. In 2015, Application 15049 failed to provide a letter from the appropriate local official as outlined in clause (i)(VI) of scoring item Section 11.9(d)(7) Community Revitalization Plan, but was also allowed to provide this letter in response to an Administrative Deficiency. The QAP Section 11.9(a) language was the same in 2015 and 2016, and there has been no change to the 2017 QAP language to indicate that staff will not allow for clarification or confirmation through the Administrative Deficiency process. Staff's change in the review of scoring items to disallow clarification or supplemental information is a clear departure from longstanding established practices where staff has allowed Applicants to provide supplemental information and missing documentation to scoring items for clarification purposes when at least some supporting documentation was provided in the Application.

It is counter-intuitive to penalize applicants for failing to provide the information referenced herein when (i) there was no clear instruction to provide such information, and (ii) such information is readily available to the Department when they make their site visit. For all the foregoing reasons, we urge you to find that Applicant is entitled to two (2) additional Opportunity Index tie-breaker points.

Very truly yours,



Antoinette M. Jackson

Attachments

17275 Aria Grand
Full App Deficiency Response #2 5/1/17

1. Accessible Routes to Public Park with an Accessible Playground and Public Transportation

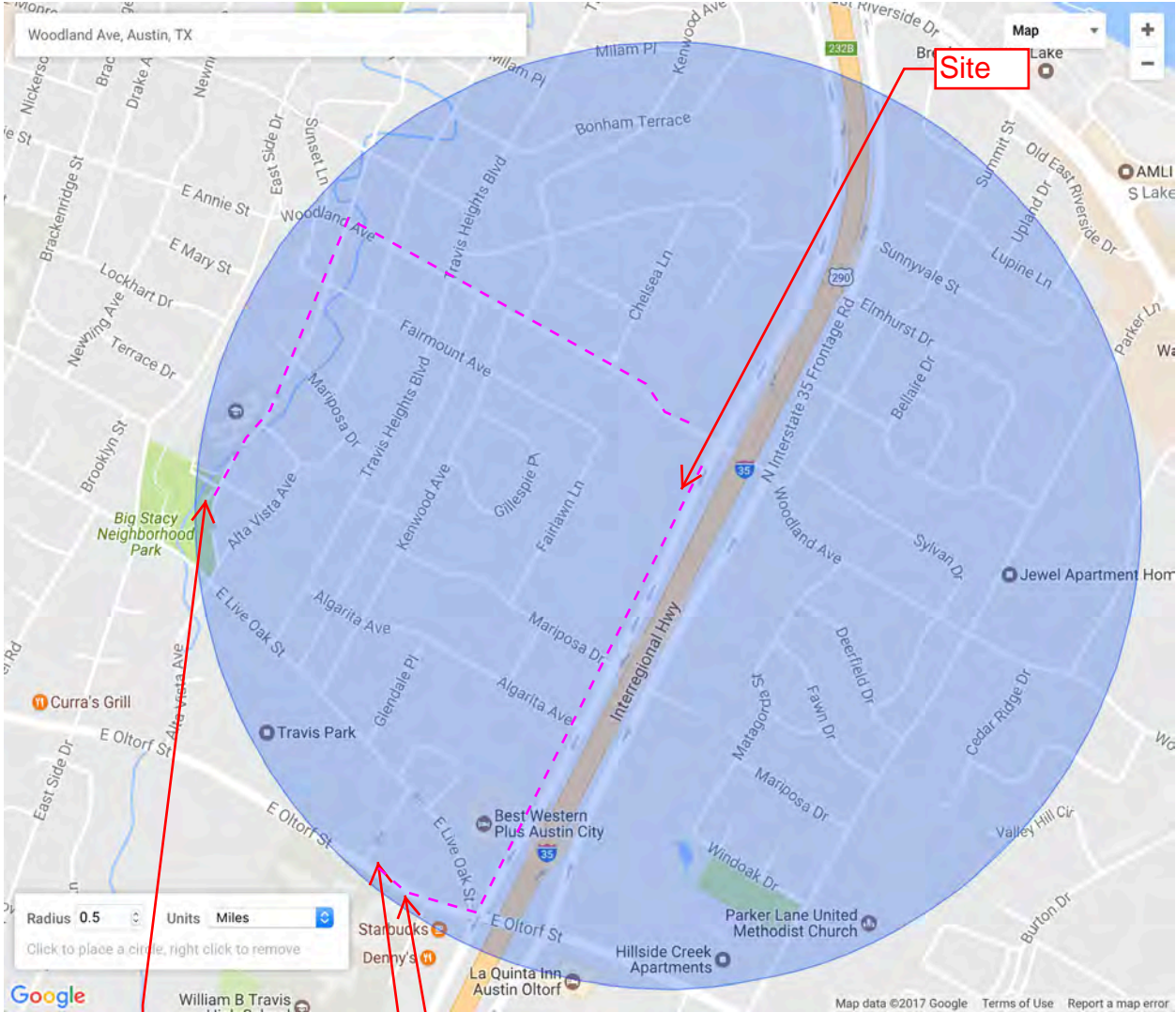
The Application includes a map showing the location of the park within ½ mile of the Development Site as well as a letter from the ISD documenting that the playground at the park meets 2010 ADA standards. The Application also includes the bus schedule to document regular service including weekend service. There are no QAP requirements or other guidance regarding submission requirements to document an accessible route. The only reference regarding such documentation is in the FAQ, which states that “missing parts” of an accessible route could qualify if they are under the Developer’s control and “can be verified with the Site Plan.” There is no reference to documentation for the “existing” part of the accessible route. This development qualifies for these Opportunity Index items because there are continuous sidewalks from the development site to the park and bus stop and this is evident on maps when staff reviews the development site and also when staff performs their site visit. Please see the attached map confirming the routes and also find a letter from an accessibility consultant.

We consulted the 2017 Multifamily Programs Procedures Manual in preparing the Application, which is described on page 4 as follows: “The purpose of this manual is to provide a brief description of each tab in the application, guidance as to the Department’s submission requirements and what is acceptable supporting documentation.” This is a similar description provided in the November 10, 2016, Board Action Request where the TDHCA Board approved the 2017 Manual. That request states that “The purpose of the manual is to provide guidance on the filing of a multifamily application and other multifamily program-related documents. Staff creates this manual as a resource guide which includes references to the rules and examples of acceptable documentation or development plans based on the program rules and requirements.”

For Opportunity Index information, the Manual states that maps should be provided and “If applicable, information about the schools (see above) and/or child care center(s) should be included behind this tab.” There is nothing to indicate that anything other than maps and information about schools and child care centers should be included. In fact, the Manual states that “Applicants should also be prepared to submit evidence surrounding the detailed operations of any full service grocery stores, senior centers, and health related facilities.” The use of “should also be prepared to submit evidence” is not the same as “should be included” as was indicated in the prior reference. The fact that the Manual states that “Applicants should also be prepared to submit evidence” for other items suggests that these items are not required in the Application, but could be required should staff desire additional information. Because the Manual has repeatedly been described as a resource guide that includes “what is acceptable supporting documentation,” Applicants should not be penalized for following the Manual especially if the instructions are unclear or determined at a later date to be incomplete.

Because the QAP does not outline specific documentation requirements; the Application does not list a documentation requirement for the accessible route and park; the 2017 Multifamily Programs Procedures Manual does not outline specific documentation requirements other than maps, schools, and child care information; and that the 2017 Multifamily Programs Procedures Manual actually states that Applicants should “be prepared to submit evidence” of other items, we believe that additional documentation to answer any questions should be accepted.

Aria Grand Opportunity Index



(I) Site is located less than 1/2 mile on accessible route from Travis Heights Elementary Playground at Big Stacy Park that meets 2010 ADA Standards

(II) Site is located less than 1/2 mile on accessible route from CapMetro Rte 331 bus stops

Housing Tax Credit Services, LLC

8401 Horse Mountain Cove, Austin TX. 78759

Ms. Megan Lasch
Aria Grand, LLC
421 W. 3rd St.
Austin, TX. 78701

RE: Accessible Route to Transit Stop Within ½ Mile of Proposed Aria Grand Development in Austin, TX.

Ms. Lasch,

As a third party Fair Housing Act accessibility consultant, I have reviewed the location of the Aria Grand development site and the route to the public transportation stop located within 1/2 mile of the development site. Based on my examination of existing sidewalks and crosswalks and knowledge of accessibility requirements, in my opinion, the direct route from the proposed Aria Grand development to the transit stop indicated on the attached map appears to be an accessible route.

Sincerely,

A handwritten signature in blue ink, appearing to read "Jeff Piatt". The signature is stylized and cursive.

Jeff Piatt
Principal,
Housing Tax Credit Services, LLC

2017 Competitive Application Cycle FAQ

A: Your description would qualify as part of the accessible route. If a resident takes accessible transportation from the development to the park, the route from the transportation stop to the actual park would also have to be accessible. Just getting them to the vicinity of the park would not be enough.

CLARIFICATION: The provision of transportation is not a substitute for having an accessible route. If transportation is one of the services you will provide at your development, then that transportation must be accessible as described above, but it may not take the place of an accessible route.

Q: Do the playground and public transit stop need to be within ½ mile of the site, or must the accessible route be no more than ½ mile long?

A: The playground has to be within ½ mile of the site, and the entire route must be accessible (including transit as applicable).

Q: If a public transportation stop or park is located less than half a mile from a vacant site where sidewalks are not yet built, but the development plan includes the sidewalks which would connect the proposed development to the park/transit stop, could that qualify an application for points?

A: In this case, if the missing part of the feature is under the Developer's control for completion and can be verified with the Site Plan, it could qualify.

Q: Is a small river/creek considered a census tract "barrier" if there is a bridge that connects both sides?

A: This will depend on a number of factors that will be unique to each situation. For instance, is the bridge right there, or is it 15 miles away? How accessible is the bridge? Provide information in the Application that assists staff in seeing the whole picture.

Q: With the addition of the language regarding hours and "weekend service" to the following point item, does just Saturday service work or does the service need to be both Saturday AND Sunday?

A: Saturday and Sunday are required. Note that it is acceptable for them to provide reduced service on weekends as most transit systems do.

Q: The neighborhood scout crime data on the website is for 2014 and I understand it will be updated in December or January. Depending on when the data is finally updated, it is possible that an application did not have an 18/1000 crime rate at preapp but it could at full app. Should we just take screenshots of the data and the date to prove disclosure was not needed at preapp if it should change?

A: You should definitely keep a copy of the data that was available at the time you submit the Pre-application, or the Application if no Pre-application is submitted. Of course, whatever source you are using for whatever purpose, you need to use the most current data as of the date of your submission. You can't use the old data because the new data doesn't fit.

Underserved Area

Q: Is this section implied to be a menu-type election to total or add-up to 5 points **OR** are developers only allowed to take points in just one subpart?

A: Applicants may not combine the subparagraphs:

(6) Underserved Area. (§§2306.6725(b)(2); 2306.127, 42(m)(1)(C)(ii)) An Application may qualify to receive up to five (5) points if the Development Site is located in one of the areas described in subparagraphs (A) - (E) of this paragraph

Q: The rule states that the census tract should fall within the boundaries of an incorporated area. That seems to say that at least a part of that census tract should be in the boundaries of the incorporated area. Is that correct?

A: No. The entire census tract would have to be within the boundaries of the incorporated area in order to get these points.

2017 Multifamily Application Procedures Manual

- **Part 3 – Proximity to the Urban Core:** Complete the applicable box if the Development Site is located within the required distance the urban core. Select the Total Points Claimed from the drop-down box.
- **Part 4 – Underserved Area:** Select from the five options available if requesting points for this item, and select the Total Points Claimed from the drop-down box. *If an application qualifies for points under Opportunity Index (§11.9(c)(4)) then the application is not eligible for points under a colonia or an Economically Distressed Area (§11.9(c)(6)).*
- **Part 5 – Concerted Revitalization:** If claiming points, be sure that no points are being claimed under the Opportunity Index. Complete the appropriate boxes and make sure supporting documentation is included behind the following tab. Select the Total Points Claimed from the drop-down box.
- **Part 6 – Declared Disaster Area:** If claiming points, simply mark the yellow box and select the Total Points Claimed from the drop-down box. The 2017 list of eligible counties are posted on the TDHCA website:
<http://www.tdhca.state.tx.us/multifamily/apply-for-funds.htm>.

❖ **Tab 10 – Supporting Documentation for the Site Information Form Part II**

- **School Attendance Zone Map and/school rating:**
 - Map should come from the school district and clearly show the attendance zone boundaries of the applicable public school(s) for determining the school rating. The location of the subject Property should be clearly marked as present within the applicable public school’s boundaries. If no map is available, other forms of evidence may be acceptable, including but not limited to a letter from the school district stating the school’s attendance zone in which the site is located.
 - The map (or other evidence) should indicate the ***most current*** school attendance zones, not necessarily the attendance zones at the time the schools were rated. This map should indicate where the children that would live in the proposed Development would attend school as of March 1, 2017 or later.
 - The rating of the school, ESC region, or state should be documented by a copy of the documentation available on the Texas Education Agency (TEA) website (<http://tea.texas.gov/2016accountability.aspx>).

Note that there are prescribed methods for dealing with a number of commonly occurring special circumstances. These rules are described in the discussion of scoring the Opportunity Index and Educational Quality in the 2017 QAP.

- **Opportunity Index information:** The map(s) should indicate the location of the Development Site and include an accurate radius appropriate for the asset. Refer to §11.9(c)(4)(B) for details regarding the radius. If applicable, information about the schools (see above) and/or child care center(s) should be included behind this tab. Evidence of the licenses held by the child care centers can be found by searching for the child care center on the Department of Family and Protective Services (DFPS) website at http://www.dfps.state.tx.us/Child_Care/Search_Texas_Child_Care/ppFacilitySearchDay_Care.asp. Applicants should also be prepared to submit evidence surrounding the detailed operations of any full service grocery stores, senior centers, and health related facilities.

Include information for score and for tie breakers.

- **NEW! Proximity to the Urban Core:** The map should indicate the location of the Development Site and include an accurate straight-line distance to the city hall facility.
- **Evidence of Underserved area:**

2017 Multifamily Application Procedures Manual

is to identify the program(s) for which the Application is being submitted and includes the Applicant and Developer Certifications.

The **Development Site** section of the Application includes information related to the physical location of the proposed Development site, such as the development address, census tract number, and flood zone designation, as well as information about the schools and elected officials in the community.

The **Development Activities** section of the Application includes information about the proposed activity, including construction and services provided to the tenants. This section also includes the architectural drawings and information regarding existing structures on the development site.

The **Finance** section of the Application includes sources of financing, the development cost schedule, annual operating expenses, and the rent schedule.

The **Organization** section of the Application gathers information about the Development Owner, Developer, Guarantor, Affiliates, Development Team and Nonprofit entities involved with the Application, along with their owners, managers, and members. It includes the organizational charts and evidence of experience as well as credit limit documentation. The information in this section is used to conduct Previous Participation Reviews under 10 TAC §1.301.

The **Third Party Reports** section briefly identifies who performed the Environmental Site Assessment, Market Study, and Property Condition Assessment, as well as any other required reports.

The **Community Input** section may include Local Government Support in the form of a resolution(s), State Representative letters, and letters and supporting documentation from Community Organizations.

The **Review Tabs** section has been added for staff to place application review documents in the posted application. This section will not be used by the Applicant but should be included in the submitted application .pdf.

Using this Manual

The purpose of this manual is to provide a brief description of each tab in the application, guidance as to the Department's submission requirements and what is acceptable supporting documentation. While the Department expects that this guide will not contemplate all unforeseen situations, we hope that the information provides an adequate foundation upon which you may build your understanding of this program. This manual provides limited examples of documentation that could be submitted to comply with a particular rule or requirement. In some instances the rule may allow for alternative documentation not specifically contemplated herein, and in such instances staff will review such documentation for compliance with the applicable rule.

The Department always stands ready to assist in understanding the tax credit program and other sources of multifamily financing offered by the Department and the means by which an application is to be presented. The Department will offer limited direct assistance to any individual that requires this service in the preparation of the multifamily application. However, the Department will not take the responsibility of completing an application package. Applicants should refer to §10.1(b) Due Diligence and Applicant Responsibility regarding guidance received from staff. The Department looks forward to your continuing interest in the Multifamily Finance programs and in the creation of safe and high quality affordable housing for Texans.

BOARD ACTION REQUEST
MULTIFAMILY FINANCE DIVISION
NOVEMBER 10, 2016

Presentation, Discussion, and Possible Action to adopt the 2017 Multifamily Programs Procedures Manual

RECOMMENDED ACTION

WHEREAS, the rules relating to multifamily program funding are contained in the Administration Rules, Uniform Multifamily Rules, Housing Tax Credit Qualified Allocation Plan, and Multifamily Housing Revenue Bond Rules;

WHEREAS, the Department has created the Multifamily Programs Procedures Manual as a resource guide for applicants; and

WHEREAS, pursuant to Tex. Gov't Code §2306.67022 the Board shall adopt a manual to provide information regarding the administration of and eligibility for participation in the housing tax credit program;

NOW, therefore, it is hereby,

RESOLVED, the 2017 Multifamily Programs Procedures Manual is hereby approved and the publication of the Manual on the Department's website shall occur no later than the date the adoption of the Uniform Multifamily Rules and Housing Tax Credit Qualified Allocation Plan are filed for publication in the *Texas Register*; and

FURTHER RESOLVED, the Executive Director and his designees be and each of them hereby are authorized, empowered, and directed, for and on behalf of the Department to make such non-substantive technical corrections as they may deem necessary to effectuate the foregoing, to complete the remaining portions of the manual which will provide additional guidance based on the final approved rules, and amend from time to time as it deems necessary to provide guidance on the filing of multifamily related documents.

BACKGROUND

As part of the annual rule-making process for multifamily-related funding, the Multifamily Finance Division creates a Multifamily Programs Procedures Manual. The purpose of the manual is to provide guidance on the filing of a multifamily application and other multifamily program-related documents. Staff creates this manual as a resource guide which includes references to the rules and examples of acceptable documentation or development plans based on the program rules and

requirements. The Board's action in approving the adoption of this manual allows staff the flexibility to provide more detailed instructions and amend it as necessary in order to implement the Department's multifamily program rules effectively once such rules have been adopted and approved by the Governor. Staff notes that the manual contains the main headings of various categories and/or tabs that will mirror the application and upon adoption of the rules, approval of the Governor, and the finalization of the application staff will finalize this manual with instructions, guidance and references to the rules or federal requirements. Additionally, from time to time staff may update the manual based on additional information that may become available or to correct inconsistencies or to clarify information contained therein.



Alyssa Carpenter <ajcarpen@gmail.com>

17275 - 9% HTC Application Deficiency Notice - TIME SENSITIVE - Please reply immediately acknowledging receipt.

Sharon Gamble <sharon.gamble@tdhca.state.tx.us>
To: Lisa Stephens <lisa@saigebrook.com>
Cc: Alyssa Carpenter <ajcarpen@gmail.com>

Tue, Apr 25, 2017 at 10:42 AM

****All deficiencies must be corrected or clarified by 5 pm Austin local time on May 2, 2017. Please respond to this email as confirmation of receipt.****

In the course of the Department's Housing Tax Credit **Eligibility/Selection/Threshold** and/or Direct Loan review of the above referenced application, a possible Administrative Deficiency as defined in §10.3(a)(2) and described in §10.201(7)(A) and/or §10.201(7)(B) of the 2017 Uniform Multifamily Rules was identified. By this notice, the Department is requesting documentation to correct the following deficiency or deficiencies. Any issue initially identified as an Administrative Deficiency may ultimately be determined to be beyond the scope of an Administrative Deficiency, and the distinction between material and non-material missing information is reserved for the Director of Multifamily Finance, Executive Director, and Board.

1. Opportunity Index Tie Breaker– The Application has indicated enough items to score requested points under Opportunity Index. However, regarding the tie-breaker items selected, staff has determined that the accessible routes to the park and to public transportation have not been adequately documented.

If you wish to have these items counted in any possible tie-breaker, please provide further information regarding why you believe these items, as presented in the application, should be counted.

The above list may not include all Administrative Deficiencies such as those that may be identified upon a supervisory review of the application. Notice of additional Administrative Deficiencies may appear in a separate notification.

All deficiencies must be corrected or otherwise resolved by 5 pm Austin local time on the fifth business day following the date of this deficiency notice. Deficiencies resolved after 5 pm Austin local time on the fifth business day will have 5 points deducted from the final score. For each additional day beyond the fifth day that any deficiency remains unresolved, the application will be treated in accordance with §10.201(7)(B) of the 2017 Uniform Multifamily Rules. Applications with unresolved deficiencies after 5pm Austin local time on the seventh business day may be terminated.

All deficiencies related to the Direct Loan portion of the Application must be corrected or clarified by 5pm Austin local time on the fifth business day following the date of this deficiency notice. Deficiencies resolved after 5pm Austin local time on the fifth business day will be subject to a \$500 fee for each business day that the deficiency remains unresolved. Applications with unresolved deficiencies after 5pm Austin local time on the tenth day may be terminated.

Unless the person that issued this deficiency notice, named below, specifies otherwise, submit all documentation at the same time and in only one file using the Department's Saw II HTTP System. Once the documents are submitted to the Saw II

time and in only one file using the Department's Serv-U HTTPs system. Once the documents are submitted to the Serv-U HTTPs system, please email the staff member issuing this notice. If you have questions regarding the Serv-U HTTPs submission process, contact Liz Cline at liz.cline@tdhca.state.tx.us or by phone at (512)475-3227. You may also contact Jason Burr at jason.burr@tdhca.state.tx.us or by phone at (512)475-3986.

All applicants should review §§11.1(b) and 10.2(b) of the 2016 QAP and Uniform Multifamily Rules as they apply to due diligence, applicant responsibility, and the competitive nature of the program for which they are applying.

****All deficiencies must be corrected or clarified by 5 pm Austin local time on , April 2017. Please respond to this email as confirmation of receipt.****

About TDHCA

The Texas Department of Housing and Community Affairs administers a number of state and federal programs through for-profit, nonprofit, and local government partnerships to strengthen communities through affordable housing development, home ownership opportunities, weatherization, and community-based services for Texans in need. For more information, including current funding opportunities and information on local providers, please visit www.tdhca.state.tx.us.

Regards,

Sharon D. Gamble MSW, PMP

Competitive Housing Tax Credit Program Administrator

Texas Department of Housing and Community Affairs

(512) 936-7834

Any person receiving guidance from TDHCA staff should be mindful that, as set forth in 10 TAC Section 11.1(b) there are important limitations and caveats (Also see 10 TAC §10.2(b)).

About TDHCA

The Texas Department of Housing and Community Affairs administers a number of state and federal programs through for-profit, nonprofit, and local government partnerships to strengthen communities through affordable housing development, home ownership opportunities, weatherization, and community-based services for Texans in need. For more information, including current funding opportunities and information on local providers, please visit www.tdhca.state.tx.us

Bookmark 10, Tab 9

Site Information II is the home of some important changes this year. First, Educational Excellence has become Educational Quality and here is what has changed in this section. In order to qualify for points, your elementary AND either the middle OR high school whose attendance zone contains the development site must have a Met Standard rating from TEA. When selecting your points for this item on the form, you'll enter your school names, their accountability rating and their Index 1 score and the overall rating.

Navigating the TEA website can be challenging, so here are your breadcrumbs: From the TEA homepage, click on "Student Testing and Accountability". On the right side of the screen, click on "Accountability". On the right, click on "State Accountability". Under the header, click on "academic accountability ratings". Click on "2016 Accountability Ratings".

To find out if your campus has a Met Standard Rating and a Distinction Designation, click on "campus", enter the campus name and hit search (use district instead of campus if it applies). Select the campus you are interested in. Note that a number of selections appear beneath the name of the campus. Select "Accountability Summary" then "View Report". You can find ESC information by selecting "ESC region" instead of campus. Likewise for the state.

To find the Index 1 first quartile, go to the "2016 Accountability Ratings" page and scroll to the bottom. Under "Other Information" you will find the "2016 Performance Indicator Frequency Distributions". Open that file and scroll down to the point where the frequency is over 75 (75-100 = first quartile). You will see that it takes an Index 1 score of at least 84 to be in the first quartile.

The schools may meet one of A-E for an additional point. So first, they have to meet this Met Standard criteria and then ONE of A-E. For your additional point, you'll have a dropdown menu to select from.

Right in the middle of the same Site Info II form, Opportunity Index begins and it begins with the threshold you have to meet in order to get any points at all. Your census tract must have a poverty rate of less than the greater of 20% OR the median for your service region, 1-13. For points under A, the census tract must have: i) income in quartiles 1 or 2, OR ii) income in quartile 3 and your tract is contiguous to a tract in quartiles 1 or 2, there's no physical barrier like a highway or a river between the development, and that tract and the development site is no more than 2 miles from the tract's border. Don't forget to include maps where indicated.

You can get more points, up to a maximum total of 7, for any of items listed in 11.9(c)(4) 1-13 for Urban and 1-12 for Rural, that your site qualifies for. You will make your selections from these dropdown boxes here, and there are two sets: one for Urban and one for Rural.

IMPORTANT!!!! If you are planning to use additional items for tie-breakers, do not select them here but DO include your evidence for those items.

17275
Executive Director's Response



TEXAS DEPARTMENT OF HOUSING AND COMMUNITY AFFAIRS

www.tdhca.state.tx.us

Greg Abbott
GOVERNOR

BOARD MEMBERS
J. Paul Oxer, *Chair*
Leslie Bingham-Escareño, *Vice Chair*
Juan S. Muñoz, PhD
T. Tolbert Chisum
Tom H. Gann
J.B. Goodwin

May 17, 2017

Writer's direct phone # (512) 475-3296
Email: tim.irvine@tdhca.state.tx.us

Ms. Antoinette "Toni" Jackson
Jones Walker
1001 Fannin Street, Ste 2450
Houston, TX 77002-6707

RE: APPEAL OF SCORING NOTICE: 17275 ARIA GRAND, AUSTIN, TEXAS

Dear Ms. Jackson:

The Texas Department of Housing and Community Affairs (the "Department") is in receipt of your appeal, dated May 8, 2017, of the scoring notice for the above referenced Application. This Application was denied two tie-breaker selections under 10 TAC §11.9(c)(4) of the 2017 Qualified Allocation Plan ("QAP"), related to Opportunity Index, because the Application did not include evidence of an accessible route between the Development Site and the selected features.

In your appeal you take the position that evidence of the accessible route is not required by the Application, the QAP or the 2017 Uniform Multifamily Rules. Per §11.9(c)(4)(B)(I) and (II) of the QAP:

- ... (I) The Development site is located less than 1/2 mile on an accessible route from a public park with an accessible playground, both of which meet 2010 ADA standards. (1 point)
- (II) The Development Site is located less than 1/2 mile on an accessible route from Public Transportation with a route schedule that provides regular service to employment and basic services. For purposes of this scoring item, regular is defined as scheduled service beyond 8 a.m. to 5 p.m., plus weekend service. (1 point)

Both the QAP (at §11.1(b)) and the Multifamily Rules (at §10.2(a)) speak to the responsibility of the Applicant to perform due diligence in the following terms:

... it remains the sole responsibility of the Applicant to perform independently the necessary due diligence to research, confirm, and verify any data, opinions, interpretations, or other information upon which an Applicant bases an Application or includes in any submittal in connection with an Application.

While the QAP does not say "the Applicant must provide evidence of the accessible route," it is my position that the assertion that the Development Site is located less than 1/2 mile on an accessible route from the amenity requires supporting documentation to allow staff to make a reasonable determination that the



MAY 17, 2017

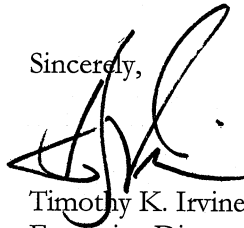
Page 2

assertion has been researched, confirmed, or somehow verified by the Applicant. It appears from the Application that the Applicant was aware of this as evidenced by the fact that the Applicant obtained and included a local government statement regarding the accessibility of a playground rather than simply asserting that it was accessible. Application reviewers are not accessibility specialists and make no determinations as to whether the entire route meets 2010 ADA standards; they determine whether the documentation provided in the Application supports the request for points.

I do not find that the points raised in your appeal clearly demonstrate that the Application is eligible for the tie-breaker points requested, and accordingly I must deny the appeal. You have indicated that you wish to appeal this decision directly to the Governing Board. Therefore, this appeal has been placed on the agenda for the next meeting scheduled for May 25, 2017.

Should you have any questions, please contact Sharon Gamble, Competitive Tax Credit Program Administrator, at sharon.gamble@tdhca.state.tx.us or by phone at 512-936-7834.

Sincerely,

A handwritten signature in black ink, appearing to be 'TKI', written over the word 'Sincerely,'.

Timothy K. Irvine
Executive Director

BOARD ACTION ITEM
MULTIFAMILY FINANCE DIVISION
MAY 25, 2017

Presentation, discussion, and possible action on timely filed scoring appeals under 10 TAC §10.901 et seq. of the Department's Multifamily Program Rules (Subchapter G) related to Fee Schedule, Appeals and other Provisions.

RECOMMENDED ACTION

WHEREAS, a 9% Housing Tax Credit Application #17331, for Westwind of Killeen was submitted to the Department by the Full Application Delivery Date;

WHEREAS, staff has determined that the Application does not qualify for three (3) points under 10 TAC §11.9(c)(5) of the 2017 Qualified Allocation Plan ("QAP"), related to Educational Quality, because the Application did not include evidence of the Index 1 score for the Educational Service Center and does not qualify for three (3) points under 10 TAC §11.9(c)(6), related to Underserved Area, because the census tract includes areas that are not within the boundaries of an incorporated area;

WHEREAS, a Competitive HTC scoring notice was provided to the Applicant identifying points that the Applicant elected but did not qualify to receive under 10 TAC §11.9 related to Competitive HTC Selection Criteria, after the Administrative Deficiency process was completed

WHEREAS, the Applicants timely filed an appeal; and

WHEREAS, the Executive Director denied the appeal as to Educational Quality points, but granted the appeal as to Underserved Area points only;

NOW, therefore, it is hereby

RESOLVED, that the scoring appeal regarding Educational Quality for Application 17331, Westwind of Killeen is hereby denied.

BACKGROUND

10 TAC §11.9 related to Competitive HTC Selection Criteria identifies the scoring criteria used in evaluating and ranking Applications. It includes those items required under Tex. Gov't Code, ch. 2306, §42 of the Internal Revenue Code (the "Code"), and other criteria established in a manner consistent with ch. 2306 and §42 of the Code.

The Westwind of Killeen Application proposes the New Construction of 110 units for the General population in Killeen.

§11.9(c)(5) Educational Quality

To qualify for two of the three (3) points under §11.9(c)(5) of the 2017 Qualified Allocation Plan (“QAP”) related to Educational Quality, the Application must include evidence that the Development Site is within the attendance zone of an elementary school, a middle school and a high school with an Index 1 score at or above the lower of the score for the Education Service Center (“ESC”) region, or the statewide score. Scoring under this item requires documentation of the Index 1 score for the individual campuses of two schools, as well as documentation of the Index 1 score for the state or ESC region. The Application did not include evidence of the Index 1 score for the ESC region.

The Texas Education Agency (“TEA”) publishes the Index 1 scores for individual campuses, school districts, and for ESC regions. During the 2017 Application Workshops, staff guided attendees through navigating the TEA website to find the information needed for each applicable scoring item. Staff posted guidance on the TDHCA website via the workshop slides and a frequently asked questions document. The appeal mentions that staff has previously determined that Applicants are not required to provide the statewide score, as staff has provided that score during the application workshops. Staff did not, however, provide the scores for each of the 12 ESC regions in the state. That documentation must come from the Applicant.

The appeal asserts that neither the QAP nor the Application requires the Applicant to include evidence of the ESC score in the Application. The appeal also asserts that “Tab 9, Section 1 of the Application guides the applicant through the process of claiming points for Educational Quality. The Application prompts the applicant to impute the Index 1 scores of the Project's feeder schools only - not the ESC regional and/or Statewide scores. It does not, in this section or elsewhere, require the applicant to provide supportive or clarifying documentation concerning ESC regional or Statewide Index 1 scores.” However, the Application does instruct the Applicant to enter information regarding the ESC score; there is a box on the application form labeled “Education Service Center Region Score (*if applicable*).” That box was left blank in the Application though the Applicant was seeking points that required this score.

The appeal takes the position that the Applicant should have been able to provide “additional or clarifying evidence” regarding this issue through an Administrative Deficiency. Pursuant to 10 TAC §10.201(7)(B) of the 2017 Uniform Multifamily Rules related to the Administrative Deficiency Process:

The purpose of the Administrative Deficiency process is to allow an Applicant to provide clarification, correction, or non-material missing information to resolve inconsistencies in the original Application or to assist staff in evaluating the Application.

The loss of points related to Educational Quality is not an issue of information requiring clarification or correction, and the missing information is material to the points. Application reviewers do not prove that an Application qualifies for points; they determine whether the documentation provided in the Application sufficiently documents the request for points. Staff found no documentation in the Application to support the points request.

Staff recommends that the Board deny the appeal.

17331

Scoring Notice and
Documentation



MULTIFAMILY FINANCE PRODUCTION DIVISION
Housing Tax Credit Program - 2017 Application Round
Scoring Notice - Competitive Housing Tax Credit Application

Kelly Garrett

Phone #: (903) 450-1520

Email: kelly@salemclark.com

Second Email: dru@dharmadevelop.com

Date: May 05, 2017

**THIS NOTICE WILL ONLY BE
TRANSMITTED VIA EMAIL**

**RE: 2017 Competitive Housing Tax Credit (HTC) Application for Westwind of Killeen, TDHCA Number:
17331**

The Texas Department of Housing and Community Affairs has completed its program review of the Application referenced above as further described in the 2017 Qualified Allocation Plan ("QAP"). This scoring notice provides a summary of staff's assessment of the application's score. The notice is divided into several sections.

Section 1 of the scoring notice provides a summary of the score requested by the Applicant followed by the score staff has assessed based on the Application submitted. You should note that four scoring items are not reflected in this scoring comparison but are addressed separately.

Section 2 of the scoring notice includes each of the five scoring criteria for which points could not be requested by the Applicant in the application self-score form and include: §11.9(d)(1) Local Government Support, §11.9(d)(4) Quantifiable Community Participation, §11.9(d)(5) Community Support from State Representative, §11.9(d)(6) Input from Community Organizations, and §11.9(d)(7) Concerted Revitalization Plan.

Section 3 provides information related to any point deductions assessed under §11.9(f) of the QAP or §10.201(7)(A) of the Uniform Multifamily Rules.

Section 4 provides the final cumulative score in bold.

Section 5 includes an explanation of any differences between the requested and awarded score and tie-breakers as well as any penalty points assessed.

The scores provided herein are merely informational at this point in the process and may be subject to change. For example, points awarded under §11.9(e)(4) "Leveraging of Private, State, and Federal Resources", 11.9(b)(1)(A) "Unit Sizes", 11.9(b)(1)(B) "Unit and Development Features", 11.9(c)(1) "Income Levels of Tenants", 11.9(c)(2) "Rent Levels of Tenants", 11.9(e)(1) "Financial Feasibility", 11.9(e)(3) "Pre-Application Participation", and may be adjusted should the underwriting review result in changes to the Application that would affect these scores. If a scoring adjustment is necessary, staff will provide the Applicant a revised scoring notice.

Be further advised that if the Applicant failed to properly disclose information in the Application that could have a material impact on the scoring information provided herein, the score included in this notice may require adjustment and/or the Applicant may be subject to other penalties as provided for in the Department's rules.

This preliminary scoring notice is provided by staff at this time to ensure that an Applicant has sufficient notice to exercise any appeal process provided under §10.902 of the Uniform Multifamily Rules. All information in this scoring notice is further subject to modification, acceptance, and/or approval by the Department's Governing Board.



MULTIFAMILY FINANCE PRODUCTION DIVISION
Housing Tax Credit Program - 2017 Application Round
Scoring Notice - Competitive Housing Tax Credit Application

Page 2 of Final Scoring Notice: 17331, Westwind of Killeen

Section 1:

Score Requested by Applicant (Does not include points for §11.9(d)(1), (4), (5), or (6) of the 2017 QAP):	122
Score Awarded by Department staff (Does not include points for §11.9(d)(1), (4), (5), or (6) of the 2017 QAP):	116
Difference between Requested and Awarded:	6

Section 2:

Points Awarded for §11.9(d)(1) Local Government Support:	17
Points Awarded for §11.9(d)(4) Quantifiable Community Participation:	4
Points Awarded for §11.9(d)(5) Community Support from State Representative:	8
Points Awarded for §11.9(d)(6) Input from Community Organizations:	4
Points Awarded for §11.9(d)(7) Concerted Revitalization Plan:	0

Section 3:

Points Deducted for §11.9(f) of the QAP or §10.201(7)(A) of the Uniform Multifamily Rules:	0
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Section 4:

Final Score Awarded to Application by Department staff:	149
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Section 5:

Explanation for difference between points requested and points awarded by the Department as well as penalties assessed:

§11.9(c)(5) Educational Quality. The Application requested three points but did not provide evidence of the ESC score to support the requested points. (Requested 3, Awarded 0)

§11.9(c)(6) Underserved Area. The Application requested three points but the census tract includes areas that are not within the boundaries of an incorporated area . (Requested 3, Awarded 0)

Explanation for difference between requested tie-breakers and tie-breakers qualified by the Department:

NA

Restrictions and requirements relating to the filing of an appeal can be found in §10.902 of the Uniform Multifamily Rules. If you wish to appeal this scoring notice, you must file your appeal with the Department no later than 5:00 p.m. Austin local time, Friday, May 12, 2017. If an appeal is denied by the Executive Director, an Applicant may appeal to the Department's Board.

In an effort to increase the likelihood that Board appeals related to scoring are heard at the Board meeting, the Department has provided an Appeal Election Form for all appeals submitted to the Executive Director. In the event an appeal is denied by the Executive Director, the Applicant is able to request that the appeal automatically be added to the Board agenda.

If you have any concerns regarding potential miscalculations or errors made by the Department, please contact Sharon Gamble at (512) 936-7834 or by email at <mailto:sharon.gamble@tdhca.state.tx.us>.

Sincerely,

Sharon Gamble

Sharon Gamble
 9% Competitive HTC Program Administrator

Site Information Form Part II

122

1. §11.9(c)(5) - Educational Quality (Competitive HTC Applications Only)

Residents of the proposed development will attend:

School Name	Grades X through X			Accountability Rating	Index 1 Score (e.g. 78)		Overall Rating
Trimmier EL	EE	through	5	Met Standard	79		Index 1>=ESC/State score
		through					Elementary
Nolan MS	6	through	8	Met Standard	62		No Index 1>=ESC/State score
		through					Middle School
CE Ellison HS	9	through	12	Met Standard	73	ESC	Index 1>=ESC/State score
							High School

School district has no attendance zones and the closest schools are listed.

District Rating (if TEA never rated school):

Education Service Center Region Score (if applicable):

Additional Scoring Item

Application is seeking points for Educational Quality.

Total Points Claimed:



3

If necessary, provide a brief summary of how the Development Site is justifying the points selected:

Additional 1-pt. under 5 E(1)- Trimmier ES has a Met Standard and has earned at least one distinction designation by TEA.

2. §11.9(c)(4) - Opportunity Index (Competitive HTC and Direct Loan Applications Only)

Development Site is located in a census tract that has a poverty rate that is less than 20% or that is less than the median poverty rate for the region, whichever is higher.

AND

Development Site is located in a census tract with an income rate in the two highest quartiles within the region.

OR

Development Site is located in a census tract with income in the third quartile within the region, and is contiguous to a census tract in the first or second quartile, without physical barriers such as highways or rivers between, and the Development Site is no more than 2 miles from the boundary between the census tracts. A map showing the Development Site, location of the border, scale showing distance, and other evidence as applicable is included behind this tab.

Census Tract #

Contiguous Census Tract #

(if applicable)

Development is Urban and Development Site is within the required radius of eligible amenities and/or services, pursuant to §11.9(c)(4)(B)(i) of the QAP. A map showing the Development Site, scale showing radius, location of the amenities, and other evidence as applicable is included behind this tab.

accessible public park w/playground (.5 mile)

university or community college (5 miles)

public transportation route (.5 mile)

census tract with ≥27% associate degrees adults aged ≥25

full service grocery store or pharmacy (1 mile)

museum (2 miles)

health-related facility (3 miles)

indoor recreation facility available to public (1 mile)

licensed center serving children (2 miles)


outdoor recreation facility available to public (1 mile)

census tract with crime rate of ≤26 per 1k persons

community, civic or service organization (1 mile)

public library (1 mile)


Development is Rural and Development Site is within the required distance of eligible amenities and/or services pursuant to §11.9(c)(4)(B)(ii) of the QAP. A map showing the Development Site, scale showing radius, location of the amenities, and other evidence as applicable is included behind this tab.

Application is seeking points for Opportunity Index. Total Points Claimed:  7

If necessary, provide a brief summary of how the Development Site is justifying the points selected:

3. §11.9(c)(8) - Proximity to the Urban Core (Competitive HTC Applications Only)

- Development Site is located in a City with a population over 300,000 and is *not* in At-Risk Set-Aside.
- AND**
- Population of City is 300,000-500,000 and Development is located w/in 2 miles of City Hall facility.
- OR**
- Population of City is more than 500,000 and Development is located w/in 4 miles of City Hall facility.


Application is seeking points for Proximity to the Urban Core. Total Points Claimed:  0

4. §11.9(c)(6) - Underserved Area (Competitive HTC and Direct Loan Applications Only)

Applications may qualify for up to five (5) points for proposed Developments located in one of the following areas:

- Colonia (*Note: Not eligible if application qualifies for Opportunity Index points*);
- Economically Distressed Area (*Note: Not eligible if application qualifies for Opportunity Index points*);
- Yes** A census tract within the boundaries of an incorporated area that has not received a competitive tax credit allocation or a 4% non-competitive tax credit allocation for a Development within the last 15 years; and continues to appear on Department's inventory
- If not the previous item, a census tract that does not have a Development subject to an active tax credit LURA, (or has received a tax credit award but not yet reached the point where its LURA must be recorded);
- A census tract within the boundaries of an incorporated area and all contiguous census tracts for which neither the census tract within which the Development is located nor the contiguous census tracts have received an award or HTC allocation within the last 15 years and continues to appear on the Department's inventory (**only applies in cities with a population of ≥300,000 and will not apply in At-Risk**).

Contiguous Census Tract #	<input type="text"/>	Contiguous Census Tract #	<input type="text"/>
Contiguous Census Tract #	<input type="text"/>	Contiguous Census Tract #	<input type="text"/>
Contiguous Census Tract #	<input type="text"/>	Contiguous Census Tract #	<input type="text"/>

Application is seeking points for Underserved Area. Total Points Claimed:  3

5. **§11.9(d)(7) - Concerted Revitalization Plan (Competitive HTC Applications Only)**

Region: 8 Urban

- Development is in an Urban Area.
- Concerted Revitalization Plan has been adopted by the municipality or county and resolution or certification is attached behind this tab.
- Letter from appropriate local official , Target Area map, and supporting documentation are provided behind this tab.
- Development is explicitly identified by the city or county as contributing more than any other to the concerted revitalization efforts of the city or county; resolution stating such is provided behind this tab.
- No points were claimed for Opportunity Index, but location would qualify for at least 4 points:

OR

- Development is in a Rural Area. Rehabilitation Demolition/Reconstruction
- Development is currently leased at 85% or more by low income households, and was constructed prior to 1985 as either public housing or as affordable housing with support from USDA, HUD, HOME, or CDBG.

AND

- Demolition and relocation of units has been determined locally to be necessary to comply with Affirmatively Furthering Fair Housing Rule or to create acceptable distance from Undesirable Neighborhood Characteristics, or such characteristics are disclosed and found to be acceptable.

OR

- Rehabilitation of units and the proposed location requires no disclosure of Undesirable Neighborhood Characteristics, or such characteristics are disclosed and found to be acceptable.
- Development is explicitly identified by the city or county as contributing more than any other to the concerted revitalization efforts of the city or county; letter from Governing Body stating such is provided behind this tab.
- No points were claimed for Opportunity Index, but location would qualify for at least 4 points under §11.9(c)(4)(B):





Application is seeking points for Concerted Revitalization. Total Points Claimed:




6. **§11.9(d)(3) - Declared Disaster Area Scoring (Competitive HTC Applications ONLY)**

- Development is located in an area that qualifies as a Declared Disaster Area as defined in §11.9(d)(3).

Application is seeking points for Declared Disaster Area. Total Points Claimed:

Supporting Documentation for the Site Information Form Part II

- Educational Quality (Competitive HTC Only)
- School Attendance Zone Map with Development labeled and TEA information 
 - TEA information
- Opportunity Index (Competitive HTC and Direct Loan Only)
- Map of Community Assets with Development, radius, and each asset labeled. 
 - Map with Development, census tract boundaries, and distance labeled. 
 - Print-out from DFPS website confirming daycare licensed to serve relevant age groups.
 - Miscellaneous information regarding health-related facility, museum, and/or full service grocery.
 - Crime rate information for census tract from Neighborhood Scout or local data source (<https://www.neighborhoodscout.com>)
 - Tabulation from 2010-2014 American Community Survey
 - Selections and maps for BOTH score and tie breakers are included
- Proximity to Urban Core (Competitive HTC Only)
- Map with the appropriate radius, City Hall location, and evidence of meetings regularly scheduled for City Council, City Commission, or similar. 
- Evidence of Underserved Area (Competitive HTC and Direct Loan Only)
- For Colonia:
Evidence from Attorney General of boundaries and map showing distance from Rio Grande river border; *and*

letter from the appropriate local government official or other evidence that the colonia lacks infrastructure and the Development will enable the current dwellings to connect to such infrastructure. 
 - For Economically Distressed Areas: A letter or correspondence from Texas Water Development Board.
- Concerted Revitalization Plan (Competitive HTC Only)
- Urban:
- Map of target area(s) with location of Development Site clearly identified. 
 - Resolution adopting the Concerted Revitalization Plan or certification
 - Letter from appropriate local official providing documentation of measurable improvements.
- Rural:
- Current rent roll
 - Evidence Development constructed prior to 1985 
 - Evidence Development is public housing or affordable housing supported by USDA, HUD, HOME or CDBG
 - Evidence demolition and relocation of units has been determined locally to be necessary to comply with Affirmatively Furthering Fair Housing Rule or to create acceptable distance from Undesirable Neighborhood Characteristics.
 - Letter from appropriate Governing Body describing concerted revitalization effort and identifying Development as contruting more than any other to such effort.

17331

Applicant Appeal to
Executive Director



MULTIFAMILY FINANCE PRODUCTION DIVISION
Housing Tax Credit Program - 2017 Application Round
Scoring Notice - Competitive Housing Tax Credit Application

Appeal Election Form: 17331, Westwind of Killeen

Note: If you do not wish to appeal this notice, do not submit this form.

I am in receipt of my 2017 scoring notice and am filing a formal appeal to the Executive Director on or before Friday, May 12, 2017.

If my appeal is denied by the Executive Director:

I do wish to appeal to the Board of Directors and request that my application be added to the Department Board of Directors meeting agenda. My appeal documentation, which identifies my specific grounds for appeal, is attached. If no additional documentation is submitted, the appeal documentation to the Executive Director will be utilized.

I do not wish to appeal to the Board of Directors.

Signed

Kelly Sanchez

Title

mgr / member

Date

5-10-17

Please email to Sharon Gamble:
<mailto:sharon.gamble@tdhca.state.tx.us>



A LIMITED LIABILITY PARTNERSHIP
ATTORNEYS & COUNSELORS

John C. Shackelford
9201 N. Central Expressway
Dallas, Texas 75231
Fourth Floor
(214) 780-1400 (Main)
(214) 780-1414 (Direct)
(214) 780-1401 (Fax)
jshack@shackelfordlaw.net

May 12, 2017

Via Email

Timothy Irvine, Esq.
Executive Director
Texas Department of Housing and Community Affairs
221 E. 11th Street
Austin, TX 78711

Re: Appeal; TDHCA #17331, Westwind of Killeen; Killeen, Texas.
Our File No. 51532.2

Dear Mr. Irvine:

This law firm represents SCF Killeen 17, LP (“Project Owner”). I have been requested by Kelly Garrett, President of the general partner of Project Owner, to appeal the conclusion of a Final Scoring Notice (the “Scoring Notice”) issued by the Texas Department of Housing and Community Affairs (“TDHCA”) on May 5, 2017 with respect to Project Owner’s application (the “Application”) for competitive housing tax credits for its proposed Westwind of Killeen development (the “Project”) to be located on a site within the City of Killeen, Texas (the “Project Site”). Particularly, Project Owner appeals TDHCA’s (1) denial of Underserved Area points on the basis of the census tract in which the Project Site is located being not entirely within an incorporated area, (2) denial of Educational Quality points as a result of Project Owner’s failure to provide certain evidence to support such points and (3) deprivation of Project Owner’s right to provide any additional or clarifying evidence (if it is determined that further evidence is actually required) through the Administrative Deficiency process. A copy of the Scoring Notice is attached as Exhibit “A”.

UNDERSERVED AREA POINTS

Requirements for Underserved Area Points. As you are aware, Section 11.9(c)(5) of the 2017 Qualified Action Plan (the “QAP”) awards a sliding scale of points in a tax credit application when that application concerns a development located in what TDHCA deems to be underserved by the housing tax credit program it administers and the applicant substantiates those points with evidence. Specifically, pursuant to Section 11.9(c)(5)(C) of the QAP, TDHCA has determined that applications concerning sites with “*census tract[s] within the boundaries of an incorporated area that [have] not received a competitive ... or a 4 percent non-competitive tax credit allocation ... within the past 15 years and continues to appear on [TDHCA’s] inventory*” should be entitled to three points as long as those points are substantiated with evidence.

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Facts and Grounds for Appeal. The Scoring Notice states that the Application failed to qualify for the three points to which it is entitled because the census tract in which the Project Site is located “*includes areas that are not within the boundaries of an incorporated area.*” We believe this determination is incorrect because **the entire census tract within which the Project Site is located (i.e., Census Tract 48027023000) is within the boundaries of the City of Killeen, an incorporated, chartered city.** We are not sure what data source TDHCA staff (“Staff”) used to come to this conclusion. Attached as Exhibit “B” please find the City of Killeen zoning map confirming that Census Tract 48027023000 is located entirely in the boundaries of the City of Killeen. For this reason, I respectfully request on behalf of Project Owner your reconsideration of Staff’s denial of three Underserved Area points on the Application.

EDUCATIONAL QUALITY POINTS

Requirements for Educational Quality Points. Similar to the Underserved Area Scoring category, Section 11.9(c)(5) of the QAP awards a sliding scale of points for the educational quality of the local public feeder schools (i.e. elementary, middle and high schools) within a project’s attendance zones. Particularly, the QAP looks to the student achievement component (which is reflected as a school’s Index 1 score) of the schools’ Texas Education Agency (“TEA”) accountability rating as being indicative of educational quality and, depending on the number of feeder schools that meet or exceed the designated Index 1 score, one to three points are awarded.

Facts. In this instance, the Project Owner claimed two points under Subparagraph (B) since the Project Site is located in the attendance zone of an elementary and a high school with an Index 1 score at or above the lower of the score for the Education Service Center (“ESC”) region, or the statewide (“Statewide”) score, and an additional one point under Subparagraph (E) since the elementary school has a Met Standard, and has earned at least one distinction designation by TEA.

The Scoring Notice stated that the Application failed to receive the three points for Educational Quality to which it is entitled because it “*did not provide evidence of the ESC score to support the requested points.*”

In order for TDHCA to validate the number of Educational Quality points awarded to each project, Section 11.9(c)(6) of the QAP requires that the “ratings for all grades K-12 must be included” with an application. The ratings to be submitted are the “2016 accountability rating determined by the [TEA] for the State, ESC region **or individual campus**” (*emphasis added*). **In other words, the QAP requires applicants to provide the Index 1 score for all grades within the schools in a project’s attendance zone in order to receive the applicable points, nothing more.** Further, the QAP indicates that, once the prerequisites required to satisfy the scoring criteria are provided, points are automatically awarded. The QAP leaves no room for Staff discretion.

In the original Application the Project Owner submitted the supporting documentation stated as a requirement in the QAP which included the attendance zone maps plotting the location

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Page 3

of the Project Site and the 2016 accountability summaries from the TEA website for each of the feeder public schools serving the Project Site. A copy of the Application submission documentation for Educational Quality is attached as Exhibit "C".

Consistent with the QAP, the 2017 Multifamily Programs Procedures Manual (the "Manual") states merely that, "[t]he rating of the school, ESC region, **or state**" (*emphasis added*) should be documented by a copy of the documentation available on the Texas Education website (<http://tea.texas.gov/2016accountabililty.aspx>)." The Manual further instructs applicants to "[s]elect the points being requested from the drop-down box, and include supporting documentation behind the tab, including printouts from the TEA website indicating school and district ratings." The Manual fails to make any reference to ESC regional or Statewide rankings, indicating that project-specific scores are all that is required. **Therefore, the Manual merely requires Educational Quality points to be supported by printouts or extracts from the TEA concerning ratings from schools within the attendance zones of the Project, nothing more.**

Tab 9, Section 1 of the Application guides the applicant through the process of claiming points for Educational Quality. The Application prompts the applicant to impute the Index 1 scores of the Project's feeder schools only – not the ESC regional and/or Statewide scores. It does not, in this section or elsewhere, require the applicant to provide supportive or clarifying documentation concerning ESC regional or Statewide Index 1 scores.

Grounds for Appeal. Project Owner was wrongfully denied Educational Quality points because of its failure to comply with the arbitrary and undisclosed departmental policy requiring an applicant to provide ESC regional and Statewide Index 1 scores as a prerequisite to the awarding of Educational Quality points. Project Owner supplied all of the required information and documentation. There is no rule, requirement or policy in the QAP, the 2017 Uniform Multifamily Rules (the "Rules"), the Manual or the Application itself requiring or suggesting that an application contain ESC regional and/or Statewide Index 1 scores. Staff has even stated that **no such evidence is required**. Further, no such information has been required by TDHCA in years past.

It should also be noted that Staff sent out scoring notices deducting Educational Quality points from several applicants that did not submit the Statewide Score claiming that they needed such evidence in order to *compare* the Statewide score to the scores of the local feeder schools. These scoring notices were later retracted by Staff and new scoring notices were issued granting the requested Educational Quality points. We assume that Staff is relying on a similar argument in connection with denying points if the applicant fails to provide evidence of the ESC regional score, the grounds used by Staff for the reduction of three points from the Application. This justification for the denial of points is inadequate on several grounds:

- (1) The matter of ESC regional and Statewide school ratings and where to locate them is common knowledge in the industry and to Staff such they should not be expected to be provided absent an express requirement to the contrary. Similar to the Statewide

Timothy Irvine, Esq.
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score, Staff knows what the ESC region scores are and can readily compare these scores to those provided by the applicant on the local feeder schools in order to make such *comparisons* and verify the points claimed. Staff routinely verifies and confirms point categories including the location of a site for purposes of high opportunity areas, disaster area and underserved area points and as has been the practice for many years allowing the applicant to clarify inconsistencies found by Staff when evaluating an application through the Administrative Deficiency process.

(2) The 2017 Uniform Multifamily Application Review Sheet used by Staff to score an application requires TDHCA staff to proactively pull accountability ratings from TEA's website. Nowhere does it require or indicate that ESC regional and Statewide scores should be required by the applicant for comparison purposes.

(3) Regardless of the foregoing, and as stated above several times, there is no requirement, express or implied, that an applicant provide ESC regional and Statewide Index 1 scores in order to qualify for Educational Quality points. Reading the QAP and Manual at face value requires the opposite conclusion: points are awarded *de facto* when the requirements are satisfied. Staff is required by Section 11.1(b) of the QAP to "apply the rules of the QAP to each specific situation as it is presented in the submitted Application." Because TDHCA is obligated to follow the express terms of the QAP, denial of points for lack of documentation not required by the QAP is improper and inconsistent with well-established rules and procedures that apply to our housing tax credit program.

Project Owner should not be denied points as a result of an unknown and unascertainable policy. Points should be awarded if the requirements of the QAP are met. If TDHCA does not reverse its position on this issue, no longer will credits be awarded on the basis of an established and universally-applied set of rules and procedures. Rather, they will be awarded based on how well an applicant was able to guess as to how TDHCA would apply the written rules from year to year. Project Owner should not be penalized for failure to read the minds of TDHCA staff.

For these reasons, I respectfully request on behalf of Project Owner your reconsideration of TDHCA staff's denial of three Educational Quality points on the Application.

DENIAL OF ADMINISTRATIVE DEFICIENCY CURE

If you determine that Project Owner was properly denied its Underserved Area and Educational Quality points for the reasons identified in the Scoring Notice, Project Owner appeals TDHCA's denial of Project Owner's right to clarify and supplement its Application through the Administrative Deficiency process.

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Administrative Deficiency Procedure. If TDHCA requires additional information or documentation for the purpose of Staff clarification or for Staff's further evaluation or study of the data provided, then an applicant is allowed to provide that information through the Administrative Deficiency process. Such is why the Administrative Deficiency process exists. Section 10.201(7)(a) of the Rules provides that the purpose of this process allows an applicant to provide "**clarification, correction, or non-material information** to ... assist staff in evaluating the Application" (*emphasis added*).

Facts and Grounds for Appeal. Staff's concerns with Project Owner's Application, as set out in the Scoring Notice, could have easily been resolved through the administrative deficiency process as allowed for in the Rules....."administrative deficiencies" – i.e., "*information requested by [TDHCA] staff that is required to clarify or correct one or more inconsistencies or to provide non-material missing information in the original [a]pplication or to assist staff in evaluating the Application that, in the Department staff's reasonable judgment, may be cured by supplemental information or explanation which will not necessitate a substantial reassessment or re-evaluation of the [a]pplication*" (per Section 10.3(a)(2) of the Rules). The apparent misunderstanding concerning the location of the census tract in which the Project Site is located (which is discussed at length above) could have easily been avoided had TDHCA used the Administrative Deficiency process to obtain from the Project Owner clarifying information about the boundaries of both the applicable census tract and the City. Similarly, the new requirement that comparison ESC regional and/or Statewide Index 1 scores be provided (which is also discussed at length above) could have been satisfied had TDHCA used the Administrative Deficiency process to request Project Owner submit such scores.

Project Owner was improperly denied the Administrative Deficiency process to clarify (as it relates to the Underserved Area points) its Application and to supply missing, non-material information (as it relates to the Educational Quality Points) in the application and, for this reason, I respectfully request your reconsideration of the finality of the Scoring Notice, thereby allowing Project Owner to provide the clarifying and missing information.

CONCLUSION

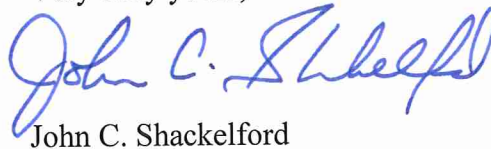
As I have stated several times in this letter, Project Owner provided all required information and documentation in its Application to receive three Underserved Area points and three Educational Quality points. Project Owner believes the denial of Underserved Area points is due to either misinformation or a misunderstanding that can be solved with a closer look at the boundaries of the census tract and City. As it concerns the Educational Quality points, Project Owner had no way of knowing of an undisclosed departmental policy that required the Application include ESC regional and/or Statewide Index 1 scores. Denial of these points using a lack of departmental knowledge of Index 1 scores as a justification is incomprehensible. These errors are compounded by Staff's refusal to allow the Property Owner the opportunity to provide clarifying information through the Administrative Deficiency process to facilitate Staff in its review of the

Timothy Irvine, Esq.
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Application. For these reasons, I respectfully request on behalf of Project Owner your reconsideration of these matters and reversal of the denial of points.

As you are aware, these appeals may be granted by you as the Executive Director. It is therefore urged that you will grant one or more of these requests. If you determine that none of these requests merit your granting any of them, then Project Owner hereby requests that your decisions be appealed to the Board and that this letter be made the basis for the appeal of your decisions for consideration at the next Board meeting scheduled for May 25, 2017.

Very truly yours,



John C. Shackelford

Schedule of Exhibits

Exhibit A - Scoring Notice

Exhibit B - Evidence of Underserved Area

Exhibit C – Educational Quality Submission Documentation

cc: Kelly Garrett (*via email*)
Donna Rickenbacker (*via email*)
Dru Childre (*via email*)
Lauren Osterman, Esq. (*via email*)
Sharon Gamble (*via email*)
Marni Holloway (*via email*)

Exhibit "A"

Scoring Notice

(Attached)



MULTIFAMILY FINANCE PRODUCTION DIVISION
Housing Tax Credit Program - 2017 Application Round
Scoring Notice - Competitive Housing Tax Credit Application

Kelly Garrett

Phone #: (903) 450-1520

Email: kelly@salemclark.com

Second Email: dru@dharmadevelop.com

Date: May 05, 2017

**THIS NOTICE WILL ONLY BE
TRANSMITTED VIA EMAIL**

**RE: 2017 Competitive Housing Tax Credit (HTC) Application for Westwind of Killeen, TDHCA Number:
17331**

The Texas Department of Housing and Community Affairs has completed its program review of the Application referenced above as further described in the 2017 Qualified Allocation Plan ("QAP"). This scoring notice provides a summary of staff's assessment of the application's score. The notice is divided into several sections.

Section 1 of the scoring notice provides a summary of the score requested by the Applicant followed by the score staff has assessed based on the Application submitted. You should note that four scoring items are not reflected in this scoring comparison but are addressed separately.

Section 2 of the scoring notice includes each of the five scoring criteria for which points could not be requested by the Applicant in the application self-score form and include: §11.9(d)(1) Local Government Support, §11.9(d)(4) Quantifiable Community Participation, §11.9(d)(5) Community Support from State Representative, §11.9(d)(6) Input from Community Organizations, and §11.9(d)(7) Concerted Revitalization Plan.

Section 3 provides information related to any point deductions assessed under §11.9(f) of the QAP or §10.201(7)(A) of the Uniform Multifamily Rules.

Section 4 provides the final cumulative score in bold.

Section 5 includes an explanation of any differences between the requested and awarded score and tie-breakers as well as any penalty points assessed.

The scores provided herein are merely informational at this point in the process and may be subject to change. For example, points awarded under §11.9(e)(4) "Leveraging of Private, State, and Federal Resources", 11.9(b)(1)(A) "Unit Sizes", 11.9(b)(1)(B) "Unit and Development Features", 11.9(c)(1) "Income Levels of Tenants", 11.9(c)(2) "Rent Levels of Tenants", 11.9(e)(1) "Financial Feasibility", 11.9(e)(3) "Pre-Application Participation", and may be adjusted should the underwriting review result in changes to the Application that would affect these scores. If a scoring adjustment is necessary, staff will provide the Applicant a revised scoring notice.

Be further advised that if the Applicant failed to properly disclose information in the Application that could have a material impact on the scoring information provided herein, the score included in this notice may require adjustment and/or the Applicant may be subject to other penalties as provided for in the Department's rules.

This preliminary scoring notice is provided by staff at this time to ensure that an Applicant has sufficient notice to exercise any appeal process provided under §10.902 of the Uniform Multifamily Rules. All information in this scoring notice is further subject to modification, acceptance, and/or approval by the Department's Governing Board.



MULTIFAMILY FINANCE PRODUCTION DIVISION
 Housing Tax Credit Program - 2017 Application Round
 Scoring Notice - Competitive Housing Tax Credit Application

Page 2 of Final Scoring Notice: 17331, Westwind of Killeen

Section 1:

Score Requested by Applicant (Does not include points for §11.9(d)(1), (4), (5), or (6) of the 2017 QAP):	122
Score Awarded by Department staff (Does not include points for §11.9(d)(1), (4), (5), or (6) of the 2017 QAP):	116
Difference between Requested and Awarded:	6

Section 2:

Points Awarded for §11.9(d)(1) Local Government Support:	17
Points Awarded for §11.9(d)(4) Quantifiable Community Participation:	4
Points Awarded for §11.9(d)(5) Community Support from State Representative:	8
Points Awarded for §11.9(d)(6) Input from Community Organizations:	4
Points Awarded for §11.9(d)(7) Concerted Revitalization Plan:	0

Section 3:

Points Deducted for §11.9(f) of the QAP or §10.201(7)(A) of the Uniform Multifamily Rules:	0
--	---

Section 4:

Final Score Awarded to Application by Department staff:	149
--	------------

Section 5:

Explanation for difference between points requested and points awarded by the Department as well as penalties assessed:

§11.9(c)(5) Educational Quality. The Application requested three points but did not provide evidence of the ESC score to support the requested points. (Requested 3, Awarded 0)

§11.9(c)(6) Underserved Area. The Application requested three points but the census tract includes areas that are not within the boundaries of an incorporated area . (Requested 3, Awarded 0)

Explanation for difference between requested tie-breakers and tie-breakers qualified by the Department:

NA

Restrictions and requirements relating to the filing of an appeal can be found in §10.902 of the Uniform Multifamily Rules. If you wish to appeal this scoring notice, you must file your appeal with the Department no later than 5:00 p.m. Austin local time, Friday, May 12, 2017. If an appeal is denied by the Executive Director, an Applicant may appeal to the Department's Board.

In an effort to increase the likelihood that Board appeals related to scoring are heard at the Board meeting, the Department has provided an Appeal Election Form for all appeals submitted to the Executive Director. In the event an appeal is denied by the Executive Director, the Applicant is able to request that the appeal automatically be added to the Board agenda.

If you have any concerns regarding potential miscalculations or errors made by the Department, please contact Sharon Gamble at (512) 936-7834 or by email at <mailto:sharon.gamble@tdhca.state.tx.us>.

Sincerely,

Sharon Gamble

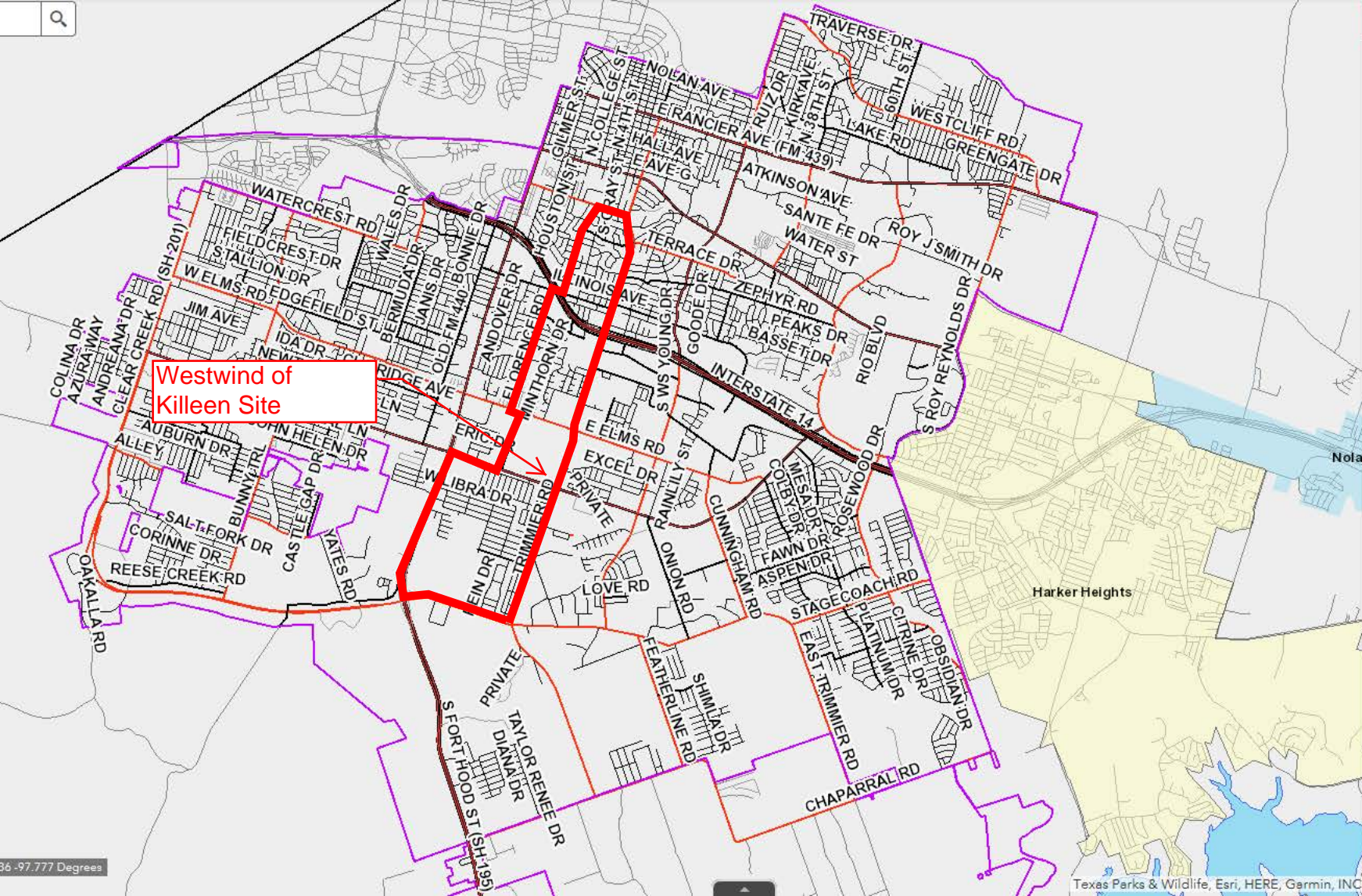
Sharon Gamble

9% Competitive HTC Program Administrator

Exhibit "B"

Evidence of Underserved Area

(Attached)



Legend

- StreetNames**
- StreetNames

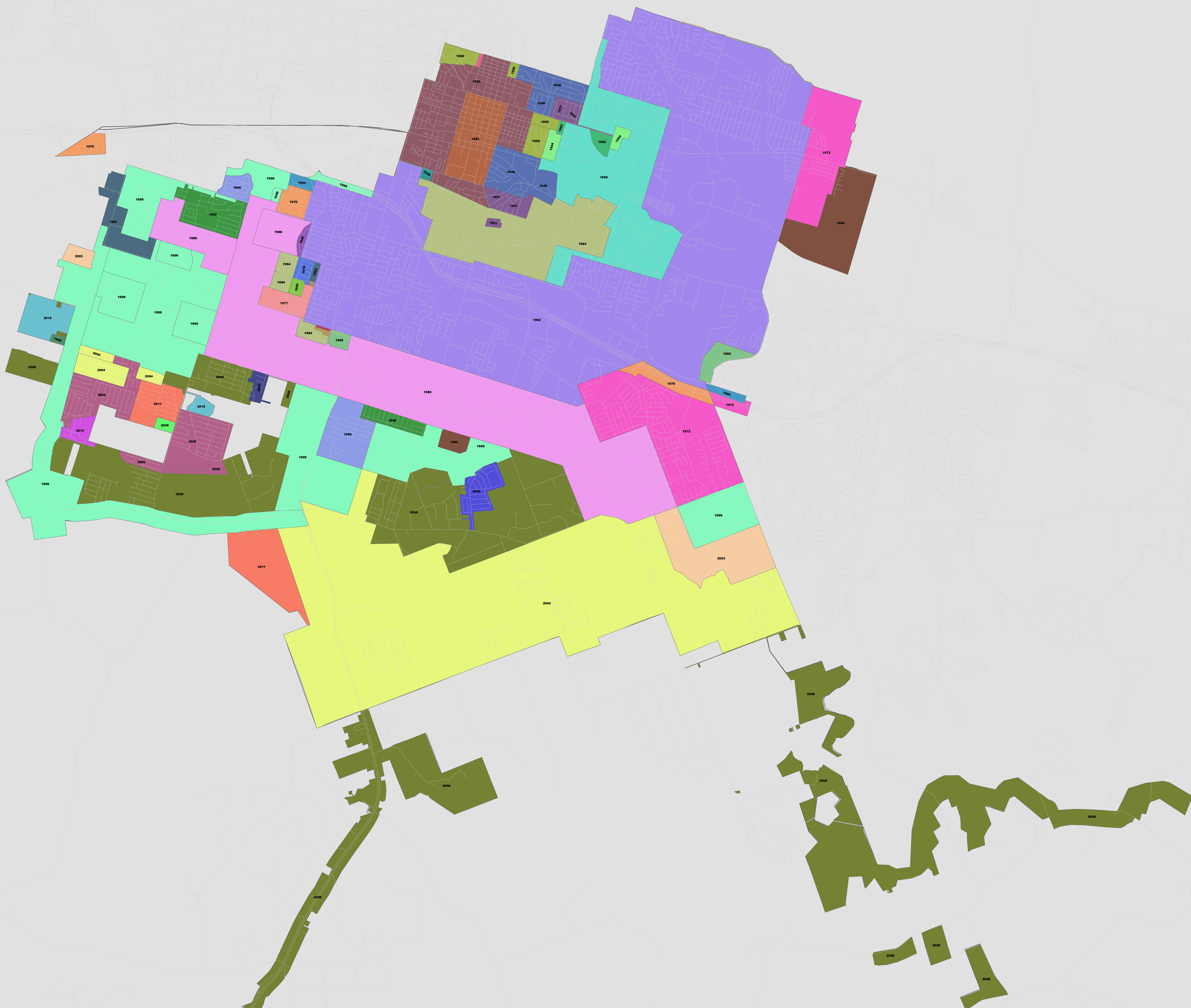
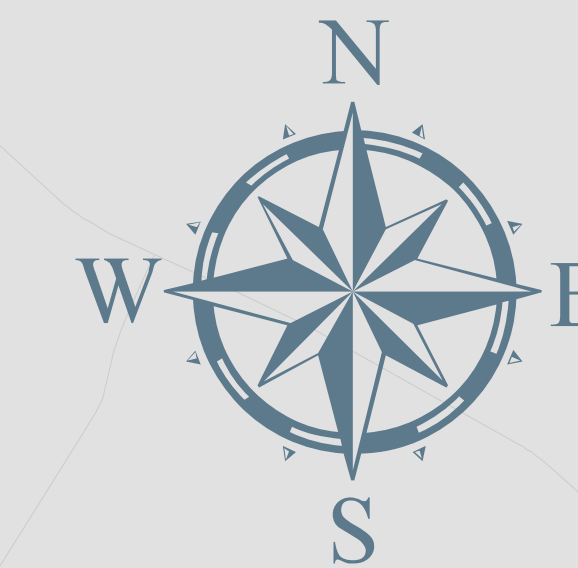
- KilleenBaseLayers**
- Citylimits
- StreetCenterline

 - PRINCIPAL ARTERIAL
 - MINOR ARTERIAL
 - COLLECTOR
 - LOCAL STREETS
 - OTHER

- BellCountyBoundary
- BellCountyCities

 - Bartlett
 - Belton
 - Copperas Cove
 - Harker Heights
 - Holland
 - Little River-Academy
 - Morgan's Point Resort
 - Nolanville
 - Rogers
 - Salado
 - Temple
 - Troy

- BellCountyRoads
- BellCountyLakes



Annexation Date	Ordinance Number	Acreage	Accumulated Acreage	Description
08/04/84	4881	130.33	130.33	Allen City East Extension
08/04/84	4882	211.27	341.60	South Western Extension
11/12/84	4883	21.32	362.92	South Western Extension
02/12/85	4921	50.00	412.92	Wasson (Plan 2)
02/12/85	4922	162.55	575.47	Hickory Heights
02/12/85	4923	241.13	816.60	South of Armory Drive Rd.
02/12/85	4924	184.54	1001.14	Woodfield Extension
08/12/85	5021	78.62	1079.76	Westerly Extension
02/24/86	4927	76.19	1155.95	South East
04/22/86	4928	2.16	1158.11	South East
02/10/89	5019	63.80	1221.91	A.C.D. Dixon (Dishwasher right)
02/10/89	5020	407.27	1629.18	Rio Southwest, with A.C.D. (S)
08/14/89	5081	87.14	1716.32	South East
08/14/89	5082	170.24	1886.56	Hicksville Extension
11/14/89	5083	170.24	2056.80	Hicksville Extension
11/14/89	5084	232.24	2289.04	East of Hwy 168 (Dishwasher right)
02/09/89	5027	81.46	2370.50	East of Hwy 168 (Dishwasher right)
02/09/89	5028	232.84	2603.34	East of Hwy 168 (Dishwasher right)
02/09/89	5029	6.127	2609.46	East of Hwy 168 (Dishwasher right)
08/29/89	5090	82.82	2692.28	South East
08/29/89	5091	162.01	2854.29	South East
08/29/89	5092	109.79	2964.08	South East
08/29/89	5093	225.12	3189.20	South East
08/29/89	5094	204.41	3393.61	South East
08/29/89	5095	204.41	3598.02	South East
08/29/89	5096	204.41	3802.43	South East
08/29/89	5097	204.41	4006.84	South East
08/29/89	5098	204.41	4211.25	South East
08/29/89	5099	204.41	4415.66	South East
08/29/89	5100	204.41	4620.07	South East
08/29/89	5101	204.41	4824.48	South East
08/29/89	5102	204.41	5028.89	South East
08/29/89	5103	204.41	5233.30	South East
08/29/89	5104	204.41	5437.71	South East
08/29/89	5105	204.41	5642.12	South East
08/29/89	5106	204.41	5846.53	South East
08/29/89	5107	204.41	6050.94	South East
08/29/89	5108	204.41	6255.35	South East
08/29/89	5109	204.41	6459.76	South East
08/29/89	5110	204.41	6664.17	South East
08/29/89	5111	204.41	6868.58	South East
08/29/89	5112	204.41	7072.99	South East
08/29/89	5113	204.41	7277.40	South East
08/29/89	5114	204.41	7481.81	South East
08/29/89	5115	204.41	7686.22	South East
08/29/89	5116	204.41	7890.63	South East
08/29/89	5117	204.41	8095.04	South East
08/29/89	5118	204.41	8299.45	South East
08/29/89	5119	204.41	8503.86	South East
08/29/89	5120	204.41	8708.27	South East
08/29/89	5121	204.41	8912.68	South East
08/29/89	5122	204.41	9117.09	South East
08/29/89	5123	204.41	9321.50	South East
08/29/89	5124	204.41	9525.91	South East
08/29/89	5125	204.41	9730.32	South East
08/29/89	5126	204.41	9934.73	South East
08/29/89	5127	204.41	10139.14	South East
08/29/89	5128	204.41	10343.55	South East
08/29/89	5129	204.41	10547.96	South East
08/29/89	5130	204.41	10752.37	South East
08/29/89	5131	204.41	10956.78	South East
08/29/89	5132	204.41	11161.19	South East
08/29/89	5133	204.41	11365.60	South East
08/29/89	5134	204.41	11570.01	South East
08/29/89	5135	204.41	11774.42	South East
08/29/89	5136	204.41	11978.83	South East
08/29/89	5137	204.41	12183.24	South East
08/29/89	5138	204.41	12387.65	South East
08/29/89	5139	204.41	12592.06	South East
08/29/89	5140	204.41	12796.47	South East
08/29/89	5141	204.41	13000.88	South East
08/29/89	5142	204.41	13205.29	South East
08/29/89	5143	204.41	13409.70	South East
08/29/89	5144	204.41	13614.11	South East
08/29/89	5145	204.41	13818.52	South East
08/29/89	5146	204.41	14022.93	South East
08/29/89	5147	204.41	14227.34	South East
08/29/89	5148	204.41	14431.75	South East
08/29/89	5149	204.41	14636.16	South East
08/29/89	5150	204.41	14840.57	South East

ETJ LEGEND

 1883	 1950	 1955	 1969	 1976	 1982	 1990	 1996	 2004	 2009
 1920	 1951	 1959	 1970	 1977	 1984	 1992	 1999	 2005	 2011
 1948	 1952	 1962	 1971	 1978	 1985	 1993	 2002	 2007	 2012
 1949	 1954	 1964	 1972	 1980	 1986	 1994	 2003	 2008	 2015



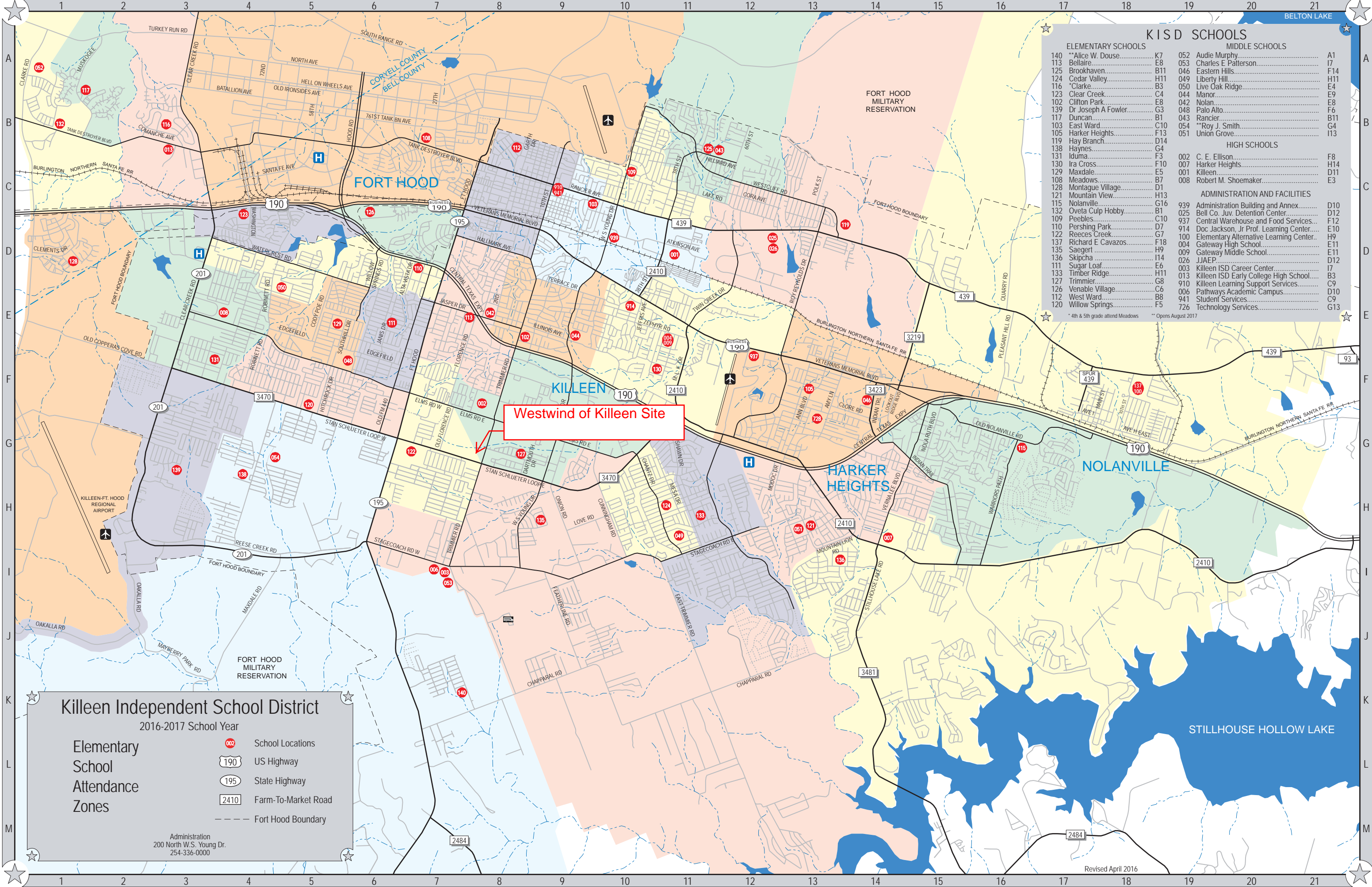
Exhibit "C"

Excerpt from Application Regarding Educational Quality

(Attached)

Attendance Zone Street Search Results for Little Trimmier Rd

School Year 2016 - 2017									
Zone	Odd Range	Even Range	Street	City	Zip	Grades PK - 3	Grades 4 - 5	Grades 6 - 8	Grades 9-12
264	101 - 899	100 - 898	Little Trimmier Rd	Killeen	76542	Saegert	Saegert	Liberty Hill	Harker Heights HS
413		702 - 706	Trimmier RD	Killeen	76541	West Ward	West Ward	Manor	Killeen
408	711 - 1403		Trimmier Rd	Killeen	76541	Clifton Park	Clifton Park	Nolan	Killeen
412		906 - 906	Trimmier Rd	Killeen	76541	East Ward	East Ward	Manor	Killeen
406		1002 - 1210	Trimmier Rd	Killeen	76541	Clifton Park	Clifton Park	Manor	Killeen
404	1501 - 2201		Trimmier Rd	Killeen	76541	Clifton Park	Clifton Park	Nolan	Killeen
402		1800 - 2200	Trimmier Rd	Killeen	76541	Clifton Park	Clifton Park	Manor	Killeen
308	2305 - 2603		Trimmier Rd	Killeen	76542	Bellaire	Bellaire	Nolan	Ellison
302		2502 - 2908	Trimmier Rd	Killeen	76542	Trimmier	Trimmier	Manor	Ellison
304		3500 - 3804	Trimmier Rd	Killeen	76542	Trimmier	Trimmier	Manor	Ellison
306	3507 - 3507		Trimmier Rd	Killeen	76542	Trimmier	Trimmier	Nolan	Ellison
315	3901 - 4799		Trimmier Rd	Killeen	76542	Trimmier	Trimmier	Nolan	Ellison
314		3902 - 4798	Trimmier Rd	Killeen	76542	Trimmier	Trimmier	Manor	Ellison
378		4800 - 8098	Trimmier Rd	Killeen	76542	Saegert	Saegert	C Patterson	Ellison
375	4801 - 5099		Trimmier Rd	Killeen	76542	Reeces Creek	Reeces Creek	C Patterson	Ellison
376	5101 - 5325		Trimmier Rd	Killeen	76542	Reeces Creek	Reeces Creek	C Patterson	Ellison
376	5401 - 6299		Trimmier RD	Killeen	76542	Reeces Creek	Reeces Creek	C Patterson	Ellison
377	6301 - 8099		Trimmier RD	Killeen	76542	Saegert	Saegert	C Patterson	Ellison
241	4601 - 7099		E Trimmier Rd	Killeen	76542	Timber Ridge	Timber Ridge	Liberty Hill	Harker Heights HS
236		4602 - 8298	E Trimmier Rd	Killeen	76542	Saegert	Saegert	C Patterson	Ellison
241	7101 - 8299		E Trimmier Rd	Killeen	76542	Timber Ridge	Timber Ridge	Liberty Hill	Harker Heights HS
263		8300 - 9098	E Trimmier RD	Killeen	76542	Saegert	Saegert	C Patterson	Ellison
265	8301 - 9099		E Trimmier RD	Killeen	76542	Saegert	Saegert	Liberty Hill	Harker Heights HS
264	9101 - 11299	9100 - 11298	E Trimmier Rd	Killeen	76542	Saegert	Saegert	Liberty Hill	Harker Heights HS
381	8101 - 9099	8100 - 9098	W Trimmier RD	Killeen	76542	Saegert	Saegert	C Patterson	Ellison
380		9100 - 10498	W Trimmier Rd	Killeen	76542	Saegert	Saegert	C Patterson	Ellison
380	9101 - 10499		W Trimmier Rd	Killeen	76542	Saegert	Saegert	C Patterson	Ellison



KISD SCHOOLS

ELEMENTARY SCHOOLS		MIDDLE SCHOOLS		
140	**Alice W. Douse.....	K7	052 Audie Murphy.....	A1
113	Bellaire.....	E8	053 Charles E. Patterson.....	I7
125	Brookhaven.....	B11	046 Eastern Hills.....	F14
124	Cedar Valley.....	H11	049 Liberty Hill.....	H11
116	*Clarke.....	B3	050 Live Oak Ridge.....	E4
123	Clear Creek.....	C4	044 Manor.....	E9
102	Clifton Park.....	E8	042 Nolan.....	E8
139	Dr. Joseph A. Fowler.....	G3	048 Palo Alto.....	F6
117	Duncan.....	B1	043 Rancier.....	B11
103	East Ward.....	C10	054 **Roy J. Smith.....	G4
105	Harker Heights.....	F13	051 Union Grove.....	I13
119	Hay Branch.....	D14		
138	Haynes.....	G4		
131	Iduma.....	F3		
130	Ira Cross.....	F10		
129	Maxdale.....	E5		
108	Meadows.....	B7		
128	Montague Village.....	D1		
121	Mountain View.....	H13		
115	Nolanville.....	G16		
132	Oveta Culp Hobby.....	B1		
109	Peebles.....	C10		
110	Pershing Park.....	D7		
122	Reeces Creek.....	G7		
137	Richard E. Cavazos.....	F18		
135	Saeger.....	H9		
136	Skipcha.....	I14		
111	Sugar Loaf.....	E6		
133	Timber Ridge.....	H11		
127	Trimmer.....	G8		
126	Venable Village.....	C6		
112	West Ward.....	B8		
120	Willow Springs.....	F5		

HIGH SCHOOLS		
002	C. E. Ellison.....	F8
007	Harker Heights.....	H14
001	Killeen.....	D11
008	Robert M. Shoemaker.....	E3

ADMINISTRATION AND FACILITIES		
939	Administration Building and Annex.....	D10
025	Bell Co. Juv. Detention Center.....	D12
937	Central Warehouse and Food Services.....	F12
914	Doc Jackson, Jr. Prof. Learning Center.....	E10
100	Elementary Alternative Learning Center.....	H9
004	Gateway High School.....	E11
009	Gateway Middle School.....	E11
026	JJAEP.....	D12
003	Killeen ISD Career Center.....	I7
013	Killeen ISD Early College High School.....	B3
910	Killeen Learning Support Services.....	C9
006	Pathways Academic Campus.....	D10
941	Student Services.....	C9
726	Technology Services.....	G13

* 4th & 5th grade attend Meadows ** Opens August 2017

Killeen Independent School District

2016-2017 School Year

Elementary School Attendance Zones

- 002 School Locations
- 190 US Highway
- 195 State Highway
- 2410 Farm-To-Market Road
- Fort Hood Boundary

Administration
200 North W.S. Young Dr.
254-336-0000

TEXAS EDUCATION AGENCY

2016 Accountability Summary

TRIMMIER EL (014906127) - KILLEEN ISD

Accountability Rating

Met Standard

Met Standards on	Did Not Meet Standards on
<ul style="list-style-type: none"> - Student Achievement - Student Progress - Closing Performance Gaps - Postsecondary Readiness 	<ul style="list-style-type: none"> - NONE

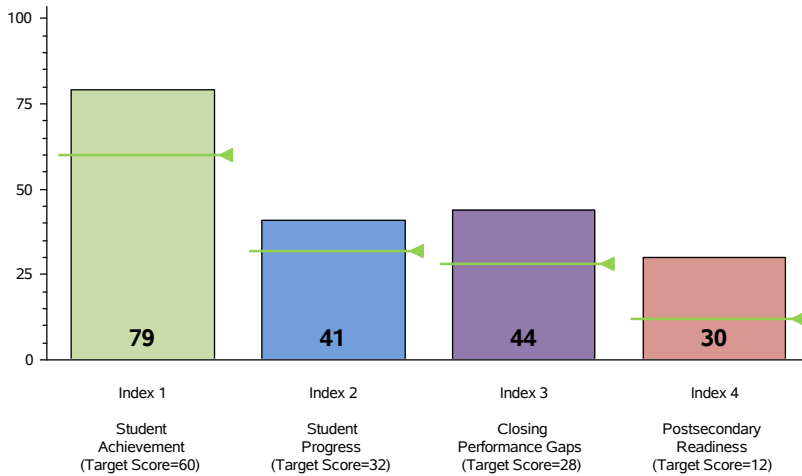
In 2016, to receive a Met Standard or Met Alternative Standard rating, districts and campuses must meet targets on three indexes: Index 1 or Index 2 and Index 3 and Index 4.

Distinction Designation



Academic Achievement in ELA/Reading	NO DISTINCTION EARNED
Academic Achievement in Mathematics	NO DISTINCTION EARNED
Academic Achievement in Science	NO DISTINCTION EARNED
Academic Achievement in Social Studies	NOT ELIGIBLE
Top 25 Percent Student Progress	NO DISTINCTION EARNED
Top 25 Percent Closing Performance Gaps	DISTINCTION EARNED
Postsecondary Readiness	NO DISTINCTION EARNED

Performance Index Report



Campus Demographics

Campus Type	Elementary
Campus Size	867 Students
Grade Span	EE - 05
Percent Economically Disadvantaged	68.7
Percent English Language Learners	39.9
Mobility Rate	24.1

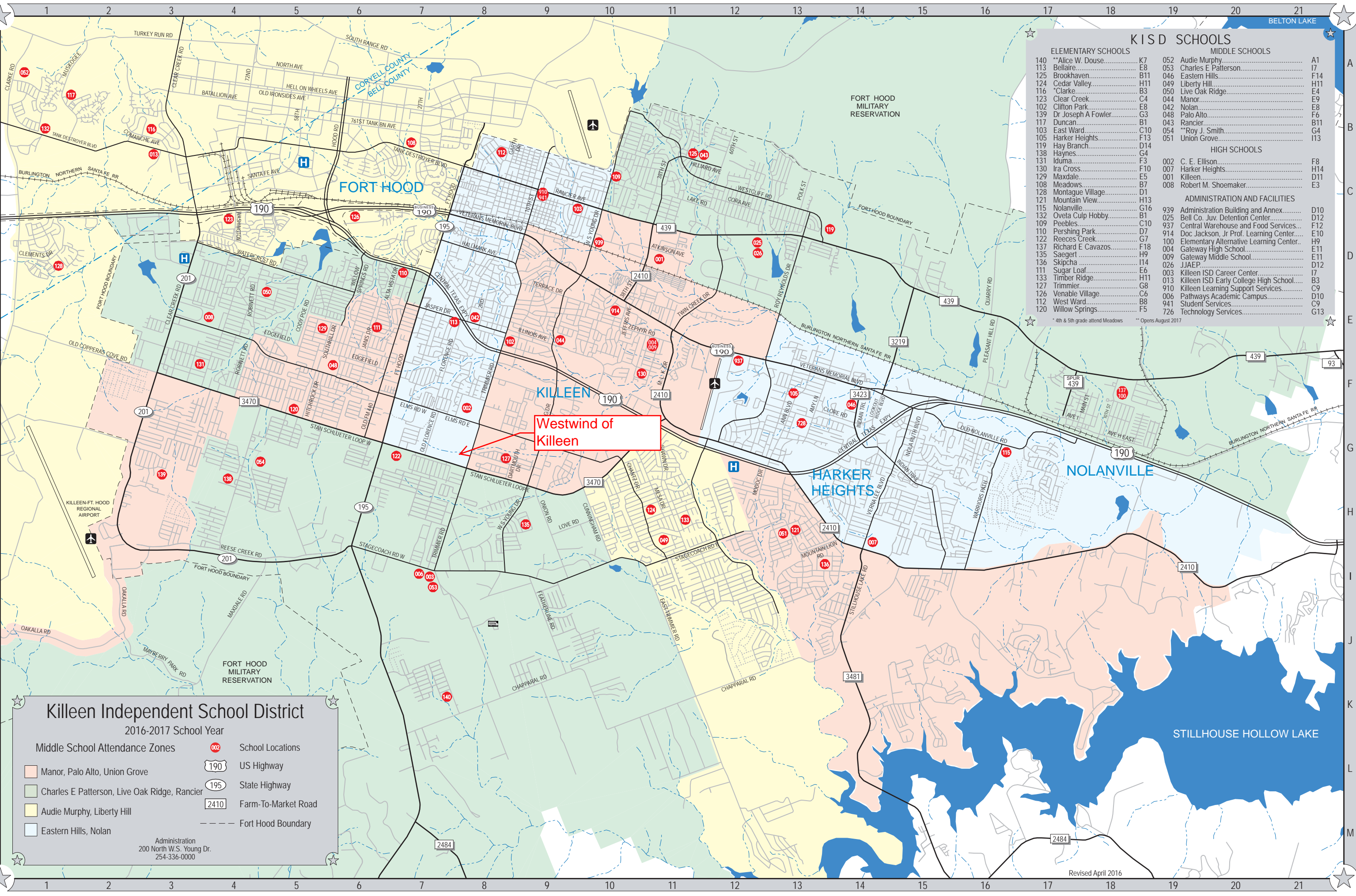
Performance Index Summary

Index	Points Earned	Maximum Points	Index Score
1 - Student Achievement	627	792	79
2 - Student Progress	493	1,200	41
3 - Closing Performance Gaps	791	1,800	44
4 - Postsecondary Readiness			
STAAR Score	30.0		
Graduation Rate Score	N/A		
Graduation Plan Score	N/A		
Postsecondary Component Score	N/A		30

System Safeguards

Number and Percentage of Indicators Met	
Performance Rates	20 out of 21 = 95%
Participation Rates	14 out of 14 = 100%
Graduation Rates	N/A
Total	34 out of 35 = 97%

For further information about this report, please see the Performance Reporting Division website at <https://rptsrv1.tea.texas.gov/perfreport/account/2016/index.html>



KISD SCHOOLS

ELEMENTARY SCHOOLS			MIDDLE SCHOOLS		
140	**Alice W. Douse.....	K7	052	Audie Murphy.....	A1
113	Bellaire.....	E8	053	Charles E. Patterson.....	I7
125	Brookhaven.....	B11	046	Eastern Hills.....	F14
124	Cedar Valley.....	H11	049	Liberty Hill.....	H11
116	*Clarke.....	B3	050	Live Oak Ridge.....	E4
123	Clear Creek.....	C4	044	Manor.....	E9
102	Clifton Park.....	E8	042	Nolan.....	E8
139	Dr. Joseph A. Fowler.....	G3	048	Palo Alto.....	F6
117	Duncan.....	B1	043	Rancier.....	B11
103	East Ward.....	C10	054	**Roy J. Smith.....	G4
105	Harker Heights.....	F13	051	Union Grove.....	I13
119	Hay Branch.....	D14			
138	Haynes.....	G4			
131	Iduma.....	F3	002	C. E. Ellison.....	F8
130	Ira Cross.....	F10	007	Harker Heights.....	H14
129	Maxdale.....	E5	001	Killeen.....	D11
108	Meadows.....	B7	008	Robert M. Shoemaker.....	E3
128	Montague Village.....	D1			
121	Mountain View.....	H13			
115	Nolanville.....	G16	939	Administration Building and Annex.....	D10
132	Oveta Culp Hobby.....	B1	025	Bell Co. Juv. Detention Center.....	D12
109	Peebles.....	C10	937	Central Warehouse and Food Services.....	F12
110	Pershing Park.....	D7	914	Doc Jackson, Jr. Prof. Learning Center.....	E10
122	Reeces Creek.....	G7	100	Elementary Alternative Learning Center.....	H9
137	Richard E. Cavazos.....	F18	004	Gateway High School.....	E11
135	Saeger.....	H9	009	Gateway Middle School.....	E11
136	Skipcha.....	I14	026	JJAEP.....	D12
111	Sugar Loaf.....	E6	003	Killeen ISD Career Center.....	I7
133	Timber Ridge.....	H11	013	Killeen ISD Early College High School.....	B3
127	Trimmer.....	G8	910	Killeen Learning Support Services.....	C9
126	Venable Village.....	C6	006	Pathways Academic Campus.....	D10
112	West Ward.....	B8	941	Student Services.....	C9
120	Willow Springs.....	F5	726	Technology Services.....	G13

* 4th & 5th grade attend Meadows ** Opens August 2017

Killeen Independent School District

2016-2017 School Year

Middle School Attendance Zones

- Manor, Palo Alto, Union Grove
- Charles E Patterson, Live Oak Ridge, Rancier
- Audie Murphy, Liberty Hill
- Eastern Hills, Nolan

School Locations
 US Highway
 State Highway
 Farm-To-Market Road
 Fort Hood Boundary

Administration
 200 North W.S. Young Dr.
 254-336-0000

Revised April 2016

TEXAS EDUCATION AGENCY

2016 Accountability Summary

NOLAN MIDDLE (014906042) - KILLEEN ISD

Accountability Rating

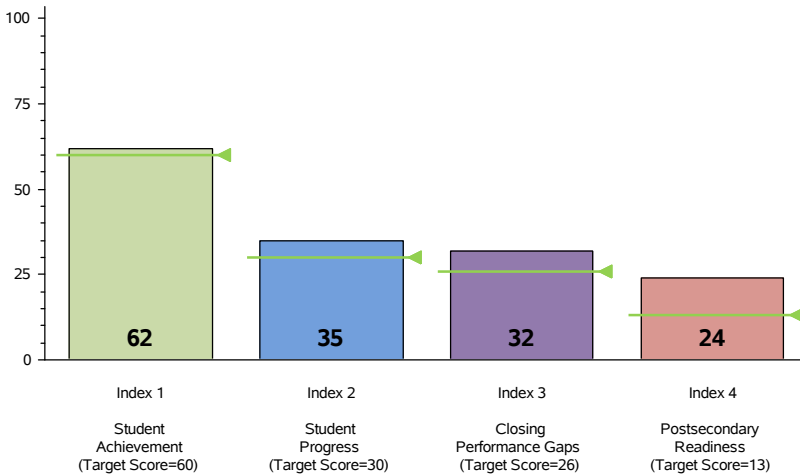
Met Standard

Met Standards on	Did Not Meet Standards on
<ul style="list-style-type: none"> - Student Achievement - Student Progress - Closing Performance Gaps - Postsecondary Readiness 	<ul style="list-style-type: none"> - NONE
In 2016, to receive a Met Standard or Met Alternative Standard rating, districts and campuses must meet targets on three indexes: Index 1 or Index 2 and Index 3 and Index 4.	

Distinction Designation

Academic Achievement in ELA/Reading
NO DISTINCTION EARNED
Academic Achievement in Mathematics
NO DISTINCTION EARNED
Academic Achievement in Science
NO DISTINCTION EARNED
Academic Achievement in Social Studies
NO DISTINCTION EARNED
Top 25 Percent Student Progress
NO DISTINCTION EARNED
Top 25 Percent Closing Performance Gaps
NO DISTINCTION EARNED
Postsecondary Readiness
NO DISTINCTION EARNED

Performance Index Report



Campus Demographics

Campus Type	Middle School
Campus Size	727 Students
Grade Span	06 - 08
Percent Economically Disadvantaged	75.0
Percent English Language Learners	21.0
Mobility Rate	34.4

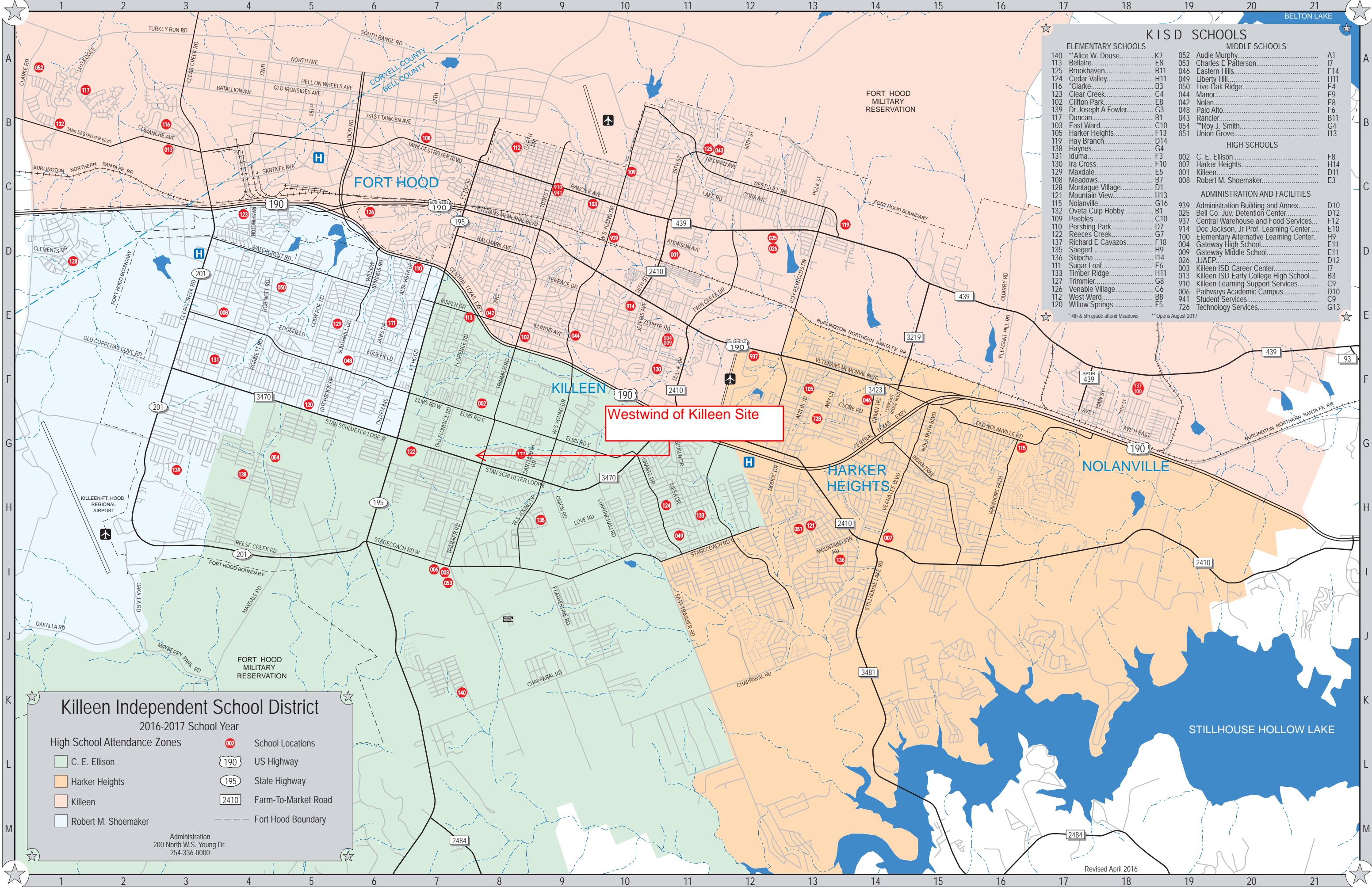
Performance Index Summary

Index	Points Earned	Maximum Points	Index Score
1 - Student Achievement	1,136	1,835	62
2 - Student Progress	565	1,600	35
3 - Closing Performance Gaps	955	3,000	32
4 - Postsecondary Readiness			
STAAR Score	23.8		
Graduation Rate Score	N/A		
Graduation Plan Score	N/A		
Postsecondary Component Score	N/A		24

System Safeguards

Number and Percentage of Indicators Met	
Performance Rates	16 out of 35 = 46%
Participation Rates	16 out of 16 = 100%
Graduation Rates	N/A
Total	32 out of 51 = 63%

For further information about this report, please see the Performance Reporting Division website at <https://rptsvr1.tea.texas.gov/perfreport/account/2016/index.html>



KISD SCHOOLS

ELEMENTARY SCHOOLS		MIDDLE SCHOOLS		
140	**Alice W. Douse.....	K7	052 Audie Murphy.....	A1
113	Bellaire.....	E8	053 Charles E. Patterson.....	I7
125	Brookhaven.....	B11	046 Eastern Hills.....	F14
124	Cedar Valley.....	H11	049 Liberty Hill.....	H11
116	*Clarke.....	B3	050 Live Oak Ridge.....	E4
123	Clear Creek.....	C4	044 Manor.....	E9
102	Clifton Park.....	E8	042 Nolan.....	E8
139	Dr. Joseph A. Fowler.....	G3	048 Palo Alto.....	F6
117	Duncan.....	B1	043 Rancier.....	B11
103	East Ward.....	C10	054 **Roy J. Smith.....	G4
105	Harker Heights.....	F13	051 Union Grove.....	I13
119	Hay Branch.....	D14		
138	Haynes.....	G4		
131	Iduma.....	F3		
130	Ira Cross.....	F10		
129	Maxdale.....	E5		
108	Meadows.....	B7		
128	Montague Village.....	D1		
121	Mountain View.....	H13		
115	Nolanville.....	G16		
132	Oveta Culp Hobby.....	B1		
109	Peebles.....	C10		
110	Pershing Park.....	D7		
122	Reeces Creek.....	G7		
137	Richard E. Cavazos.....	F18		
135	Saeger.....	H9		
136	Skipcha.....	I14		
111	Sugar Loaf.....	E6		
133	Timber Ridge.....	H11		
127	Trimmer.....	G8		
126	Venable Village.....	C6		
112	West Ward.....	B8		
120	Willow Springs.....	F5		

HIGH SCHOOLS		
002	C. E. Ellison.....	F8
007	Harker Heights.....	H14
001	Killeen.....	D11
008	Robert M. Shoemaker.....	E3

ADMINISTRATION AND FACILITIES		
939	Administration Building and Annex.....	D10
025	Bell Co. Juv. Detention Center.....	D12
937	Central Warehouse and Food Services.....	F12
914	Doc Jackson, Jr. Prof. Learning Center.....	E10
100	Elementary Alternative Learning Center.....	H9
004	Gateway High School.....	E11
009	Gateway Middle School.....	E11
026	JJAEP.....	D12
003	Killeen ISD Career Center.....	I7
013	Killeen ISD Early College High School.....	B3
910	Killeen Learning Support Services.....	C9
006	Pathways Academic Campus.....	D10
941	Student Services.....	C9
726	Technology Services.....	G13

Killeen Independent School District

2016-2017 School Year

- High School Attendance Zones
 - C. E. Ellison
 - Harker Heights
 - Killeen
 - Robert M. Shoemaker
- School Locations
- US Highway
- State Highway
- Farm-To-Market Road
- Fort Hood Boundary

Administration
200 North W.S. Young Dr.
254-336-0000

Revised April 2016

TEXAS EDUCATION AGENCY
2016 Accountability Summary
 C E ELLISON H S (014906002) - KILLEEN ISD

Accountability Rating

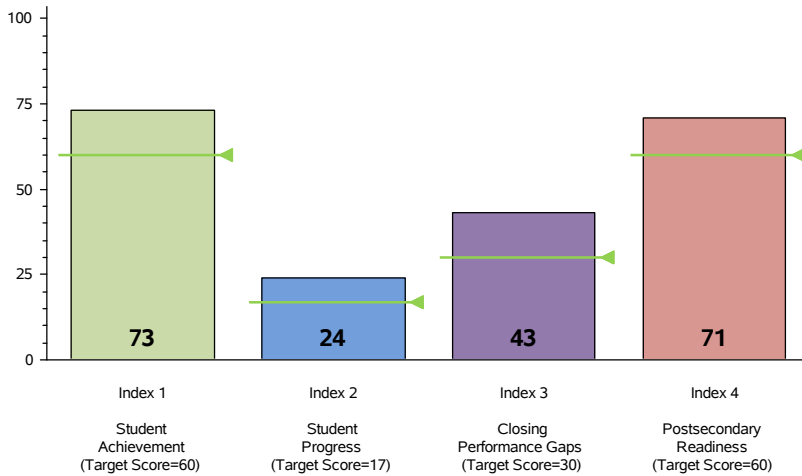
Met Standard

Met Standards on	Did Not Meet Standards on
<ul style="list-style-type: none"> - Student Achievement - Student Progress - Closing Performance Gaps - Postsecondary Readiness 	<ul style="list-style-type: none"> - NONE
In 2016, to receive a Met Standard or Met Alternative Standard rating, districts and campuses must meet targets on three indexes: Index 1 or Index 2 and Index 3 and Index 4.	

Distinction Designation

Academic Achievement in ELA/Reading
NO DISTINCTION EARNED
Academic Achievement in Mathematics
NO DISTINCTION EARNED
Academic Achievement in Science
NO DISTINCTION EARNED
Academic Achievement in Social Studies
NO DISTINCTION EARNED
Top 25 Percent Student Progress
NO DISTINCTION EARNED
Top 25 Percent Closing Performance Gaps
NO DISTINCTION EARNED
Postsecondary Readiness
NO DISTINCTION EARNED

Performance Index Report



Campus Demographics

Campus Type	High School
Campus Size	2,632 Students
Grade Span	09 - 12
Percent Economically Disadvantaged	44.2
Percent English Language Learners	3.8
Mobility Rate	25.0

Performance Index Summary

Index	Points Earned	Maximum Points	Index Score
1 - Student Achievement	2,741	3,762	73
2 - Student Progress	379	1,600	24
3 - Closing Performance Gaps	1,025	2,400	43
4 - Postsecondary Readiness			
STAAR Score	13.6		
Graduation Rate Score	23.4		
Graduation Plan Score	19.1		
Postsecondary Component Score	14.6		71

System Safeguards

Number and Percentage of Indicators Met

Performance Rates	26 out of 33 = 79%
Participation Rates	18 out of 18 = 100%
Graduation Rates	6 out of 7 = 86%
Total	50 out of 58 = 86%

For further information about this report, please see the Performance Reporting Division website at <https://rptsvr1.tea.texas.gov/perfreport/account/2016/index.html>

17331

Executive Director's
Response



TEXAS DEPARTMENT OF HOUSING AND COMMUNITY AFFAIRS

www.tdhca.state.tx.us

Greg Abbott
GOVERNOR

BOARD MEMBERS
J. Paul Oxer, *Chair*
Leslie Bingham-Escareño, *Vice Chair*
Juan S. Muñoz, PhD
T. Tolbert Chisum
Tom H. Gann
J.B. Goodwin

May 16, 2017

Writer's direct phone # (512) 475-3296
Email: tim.irvine@tdhca.state.tx.us

Mr. John C. Shackelford
Shackelford, Bowen, McKinley & Norton, LLP
9201 N Central Expressway
Dallas, TX 75231

RE: APPEAL OF SCORING NOTICE: 17331 WESTWIND OF KILLEEN, KILLEEN, TEXAS

Dear Mr. Shackelford:

The Texas Department of Housing and Community Affairs (the "Department") is in receipt of your appeal, dated May 12, 2017, of the scoring notice for the above referenced Application. This Application was denied three points under 10 TAC §11.9(c)(5) of the 2017 Qualified Allocation Plan ("QAP") related to Educational Quality, because the Application did not provide evidence of the Education Service Center ("ESC") score to support the requested points and under §11.9(c)(6) related to Underserved Area, because the census tract includes areas that are not within the boundaries of an incorporated area.

The appeal asserts that neither the QAP nor the Application requires the Applicant to include evidence of the ESC score in the Application. The Application requested points under §11.9(c)(5)(B), which states:

... an Application may qualify to receive up to three (3) points for a Development Site located within the attendance zones of public schools meeting the criteria as described in subparagraphs (A) - (E) of this paragraph, as determined by the Texas Education Agency. . . . The applicable ratings will be the 2016 accountability rating determined by the Texas Education Agency for the State, Education Service Center region, or individual campus.

... (B) The Development Site is within the attendance zone of any two of the following three schools (an elementary school, a middle school, and a high school) with an Index 1 score at or above the lower of the score for the Education Service Center region, or the statewide score. (2 points, or 1 point for a Supportive Housing Development); or . . .

Scoring under this item requires documentation of the Index 1 score for the individual campuses of two schools, as well as documentation of the Index 1 score for the state or ESC region. As you mentioned in your appeal, staff has previously determined that Applicants are not required to provide the statewide score, as staff has provided that score during the application workshops. Staff did not, however, provide the scores for each of the 12 ESC regions in the state. That documentation must come from the Applicant.



The appeal asserts that “Tab 9, Section 1 of the Application guides the applicant through the process of claiming points for Educational Quality. The Application prompts the applicant to impute the Index 1 scores of the Project’s feeder schools only - not the ESC regional and/or Statewide scores. It does not, in this section or elsewhere, require the applicant to provide supportive or clarifying documentation concerning ESC regional or Statewide Index 1 scores.” Actually, the Application does instruct the Applicant to enter information regarding the ESC score; there is a box on the application form labeled “Education Service Center Region Score (*if applicable*).” The box was left blank in the Application though the Applicant was seeking points that required this score.

Regarding the loss of points under §11.9(c)(6) related to Underserved Area, the documentation provided in your appeal clarifies that the questioned area of the census tract map provided in the Application were annexed by the city.

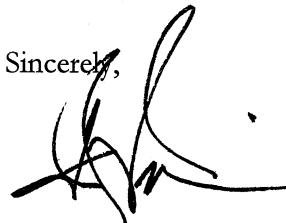
You take the position that the Applicant should have been able to provide “additional or clarifying evidence” regarding these issues through an Administrative Deficiency. Pursuant to 10 TAC §10.201(7)(B) of the 2017 Uniform Multifamily Rules related to the Administrative Deficiency Process:

The purpose of the Administrative Deficiency process is to allow an Applicant to provide clarification, correction, or non-material missing information to resolve inconsistencies in the original Application or to assist staff in evaluating the Application.

The loss of points related to Educational Quality is not an issue of information requiring clarification or correction, and the missing information is material to the points. Application reviewers do not prove that an Application qualifies for points; they determine whether the documentation provided in the Application sufficiently documents the request for points. Where staff finds such information (for instance, the census tract map provided in the application to support points for Underserved Area), staff can request that the Applicant clarify. Staff found no information in the Application to support the request for points under Educational Quality. Had the Applicant provided the score for the ESC in the box provided, there may have been an opportunity to provide clarification.

I do not find that the points raised in your appeal clearly demonstrate that the Application is eligible for the points requested under §11.9(c)(5) related to Educational Quality or that the requested treatment, allowing a change, is within my authority to grant, and accordingly I must deny that portion of the appeal. I do find that points raised in your appeal clearly demonstrate that the Application is eligible for the points requested under §11.9(c)(6) related to Underserved Area, and accordingly I am granting that portion of the appeal. You have indicated that you wish to appeal this decision directly to the Governing Board. Therefore, this appeal has been placed on the agenda for the next meeting scheduled for May 25, 2017. Should you have any questions, please contact Sharon Gamble, Competitive Tax Credit Program Administrator, at sharon.gamble@tdhca.state.tx.us or by phone at 512-936-7834.

Sincerely,



Timothy K. Irvine
Executive Director

BOARD ACTION ITEM
MULTIFAMILY FINANCE DIVISION
MAY 25, 2017

Presentation, discussion, and possible action on timely filed scoring appeals under 10 TAC §10.901 et seq. of the Department's Multifamily Program Rules (Subchapter G) related to Fee Schedule, Appeals and other Provisions.

RECOMMENDED ACTION

WHEREAS, a 9% Housing Tax Credit Application #17363, for Residences of Long Branch was submitted to the Department by the Full Application Delivery Date;

WHEREAS, staff has determined that the Application does not qualify for three (3) points under 10 TAC §11.9(c)(6) of the 2017 Qualified Allocation Plan ("QAP") related to Underserved Area because the Application did not include evidence that the Development Site is in a census tract that is within the boundaries of an incorporated area; and four points (4) under §11.9(d)(6), related to Input from Community Organizations, because the Application did not include evidence that the organizations that provided letters to score points under this item are tax-exempt organizations;

WHEREAS, a Competitive HTC scoring notice was provided to the Applicant identifying points that the Applicant elected but did not qualify to receive under 10 TAC §11.9 related to Competitive HTC Selection Criteria;

WHEREAS, the Applicants timely filed an appeal; and

WHEREAS, the Executive Director denied the appeal;

NOW, therefore, it is hereby

RESOLVED, that the scoring appeal for Application 17363, Residences of Long Branch is hereby denied.

BACKGROUND

10 TAC §11.9 related to Competitive HTC Selection Criteria identifies the scoring criteria used in evaluating and ranking Applications. It includes those items required under Tex. Gov't Code, ch. 2306, §42 of the Internal Revenue Code (the "Code"), and other criteria established in a manner consistent with ch. 2306 and §42 of the Code.

The Residences of Long Branch Application proposes the New Construction of 76 units for the General population in Rowlett.

§11.9(c)(6) Underserved Area

To qualify for three (3) points under §11.9(c)(6) of the 2017 Qualified Allocation Plan (“QAP”) related to Underserved Area, the Application must include evidence that the Development Site is in a census tract that is within the boundaries of an incorporated area. Per §11.9(c)(6):

Underserved Area. (§§2306.6725(b)(2); 2306.127, 42(m)(1)(C)(ii)) An Application may qualify to receive up to five (5) points if the Development Site is located in one of the areas described in subparagraphs (A) - (E) of this paragraph, **and the Application contains evidence substantiating qualification for the points.**

... (C) A census tract within the boundaries of an incorporated area that has not received a competitive tax credit allocation or a 4 percent non-competitive tax credit allocation for a Development within the past 15 years and continues to appear on the Department's inventory (3 points);

The appeal asserts that staff could use various documents within the Application to conclude that the Application qualifies for the points. The Application did not include documentation of the boundaries of the census tract, or of the positioning of those boundaries relative to the boundaries of the incorporated area. Staff does not engage in proving that an application qualifies for points; staff verifies whether an Application qualifies for points based upon the documentation submitted in the Application. The Application simply did not include documentation that would allow staff to conclude that the points should be awarded.

§11.9(d)(6) Input from Community Organizations

To qualify for up to four (4) points under §11.9(d)(6) related to Input from Community Organizations, the Development Site must not fall within the boundaries of any qualifying Neighborhood Organization, and the Application must include letters from of support submitted from a tax-exempt community or civic organization that serves the community in which the Development Site is located. The Application included such letters and screen shots from the organizations’ websites, but did not include evidence that the organizations were tax-exempt.

The appeal asserts that “[t]here is little guidance regarding any specific documentation that should be submitted with these letters.” Per §11.9(d)(6)(A):

(A) An Application may receive two (2) points for each letter of support submitted from a community or civic organization that serves the community in which the Development Site is located. ... To qualify, the organization must be qualified as tax exempt and have as a primary (not ancillary or secondary) purpose the overall betterment, development, or improvement of the community as a whole or of a major aspect of the community such as improvement of schools, fire protection, law enforcement, city-wide transit, flood mitigation, or the like. ... **The community or civic organization must provide evidence of its tax exempt status** and its existence and participation in the community in which the Development Site is located including, but not limited to, a listing of services and/or members, brochures, annual reports, etc. ...(emphasis added)

The letters and the screenshots of the organizations’ websites, self-describing their organizations as being nonprofit are not commonly accepted as reliable evidence of tax-exempt status.

The appeal states that if staff determined that the Application did not include sufficient documentation, the Applicant should be able to correct those omissions through an Administrative Deficiency. Pursuant to 10 TAC §10.201(7)(B) of the 2017 Uniform Multifamily Rules related to the Administrative Deficiency Process:

The purpose of the Administrative Deficiency process is to allow an Applicant to provide clarification, correction, or non-material missing information to resolve inconsistencies in the original Application or to assist staff in evaluating the Application.

These are not issues regarding inconsistencies in the Application or issues that require clarification or correction. The rule requires that evidence be provided, and the appropriate evidence was not provided. The evidence is material missing information and cannot be cured through the Administrative Deficiency process.

Staff recommends that the Board deny the appeal.

In Exhibit F, the appeal mentions two 2017 applications that staff reviewed where there were issues regarding this same subject. Mr. Shackelford pointed out that the letters submitted in Applications 17148 Shady Shores and 17307 Marabella did not include either evidence that the organization participates in the community or evidence of tax-exempt status and staff mistakenly awarded points to those applications. Staff appreciates Mr. Shackelford for bringing this issue to staff's attention. Staff will review the matter and proceed with noticing deficiencies as necessary.

17363

Scoring Notice and
Documentation



MULTIFAMILY FINANCE PRODUCTION DIVISION
Housing Tax Credit Program - 2017 Application Round
Scoring Notice - Competitive Housing Tax Credit Application

Craig Lintner

Phone #: (317) 208-3769

Email: clintner@pedcor.net

Second Email: kittyb@pedcor.net

Date: April 25, 2017

**THIS NOTICE WILL ONLY BE
TRANSMITTED VIA EMAIL**

**RE: 2017 Competitive Housing Tax Credit (HTC) Application for Residences of Long Branch, TDHCA
Number: 17363**

The Texas Department of Housing and Community Affairs has completed its program review of the Application referenced above as further described in the 2017 Qualified Allocation Plan ("QAP"). This scoring notice provides a summary of staff's assessment of the application's score. The notice is divided into several sections.

Section 1 of the scoring notice provides a summary of the score requested by the Applicant followed by the score staff has assessed based on the Application submitted. You should note that four scoring items are not reflected in this scoring comparison but are addressed separately.

Section 2 of the scoring notice includes each of the five scoring criteria for which points could not be requested by the Applicant in the application self-score form and include: §11.9(d)(1) Local Government Support, §11.9(d)(4) Quantifiable Community Participation, §11.9(d)(5) Community Support from State Representative, §11.9(d)(6) Input from Community Organizations, and §11.9(d)(7) Concerted Revitalization Plan.

Section 3 provides information related to any point deductions assessed under §11.9(f) of the QAP or §10.201(7)(A) of the Uniform Multifamily Rules.

Section 4 provides the final cumulative score in bold.

Section 5 includes an explanation of any differences between the requested and awarded score as well as any penalty points assessed.

The scores provided herein are merely informational at this point in the process and may be subject to change. For example, points awarded under §11.9(e)(4) "Leveraging of Private, State, and Federal Resources", 11.9(b)(1)(A) "Unit Sizes", 11.9(b)(1)(B) "Unit and Development Features", 11.9(c)(1) "Income Levels of Tenants", 11.9(c)(2) "Rent Levels of Tenants", 11.9(e)(1) "Financial Feasibility", 11.9(e)(3) "Pre-Application Participation", and may be adjusted should the underwriting review result in changes to the Application that would affect these scores. If a scoring adjustment is necessary, staff will provide the Applicant a revised scoring notice.

Be further advised that if the Applicant failed to properly disclose information in the Application that could have a material impact on the scoring information provided herein, the score included in this notice may require adjustment and/or the Applicant may be subject to other penalties as provided for in the Department's rules.

This preliminary scoring notice is provided by staff at this time to ensure that an Applicant has sufficient notice to exercise any appeal process provided under §10.902 of the Uniform Multifamily Rules. All information in this scoring notice is further subject to modification, acceptance, and/or approval by the Department's Governing Board.



MULTIFAMILY FINANCE PRODUCTION DIVISION
 Housing Tax Credit Program - 2017 Application Round
 Scoring Notice - Competitive Housing Tax Credit Application

Page 2 of Final Scoring Notice: 17363, Residences of Long Branch

Section 1:

Score Requested by Applicant (Does not include points for §11.9(d)(1), (4), (5), or (6) of the 2017 QAP):	122
Score Awarded by Department staff (Does not include points for §11.9(d)(1), (4), (5), or (6) of the 2017 QAP):	119
Difference between Requested and Awarded:	3

Section 2:

Points Awarded for §11.9(d)(1) Local Government Support:	17
Points Awarded for §11.9(d)(4) Quantifiable Community Participation:	4
Points Awarded for §11.9(d)(5) Community Support from State Representative:	8
Points Awarded for §11.9(d)(6) Input from Community Organizations:	0
Points Awarded for §11.9(d)(7) Concerted Revitalization Plan:	0

Section 3:

Points Deducted for §11.9(f) of the QAP or §10.201(7)(A) of the Uniform Multifamily Rules:	0
--	---

Section 4:

Final Score Awarded to Application by Department staff:	148
--	------------

Section 5:

Explanation for Difference between Points Requested and Points Awarded by the Department as well as penalties assessed:

§11.9(c)(6) Underserved Area. The Application requested three points but did not provide evidence to support the requested points. (Requested 3, Awarded 0)

§11.9(d)(6) Input from Community Organizations. The Application provided letters to score points under this item but did not provide evidence that the organizations are tax-exempt organizations. (Possible points 4, Awarded 0)

Restrictions and requirements relating to the filing of an appeal can be found in §10.902 of the Uniform Multifamily Rules. If you wish to appeal this scoring notice, you must file your appeal with the Department no later than 5:00 p.m. Austin local time, Tuesday, May 2, 2017. If an appeal is denied by the Executive Director, an Applicant may appeal to the Department's Board.

In an effort to increase the likelihood that Board appeals related to scoring are heard at the Board meeting, the Department has provided an Appeal Election Form for all appeals submitted to the Executive Director. In the event an appeal is denied by the Executive Director, the Applicant is able to request that the appeal automatically be added to the Board agenda.

If you have any concerns regarding potential miscalculations or errors made by the Department, please contact Sharon Gamble at (512) 936-7834 or by email at <mailto:sharon.gamble@tdhca.state.tx.us>.

Sincerely,

Sharon Gamble

Sharon Gamble
 9% Competitive HTC Program Administrator

Site Information Form Part II

122

1. §11.9(c)(5) - Educational Quality (Competitive HTC Applications Only)

Residents of the proposed development will attend:

School Name	Grades X through X			Accountability Rating	Index 1 Score (e.g. 78)		Overall Rating
Rowlett Elementary	K	through	5	Met Standard	81	Statewide	Index 1>=ESC/State score
		through					Elementary
Coyle Middle School	6	through	8	Met Standard	72	Statewide	No Index 1>=ESC/State score
		through					Middle School
Rowlett High School	9	through	12	Met Standard	80	Statewide	Index 1>=ESC/State score
							High School

School district has no attendance zones and the closest schools are listed.

District Rating (if TEA never rated school):

Education Service Center Region Score (if applicable): **10**

Additional Scoring Item

Elementary Met Standard and earned Distinction

Application is seeking points for Educational Quality.

Total Points Claimed:



3

If necessary, provide a brief summary of how the Development Site is justifying the points selected:

The site is within Garland ISD which has a choice program. The schools listed are the closest schools to the developments site.

Application also qualifies for additional point because all schools had Met Standard rating for prior 3 years.

2. §11.9(c)(4) - Opportunity Index (Competitive HTC and Direct Loan Applications Only)

Development Site is located in a census tract that has a poverty rate that is less than 20% or that is less than the median poverty rate for the region, whichever is higher.

AND

Development Site is located in a census tract with an income rate in the two highest quartiles within the region.

OR

Development Site is located in a census tract with income in the third quartile within the region, and is contiguous to a census tract in the first or second quartile, without physical barriers such as highways or rivers between, and the Development Site is no more than 2 miles from the boundary between the census tracts. A map showing the Development Site, location of the border, scale showing distance, and other evidence as applicable is included behind this tab.

Census Tract #

Contiguous Census Tract #

(if applicable)

Development is Urban and Development Site is within the required radius of eligible amenities and/or services, pursuant to §11.9(c)(4)(B)(i) of the QAP. A map showing the Development Site, scale showing radius, location of the amenities, and other evidence as applicable is included behind this tab.

full service grocery store or pharmacy (1 mile)

indoor recreation facility available to public (1 mile)

health-related facility (3 miles)

outdoor recreation facility available to public (1 mile)

licensed center serving children (2 miles)

community, civic or service organization (1 mile)

university or community college (5 miles)

public transportation route (.5 mile)

census tract with crime rate of ≤26 per 1k persons

accessible public park w/playground (.5 mile)

public library (1 mile)

ensus tract with ≥27% associate degrees adults aged ≥2


Development is Rural and Development Site is within the required distance of eligible amenities and/or services pursuant to §11.9(c)(4)(B)(ii) of the QAP. A map showing the Development Site, scale showing radius, location of the amenities, and other evidence as applicable is included behind this tab.

Application is seeking points for Opportunity Index. Total Points Claimed: 

If necessary, provide a brief summary of how the Development Site is justifying the points selected:

3. §11.9(c)(8) - Proximity to the Urban Core (Competitive HTC Applications Only)

- Development Site is located in a City with a population over 300,000 and is *not* in At-Risk Set-Aside.
- AND**
- Population of City is 300,000-500,000 and Development is located w/in 2 miles of City Hall facility.
- OR**
- Population of City is more than 500,000 and Development is located w/in 4 miles of City Hall facility.

Application is seeking points for Proximity to the Urban Core. Total Points Claimed: 

4. §11.9(c)(6) - Underserved Area (Competitive HTC and Direct Loan Applications Only)

Applications may qualify for up to five (5) points for proposed Developments located in one of the following areas:

- No Colonia (Note: Not eligible if application qualifies for Opportunity Index points) ;
- No Economically Distressed Area (Note: Not eligible if application qualifies for Opportunity Index points) ;
- Yes A census tract within the boundaries of an incorporated area that has not received a competitive tax credit allocation or a 4% non-competitive tax credit allocation for a Development within the last 15 years; and continues to appear on Department's inventory
- No If not the previous item, a census tract that does not have a Development subject to an active tax credit LURA, (or has received a tax credit award but not yet reached the point where its LURA must be recorded);
- No A census tract within the boundaries of an incorporated area and all contiguous census tracts for which neither the census tract within which the Development is located nor the contiguous census tracts have received an award or HTC allocation within the last 15 years and continues to appear on the Department's inventory (only applies in cities with a population of ≥300,000 and will not apply in At-Risk).

Contiguous Census Tract #	<input type="text"/>	Contiguous Census Tract #	<input type="text"/>
Contiguous Census Tract #	<input type="text"/>	Contiguous Census Tract #	<input type="text"/>
Contiguous Census Tract #	<input type="text"/>	Contiguous Census Tract #	<input type="text"/>

Application is seeking points for Underserved Area. Total Points Claimed: 

5. **§11.9(d)(7) - Concerted Revitalization Plan (Competitive HTC Applications Only)**

Region:

- Development is in an Urban Area.
- Concerted Revitalization Plan has been adopted by the municipality or county and resolution or certification is attached behind this tab.
- Letter from appropriate local official , Target Area map, and supporting documentation are provided behind this tab.
- Development is explicitly identified by the city or county as contributing more than any other to the concerted revitalization efforts of the city or county; resolution stating such is provided behind this tab.
- No points were claimed for Opportunity Index, but location would qualify for at least 4 points:

<input type="text"/>	<input type="text"/>
<input type="text"/>	<input type="text"/>

OR

Development is in a Rural Area. Rehabilitation Demolition/Reconstruction

Development is currently leased at 85% or more by low income households, and was constructed prior to 1985 as either public housing or as affordable housing with support from USDA, HUD, HOME, or CDBG.

AND

Demolition and relocation of units has been determined locally to be necessary to comply with Affirmatively Furthering Fair Housing Rule or to create acceptable distance from Undesirable Neighborhood Characteristics, or such characteristics are disclosed and found to be acceptable.


OR

Rehabilitation of units and the proposed location requires no disclosure of Undesirable Neighborhood Characteristics, or such characteristics are disclosed and found to be acceptable.

Development is explicitly identified by the city or county as contributing more than any other to the concerted revitalization efforts of the city or county; letter from Governing Body stating such is provided behind this tab.

No points were claimed for Opportunity Index, but location would qualify for at least 4 points under §11.9(c)(4)(B):

<input type="text"/>	<input type="text"/>
<input type="text"/>	<input type="text"/>

Application is seeking points for Concerted Revitalization. Total Points Claimed: 

6. **§11.9(d)(3) - Declared Disaster Area Scoring (Competitive HTC Applications ONLY)**

Development is located in an area that qualifies as a Declared Disaster Area as defined in §11.9(d)(3).

Application is seeking points for Declared Disaster Area. Total Points Claimed:

Supporting Documentation for the Site Information Form Part II

Educational Quality (Competitive HTC Only)

School Attendance Zone Map with Development labeled and TEA information 

TEA information

Opportunity Index (Competitive HTC and Direct Loan Only)

Map of Community Assets with Development, radius, and each asset labeled. 

Map with Development, census tract boundaries, and distance labeled. 

Print-out from DFPS website confirming daycare licensed to serve relevant age groups.

Miscellaneous information regarding health-related facility, museum, and/or full service grocery.

Crime rate information for census tract from Neighborhood Scout or local data source
(<https://www.neighborhoodscout.com>)

Tabulation from 2010-2014 American Community Survey

Selections and maps for BOTH score and tie breakers are included

Proximity to Urban Core (Competitive HTC Only)

Map with the appropriate radius, City Hall location, and evidence of meetings regularly scheduled for City Council, City Commission, or similar. 

Evidence of Underserved Area (Competitive HTC and Direct Loan Only)

For Colonia:

Evidence from Attorney General of boundaries and map showing distance from Rio Grande river border; *and*

letter from the appropriate local government official or other evidence that the colonia lacks infrastructure and the Development will enable the current dwellings to connect to such infrastructure.

For Economically Distressed Areas: A letter or correspondence from Texas Water Development Board.

Concerted Revitalization Plan (Competitive HTC Only)

Urban:

Map of target area(s) with location of Development Site clearly identified. 

Resolution adopting the Concerted Revitalization Plan or certification

Letter from appropriate local official providing documentation of measurable improvements.

Rural:

Current rent roll

Evidence Development constructed prior to 1985

Evidence Development is public housing or affordable housing supported by USDA, HUD, HOME or CDBG 

Evidence demolition and relocation of units has been determined locally to be necessary to comply with Affirmatively Furthering Fair Housing Rule or to create acceptable distance from Undesirable Neighborhood Characteristics.

Letter from appropriate Governing Body describing concerted revitalization effort and identifying Development as contruting more than any other to such effort.

This map does not show the complete outline of the census tract. Therefore, it does not show that the tract is completely within the incorporated area for Underserved Area points. - bps

Office of Policy Development and Research (PD&R)
U.S. Department of Housing and Urban Development

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2016 and 2017 Small DDAs and QCTs

rowlett tx

Select a State Select a County

Map Options : [Clear](#) | [Reset](#) | [Full Screen](#)

- QCT Legend: Tract Outline LIHTC Project 2017 Qualified Census Tracts
- SADDA Legend (%): FMR Boundary SADDA Boundary 2017 Small DDA (Entire ZIP code) 2017 Small DDA (Part of ZIP code) Non-Metro Area

[Hide the overview of SADDA](#)

The 2017 Qualified Census Tracts (QCTs) and Difficult Development Areas (DDAs) are effective January 1, 2017. The 2017 designations use data from the 2010 Decennial census and three releases of 5-year tabulations from the American Community Survey (ACS): 2008-2012; 2009-2013; and 2010-2014. The designation methodology is explained in the federal Register notice published October 17, 2016 (https://www.huduser.gov/portal/Datasets/QCT/QCTDDA2017_Notice.pdf).

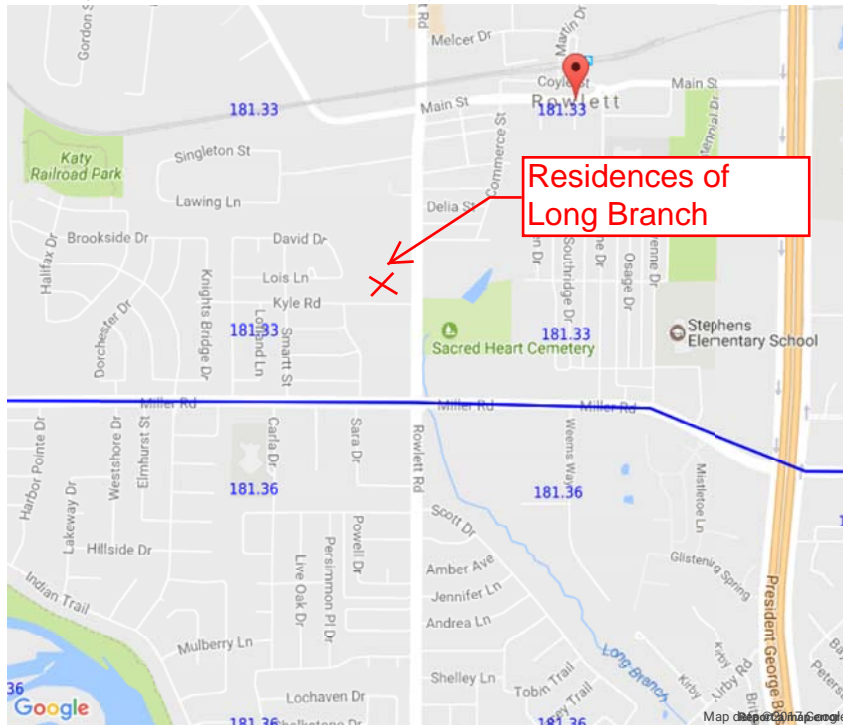
Map Options

- 15 Current Zoom Level
- Show SADDA Outlines (Zoom 10+)
 - Color QCT Qualified Tracts (Zoom 7+)
 - Show Tracts Outline (Zoom 11+)
 - Show FMR Outlines (Zoom 4+)
 - Show LIHTC Projects (Zoom 11+)

[Click here for full screen map](#)

Select Year

- 2017
- 2016



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- Delegations of Authority and Order of Succession
- Events
- HUD at 50
- HUD Secretary's Awards
- PD&R Careers

Reference

- Bibliographic Database
- Data Sets Reference Guide

Initiatives

- Aging Research and Resources
- Aligning Affordable Rental Housing
- Interagency Physical Inspection Alignment
- Prosperity Playbook Toolkit

Resources

- Disaster Recovery PD&R Toolkit
- Housing Scorecard

Research

- Case Studies
- Data Sets
- Periodicals
- Regulatory Barriers Clearinghouse
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Community Input Scoring Items

TDHCA#: 17363

1. Local Government Support - §11.9(d)(1)

- Resolution(s) of either no objection or support is included behind this tab.**
** Note that resolutions are due March 1, 2017

2. Community Support from State Representative - §11.9(d)(5)

- Letter of either support or opposition is included behind this tab.**
** Note that letters are due March 1, 2017

3. Input from Community Organizations - §11.9(d)(6)

- Applicant has included one or more letters of support or opposition behind this tab.

List information for each of the letters below:

A. The Men and Ladies of Honor

Name of Community Organization

Tony Rorie

Contact Name

- Support
 Opposition

B. Life Message, Inc.

Name of Community Organization

Chris Kizziar

Contact Name

- Support
 Opposition

C.

Name of Community Organization

Contact Name

- Support
 Opposition

D.

Name of Community Organization

Contact Name

- Support
 Opposition

E.

Name of Community Organization

Contact Name

- Support
 Opposition

F.

Name of Community Organization

Contact Name

- Support
 Opposition

February 16, 2017

BOARD OF
DIRECTORS &
ADVISORY BOARD

Tony W. Rorie,
*President & Executive
Director*

Josh Moran,
CEO, VitalStorm

Jimmie Dale
*Owner, Baker
Brothers Plumbing*

Michael Gallops
*Fmr. Mayor Pro Tem,
Rowlett, TX*

Greg Brinkley,
*(Board Treasurer)
Owner, Energy Title*

Rev. Ronald Jones,
*Mayor (retired)
Garland, Texas*

Judge Mark Russo,
*Justice of the Peace,
Rockwall County, TX*

Shelley Edwards,
*(Board Secretary)
Marketing Consultant*

Charles Lingerfelt
*North Texas Freedom
Rally*

Randall Dunning
*Committeeman, State
Republican Exec.
Committee*

Marni Holloway
Director, Multifamily Finance
Texas Department of Housing and Community Affairs
221 East 11th Street
Austin TX 78701

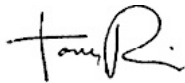
Re: Support for Residences of Long Branch (TDHCA #17363)

Dear Ms. Holloway:

I am writing this letter to express my support for the proposed development, Residences of Long Branch, located at the northwest corner of Rowlett Road and Kyle Road in Rowlett. The Men and Ladies of Honor, Inc. is a nonprofit organization dedicated to helping at-risk children become future world changers. We believe that this proposed development, which will provide safe, decent, and affordable housing in the community, contributes to that effort and can help those same children achieve that goal, putting them in a position to indeed change the world.

Please do not hesitate to contact me with any questions about our organization.

Sincerely,



Tony W. Rorie
Executive Director
tonyorrie@themenofhonor.org
214-693-4183



Select Language | ▼

THE MEN AND LADIES OF
HONOR
 WORLD CHANGERS FOR CHRIST



ABOUT | GET
NEWS |
101 WAYS

"AT-RISK KIDS?" ...WE CALL THEM FUTURE WORLD



46% of the youth in our nation woke up this morning with a purpose, but for many, it is as high as 78%. This year, over 750,000 kids in the US are at-risk. In every school, they feel that their lives are without purpose. In every school, there are overflowing and prescription drugs for behavioral disorders. The rate of teen pregnancy is at an all time high.

TESTIMONIES

A STRATEGY FOR CHANGE

The Men of Honor & Ladies of Honor Strategy combines powerful weekend camps and weekly one-hour discipleship meetings, using our character-specific Men of Honor (TM) or Ladies of Honor (TM) Curriculum, as well as the Ed Cole Majoring in Men (TM) curriculum.

The program focuses on:

- Chivalry
- Honor
- Rites of Passage
- The Father's Blessing
- Courageous Leadership
- Moral Excellence

MAKING A DIFFERENCE, RIGHT WHERE YOU ARE

The Men of Honor TM and Ladies of Honor program is easily adapted for use in a variety of settings, from small groups to large camps.



February 23, 2017

Marni Holloway
Director, Multifamily Finance
Texas Department of Housing and Community Affairs
221 East 11th Street
Austin TX 78701

Re: Support for Residences of Long Branch (TDHCA #17363)

Dear Ms. Holloway:

I am writing this letter to express my support for the proposed development, Residences of Long Branch, located at the northwest corner of Rowlett Road and Kyle Road in Rowlett. Life Message, Inc. is a nonprofit organization dedicated to serving those in need of food and clothing, giving them an opportunity to build economic stability. We believe that this proposed development, which will provide safe, decent, and affordable housing in the community, will help those same people achieve that same goal of economic stability.

Please do not hesitate to contact me with any questions about our organization.

Sincerely,

A handwritten signature in black ink, appearing to read "Chris Kizziar". The signature is fluid and cursive, with a long horizontal stroke extending to the right.

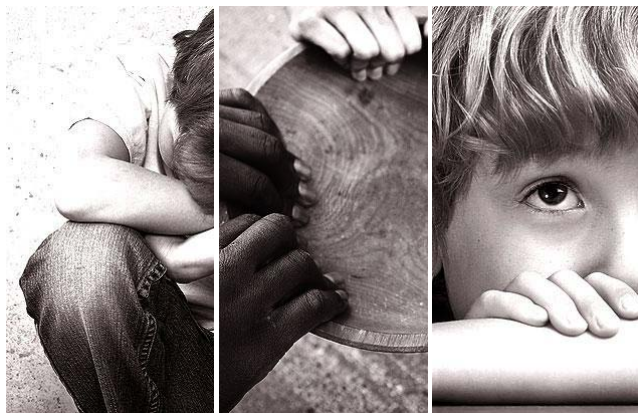
Chris Kizziar
President



Life Message

Let's put an end to hunger in our community!

- [HOME](#)
- [VOLUNTEER](#)
- [THRIFT STORE](#)
- [OUTREACH CENTERS](#)
- [EVENT CENTER](#)
- [WOMEN'S LEAGUE](#)
- [ABOUT US](#)
- [NUTRITION](#)
- [WANT TO HELP?](#)
- [WHAT'S GOING ON](#)
- [CONTACT US](#)
- [HELPFUL RESOURCES](#)



FEED
THE HUNGRY

HELP
THOSE IN NEED

GIVE
HOPE

MAKE A DONATION

Put It Into Action

Work with members in your community and make a difference

Life Message devotes its energy to passionately providing food & clothing when it's needed. We are here to give assistance when it becomes difficult to provide some of the simple needs of life.

Your \$10 monthly donation helps support Life Message & our mission to feed the hungry in our community.



Monthly Payment Amounts

Option 1 : \$10.00 USD - monthly

Subscribe



JOIN US

Hunger isn't seasonal, which is why we offer food on a weekly basis. Devote an afternoon to assisting clients in our pantry and see first-hand the families we help daily.

There are many ways you can help! Read More to find out how.

[READ MORE](#)

OUR MISSION

Life Message strives to make sure that every member of the family has food in their stomach and clothes on their back and at least the opportunity to build economic stability.

[READ MORE](#)

NEEDING ASSISTANCE

Do you or someone you know need assistance? We are here to help. See our Contact Us page and fill out the form to let us know how we can help.

[READ MORE](#)

How we're doing...

NOVEMBER 2016

2,116 Families Served

137,839 Pounds of Food Distributed

2016 Year to Date

1,763,796 Pounds of Food OUT

1,486,415 Meals Served

20,012 Families Served

2015

1,949,601 lbs = 1,624,668 Meals Served

**\$1 = 5 MEALS
EVERY DOLLAR COUNTS!**



- > [New Weight Loss Challenge](#) ~ Starts January 11, 2017
- > [DONATIONS Make a Difference](#) - We can't do what we do....without YOU! Check out the latest!
- > 7th Annual Golf Tournament ~ The tournament was a huge success. Pictures are posted on the Golf Tournament page
- > Thanksgiving Event - Great Day had by all....[see the photos!!](#)

Feed The Need

Your \$10 monthly donation helps support Life Message & our mission to feed the hungry in our community.

TEXT TO GIVE:

Sent the Text To: 74483

Text: LMGIVE \$\$\$ (put a space between LMGIVE and the dollar amount)

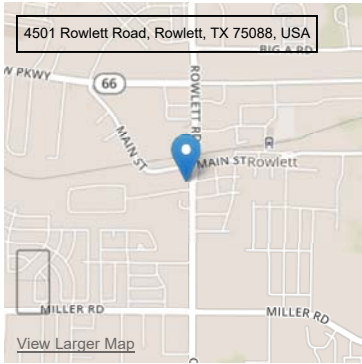


Life Message

Let's put
an end to hunger
in our community!

- HOME
- VOLUNTEER
- THRIFT STORE
- OUTREACH CENTERS
- EVENT CENTER
- WOMEN
- ABOUT US
- NUTRITION
- WANT TO HELP?
- WHAT'S GOING ON
- CONTACT US
- HELPFUL RE

FIND US



4501 Rowlett Rd, Rowlett, TX 75088

Hours: Monday - Friday 1:00 p.m. to 4:00 p.m

Phone: 972-475-9800

FAX: 877-805-6920

E-mail: info@lifemessage.org

FOOD DISTRIBUTION - (must be a registered client to receive food) Bring your picture ID
 Monday, Wednesday & Friday 12:00 p.m. to 4:00 p.m.
 Thursday - Senior Citizen's only (60+ years) 11:00 a.m. - 1:00 p.m.

REGISTRATION & CLOTHING **ONLY** - Tuesday & Thursday 1:00 p.m. to 4:00 p.m.
 1. Bring a picture ID & proof of current residency with you to registration

We offer assistance with Food & Clothing. We are not able to offer financial assistance for things like rent, mortgages, utilities, gas, transportation, medical expenses or repairs of any kind.

HOW CAN WE HELP YOU?

Name: *

Email: *

 Check here to receive email updates

Subject: *

Message: *

SUBMIT

17363

Applicant Appeal to
Executive Director



MULTIFAMILY FINANCE PRODUCTION DIVISION
Housing Tax Credit Program - 2017 Application Round
Scoring Notice - Competitive Housing Tax Credit Application

Appeal Election Form: 17363, Residences of Long Branch

Note: If you do not wish to appeal this notice, do not submit this form.

I am in receipt of my 2017 scoring notice and am filing a formal appeal to the Executive Director on or before Tuesday, May 2, 2017.

If my appeal is denied by the Executive Director:

I do wish to appeal to the Board of Directors and request that my application be added to the Department Board of Directors meeting agenda. My appeal documentation, which identifies my specific grounds for appeal, is attached. If no additional documentation is submitted, the appeal documentation to the Executive Director will be utilized.

I do not wish to appeal to the Board of Directors.

Signed 

Title SRP DEVELOPMENT

Date 4/25/17

Please email to Sharon Gamble:
<mailto:sharon.gamble@tdhca.state.tx.us>



A LIMITED LIABILITY PARTNERSHIP
ATTORNEYS & COUNSELORS

John C. Shackelford
9201 N. Central Expressway
Dallas, Texas 75231
Fourth Floor
(214) 780-1400 (Main)
(214) 780-1414 (Direct)
(214) 780-1401 (Fax)
jshack@shackelfordlaw.net

May 2, 2017

Tim Irvine
Executive Director
Texas Department of Housing and Community Affairs
221 East 11th Street
Austin, Texas 78701

Re: Residences of Long Branch (TDHCA # 17363); Our File No. 51421.3

Dear Mr. Irvine:

Please accept this letter as an appeal to the scoring notice issued on April 25, 2017 for the above referenced application. The scoring notice indicates that points were denied for Underserved Area because the Applicant failed to provide evidence to support the requested points. In addition, the scoring notice states that points were denied for Input from Community Organizations because Applicant failed to provide evidence that those organizations are tax-exempt. For the reasons below set forth, Applicant disagrees with staff's determination.

First and foremost, Applicant's position is that Applicant submitted the required documentation with the original Application. Alternatively, if staff during their review of the Application made the determination (in accordance with 10 TAC §10.201(7)) that a "clarification, correction, or non-material missing information [was needed] to resolve inconsistencies in the original Application or to assist staff in evaluating the Application," then staff should have permitted Applicant to resolve such issues through the Administrative Deficiency Process.

Underserved Area

Regarding the documentation submitted to substantiate points for Underserved Area, Applications are eligible to receive points under this scoring item if the Development Site is located in one of five (5) different possible locations, one of which is a "census tract within the boundaries of an incorporated area that has not received a competitive tax credit allocation or a 4 percent non-competitive tax credit allocation for a Development within the past 15 years and continues to appear on the Department's inventory." So how would staff go about determining eligibility for these points? First, the points need to be claimed on the Application. In this case, they were. The appropriate box was checked on the Site Information Part II form in the Application, indicating which of the 5 ways the Application qualified, and 3 points were claimed on the same form and so appeared on the self-score form as well. Second, staff needs to know the census tract in which the Development Site is located. Another form in the Application requires the Applicant to indicate the census tract number, and the Application also calls for a map indicating the location of the site in that census tract. These items were submitted behind Tabs 7

and 8 in the Application as required. Therefore, the Application included all of the documentation needed to evaluate the eligibility for these points.

Perhaps as importantly, the Application materials do not require additional documentation to be submitted behind the tab related to this scoring item. Exhibit A is Tab 10 from the Application. It includes a checklist of items that should be submitted behind the form and does call for specific information to be submitted in cases where points are being claimed for being in a colonia or economically distressed area. This is consistent with the Application Procedures Manual (the "Manual"), which also only mentions documentation required in those two instances. Neither the Manual nor the Application form indicate that another census tract map is necessary. It should be noted that other tabs in the Application provide extremely detailed lists with respect to documentation that is required to be submitted, and these checklists tend to follow the rules and the Manual. Therefore, it is reasonable for Applicants to rely on those checklists, with respect to not only what is included but what is excluded. Staff has indicated that they do not want superfluous information submitted with the Application, and has even issued deficiencies for submission of extraneous information, so if the Application materials do not call for documentation behind a specific tab it is reasonable for Applicants to think that staff does not want the additional documentation there. This makes sense for parts of staff's evaluation that do not necessarily require information from the Applicant.

This is different from information that must come from the Applicant, such as site control documentation, organizational charts, or a number of other items that cannot be independently verified. Obviously, staff needs those documents to be submitted in order to conduct the review. Equally obvious is the need for the Applicant to supply the location of the site, and it is true that, although staff might be able to independently verify the location of a site through an address, it is more than reasonable for staff to request a map showing the location and indicating the census tract in which the site is located. After that, the criteria for the Underserved Area scoring item is independently verified by staff, despite what documentation is or is not submitted. So again, it is reasonable to think that staff does not want superfluous documentation when their independent verification is absolutely necessary to accurately complete the review.

This is also consistent with the review sheet that staff uses to evaluate Applications. In some instances, for example, in the sections related to Community Revitalization Plans and Site Control, the review sheet calls for staff to check if "the plan is submitted behind the tab," or if "at least one of the following is submitted." However, in the section related to Underserved Area the review sheet simply calls for staff to verify whether or not the tract is within city boundaries and whether or not there are other housing tax credit ("HTC") developments in the same census tract.

In addition, in 2016, the Application forms for Tabs 9 and 10 were essentially the same with respect to Underserved Area, with the only revisions made to the 2017 forms being those that accommodate for detailed language in the rule. In general, the rule still allowed Applications to qualify for points by meeting one of five criteria. Tabs 9 and 10 from the 2016 Application and Tab 9 from the 2017 Application are attached as Exhibits B and C, respectively. This is relevant because in 2016 the same Applicant submitted an Application which qualified for Underserved

Area points for the same reason, that the Development Site was located in a census tract with no other HTC developments. In 2016 the rule was similar, allowing Applicants to choose one of five ways in which they could qualify for points. In that case, the appropriate box was checked on the form, indicating how the Application qualified. On another form and behind another tab (again essentially the same tabs 7 and 8 in the 2016 and 2017 Applications), Applicant indicated the census tract number and supplied a map of the tract with the site identified. No deficiency was issued with respect to this submission, and the points were awarded. Naturally, since the rules and Application materials remained essentially the same, and the staff members remained the same who reviewed last year's and this year's Applications, then it is reasonable for Applicant to conclude the result would be the same this year as last year. At no time did staff announce a change in the review process or post anything announcing a change in the submission requirements for this point scoring item.

Input from Community Organizations

Regarding the documentation submitted to substantiate points for Input from Community Organizations, Applications are eligible for points under this scoring item if letters of support from tax-exempt organizations serving the community are submitted to the Department. It is important to note that these letters can qualify an Application for points even when they are submitted directly to the Department and not submitted with the Application. This is understandable because letters of opposition from those same types of organizations can be submitted potentially resulting in a point loss. Therefore, there is little guidance regarding any specific documentation that should be submitted with these letters. That being said, the Application included screenshots of websites for both organizations. Both of those websites state specifically that the organizations are tax-exempt, have as their primary purpose the betterment of the community, and serve the community in which the Development Site is located. In addition, both letters expressly states the nonprofit status of the organizations and includes statements regarding their missions in the community. All of the information staff needs to evaluate the eligibility of points for this item were included in the original Application submission.

From an historical perspective, the two point scoring items at issue have always been subject to the Administrative Deficiency Process. Inexplicably, this year this Application and others have not been afforded the same opportunity. Accordingly, notwithstanding it is Applicant's firmly held position that Applicant satisfied both of these scoring items when it submitted its original Application, staff thinking otherwise should have permitted Applicant to resolve staff's perceived shortcomings through the Administrative Deficiency Process.

To illustrate my point, I cite to you what staff stated last year in the challenge report and board action items written for The Standard on the Creek. In that case, the Applicant submitted a letter in order to qualify for points for Financial Feasibility, but the content of the letter lacked information that would qualify the Application for the points requested. Staff allowed the Applicant to submit a new letter that contained the required information and stated in the board action item (excerpt attached as Exhibit D) that this type of situation is “,precisely what the administrative deficiency rule was designed to address.” Further, the board action item declares

Tim Irvine
May 2, 2017
Page 4

that “Staff has consistently applied the definition of Administrative Deficiency found at 10 TAC §10.3(2), which states:

(2) Administrative Deficiencies -- Information requested by Department staff that is required to clarify or correct one or more inconsistencies or to provide non-material missing information in the original Application **or to assist staff in evaluating the Application that, in the Department staff’s reasonable judgment, may be cured by supplemental information or explanation which will not necessitate a substantial reassessment or re-evaluation of the Application** [emphasis added]. . . .”

The above definition did not change from 2016 to 2017. Staff also made the argument in the challenge report (attached as Exhibit E) that, because the Applicant did submit *some* documentation to support the scoring item, that it was inappropriate to apply 10 TAC §11.9(e)(1), which states:

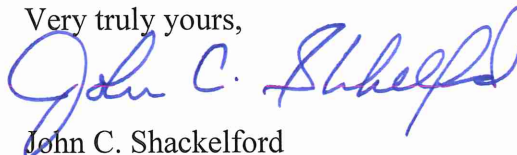
“Due to the highly competitive nature of the program, Applicants that elect points where supporting documentation is required but fail to provide *any* [emphasis added] documentation will not be allowed to cure the issue through an Administrative Deficiency,”

This language also remained unchanged from 2016 to 2017. To further support Applicant’s argument, examples of where staff has allowed Applicants to cure deficiencies in similar situations are set forth on Exhibit F attached hereto. It is incumbent upon staff to be consistent in the interpretation and application of the rules and in their review of Applications. Equality demands consistency. If consistency is applied to Applicant’s Application then logic mandates that Applicant may resolve staff’s issues through the Administrative Deficiency Process.

To summarize, Applicant submitted documentation required by the Manual to satisfy both scoring items at issue. In prior years, staff has accepted similar materials without deducting points. Nothing changed between last year’s and this year’s application rules and procedures to warrant a radical change by staff in their determination of whether Applicant submitted the required documentation. Additionally, prior to staff deducting points, Applicant should have been given an opportunity to supplement its information consistent with 10 TAC §10.32(2) and as staff has historically permitted.

For these reasons, Applicant respectfully requests you overturn staff’s decision and reinstate the points staff deducted.

Very truly yours,



John C. Shackelford

cc: Sharon Gamble
Marni Holloway
Craig Lintner

Supporting Documentation for the Site Information Form Part II

Educational Quality (Competitive HTC Only)

School Attendance Zone Map with Development labeled and TEA information 

TEA information

Opportunity Index (Competitive HTC and Direct Loan Only)

Map of Community Assets with Development, radius, and each asset labeled. 

Map with Development, census tract boundaries, and distance labeled. 

Print-out from DFPS website confirming daycare licensed to serve relevant age groups.

Miscellaneous information regarding health-related facility, museum, and/or full service grocery.

Crime rate information for census tract from Neighborhood Scout or local data source
(<https://www.neighborhoodscout.com>)

Tabulation from 2010-2014 American Community Survey

Selections and maps for BOTH score and tie breakers are included

Proximity to Urban Core (Competitive HTC Only)

Map with the appropriate radius, City Hall location, and evidence of meetings regularly scheduled for City Council, City Commission, or similar. 

Evidence of Underserved Area (Competitive HTC and Direct Loan Only)

For Colonia:

Evidence from Attorney General of boundaries and map showing distance from Rio Grande river border; *and*

letter from the appropriate local government official or other evidence that the colonia lacks infrastructure and the Development will enable the current dwellings to connect to such infrastructure.

For Economically Distressed Areas: A letter or correspondence from Texas Water Development Board.

Concerted Revitalization Plan (Competitive HTC Only)

Urban:

Map of target area(s) with location of Development Site clearly identified. 

Resolution adopting the Concerted Revitalization Plan or certification

Letter from appropriate local official providing documentation of measurable improvements.

Rural:

Current rent roll

Evidence Development constructed prior to 1985

Evidence Development is public housing or affordable housing supported by USDA, HUD, HOME or CDBG 

Evidence demolition and relocation of units has been determined locally to be necessary to comply with Affirmatively Furthering Fair Housing Rule or to create acceptable distance from Undesirable Neighborhood Characteristics.

Letter from appropriate Governing Body describing concerted revitalization effort and identifying Development as contruting more than any other to such effort.

Exhibit B - from Tab 9 of 2016 Application

Development is located within appropriate distance of the following:

Two columns of three empty rectangular boxes for listing nearby services.

I certify that if the Development Site is located more than 2 miles from the school that free transportation is provided by the school district and evidence is provided behind this tab.

Target Population:

Tract Quartile:

School Rating for scoring (Elementary or closest):



Application is seeking Opportunity Index Points. Total Points Claimed:

If necessary, provide a brief summary of how the Development Site is justifying the points selected:

N/A

3. §11.9(c)(8) - Proximity to Important Services (Competitive HTC Applications Only)

Development is located within 1.5 mile radius, or 3 mile radius for Development in a Rural Area, of the services listed below. (Check all that apply)

Full Service Grocery Store

Pharmacy



Application is seeking Proximity to Important Services Points. Total Points Claimed:

4. §11.9(c)(6) - Underserved Area (Competitive HTC Applications Only)

Applications may qualify for up to two (2) points for proposed Developments located in one of the following areas:

Colonia;

Economically Distressed Area;

A Place, or if outside of the boundaries of any Place, a county that has never received a competitive tax credit allocation or a 4% non-competitive tax credit allocation serving the same Target Population that remains active; or

For Rural Areas only, a census tract that has never received a competitive tax credit allocation or a 4% non-competitive tax credit allocation serving the same Target Population that remain active.

Yes A census tract that has not received a competitive tax credit allocation or a 4% non-competitive tax credit allocation serving the same Target Population that remains active or if serving same Target Population then it has not received the allocation within the past 10 years.



Application is seeking Underserved Area Points. Total Points Claimed:

Supporting Documentation for the Site Information Form Part II

Educational Excellence:

School Attendance Zone Map and/or school rating

Opportunity Index:

Urban: Census tract poverty rate, income quartile, school Attendance Zone Map and rating

Rural:

Map of Community Assets

Print-out from DFPS website confirming daycare licensed to serve relevant age groups.

Miscellaneous information regarding senior center, health related facility, and/or full service grocery.

If in attendance zone of school that is more than 2 miles from the Development Site, evidence that free transportation is provided by the school district is in the form of a letter from the applicable school district's department of transportation, a policy statement from school district, a student handbook, or a printout from website <http://www.infofinderi.com/tfi/> (not all school districts are listed), or other similar evidence.

Proximity to Important Services

Map with the appropriate radius, location of the Development, full service grocery store, and/or pharmacy indicated.

Evidence of Underserved Area (Competitive HTC Only)

For Colonia:

Evidence from Attorney General of boundaries and map showing distance from Rio Grande river border; *and* letter from the appropriate local government official or other evidence that the colonia lacks infrastructure and the Development will enable the current dwellings to connect to such infrastructure.

For Economically Distressed Areas: A letter or correspondence from Texas Water Development Board.

Concerted Revitalization Plan and evidence it was adopted by the municipality or county

Urban:

Letter from appropriate local official providing documentation of measurable improvements.

Map of target area(s) with location of Development Site clearly identified.

Rural:

Letter from appropriate governmental official, or private utility company, with specific knowledge of project including information under §11.9(d)(7)(B)(i)-(v).



Exhibit C - from Tab 9 of 2017 Application

Development is Rural and Development Site is within the required distance of eligible amenities and/or services pursuant to §11.9(c)(4)(B)(ii) of the QAP. A map showing the Development Site, scale showing radius, location of the amenities, and other evidence as applicable is included behind this tab.

Application is seeking points for Opportunity Index. **Total Points Claimed:** 7

If necessary, provide a brief summary of how the Development Site is justifying the points selected:

3. §11.9(c)(8) - Proximity to the Urban Core (Competitive HTC Applications Only)

- Development Site is located in a City with a population over 300,000 and is *not* in At-Risk Set-Aside.
- AND**
- Population of City is 300,000-500,000 and Development is located w/in 2 miles of City Hall facility.
- OR**
- Population of City is more than 500,000 and Development is located w/in 4 miles of City Hall facility.

Application is seeking points for Proximity to the Urban Core. **Total Points Claimed:** 0

4. §11.9(c)(6) - Underserved Area (Competitive HTC and Direct Loan Applications Only)

Applications may qualify for up to five (5) points for proposed Developments located in one of the following areas:

- No** Colonia (*Note: Not eligible if application qualifies for Opportunity Index points*);
- No** Economically Distressed Area (*Note: Not eligible if application qualifies for Opportunity Index points*);
- Yes** A census tract within the boundaries of an incorporated area that has not received a competitive tax credit allocation or a 4% non-competitive tax credit allocation for a Development within the last 15 years; and continues to appear on Department's inventory
- No** If not the previous item, a census tract that does not have a Development subject to an active tax credit LURA, (or has received a tax credit award but not yet reached the point where its LURA must be recorded);
- No** A census tract within the boundaries of an incorporated area and all contiguous census tracts for which neither the census tract within which the Development is located nor the contiguous census tracts have received an award or HTC allocation within the last 15 years and continues to appear on the Department's inventory (**only applies in cities with a population of ≥300,000 and will not apply in At-Risk**).

Contiguous Census Tract #	<input style="width: 100%;" type="text"/>	Contiguous Census Tract #	<input style="width: 100%;" type="text"/>
Contiguous Census Tract #	<input style="width: 100%;" type="text"/>	Contiguous Census Tract #	<input style="width: 100%;" type="text"/>
Contiguous Census Tract #	<input style="width: 100%;" type="text"/>	Contiguous Census Tract #	<input style="width: 100%;" type="text"/>

Application is seeking points for Underserved Area. **Total Points Claimed:** 3

16118 The Standard on the Creek

Houston

There are four questions outstanding regarding The Standard at the Creek Application, which staff has further considered since the June 30, 2016, meeting.

1. Payment of the full correct application fee at the time of application. On May 4, 2016, Staff called the applicant and advised them of the identified issue on the fee. The applicant immediately paid the balance of \$100.00 under protest, believing it had correctly calculated and paid the full fee in the correct amount. Attached is a letter from their counsel, Cynthia Bast of Locke Lord, addressing this issue in greater depth. Staff would also point out that in past years there have been similarly handled matters where minor errors in fee calculations and payments were accommodated in similar fashion. No extensive review or reevaluation was necessitated, and staff is of the view that this is the type of minor error or issue that is appropriately handled through the administrative deficiency process. This is underscored by the fact that this applicant has, as expressed by their counsel, a belief that they had in fact acted properly and compliantly. If there was any ambiguity and it can be clarified through a simple phone call that seems an appropriate way to resolve it. However, if the Board directs staff to tighten this in future rules or take other action, staff will do so.

Based on these findings, staff has determined that no further action is recommended on this matter.

Staff would note that a reversal of staff determination on this matter would result in the termination of the application. Staff would note that such reversal would also impact five additional applications which incorrectly calculated their application fees but immediately upon notice paid the small balance under protest.

2. Whether the letter from the applicant's lender contained the required elements to support the full amount of points awarded under "financial feasibility." This is a scoring item under TEX. GOV'T CODE §2306.6710. In the relevant rule (10 TAC §11.9(e)(1)) it provides that 16 points may be obtained if the lender confirms they have reviewed the development only and 18 points if they confirm they have also reviewed the principals. The applicant claimed 18 points but the letter did not address the review of the principals. Staff believed that this indicated an inconsistency in the application that required clarification, precisely the sort of situation that administrative deficiency rule was designed to address

Staff has consistently applied the definition of Administrative Deficiency found at §10.3(2), which states:

- (2) Administrative Deficiencies--Information requested by Department staff that is required to clarify or correct one or more inconsistencies or to provide non-material missing information in the original Application

or to assist staff in evaluating the Application that, in the Department staff's reasonable judgment, may be cured by supplemental information or explanation which will not necessitate a substantial reassessment or re-evaluation of the Application. Administrative Deficiencies may be issued at any time while the Application or Contract is under consideration by the Department, including at any time while reviewing performance under a Contract, processing documentation for a Commitment of Funds, closing of a loan, processing of a disbursement request, close-out of a Contract, or resolution of any issues related to compliance. (emphasis added)

Staff has received additional information from the requester regarding this issue, which is added to documentation for this meeting. Staff has requested the basis for inclusion, given that an Applicant may not appeal a competitor's Application under TEX. GOV'T CODE §2306.6715(b), the question has not been addressed.

Regardless of the question of appropriateness, staff has considered the documentation provided in order to assure that the Board is receiving complete information. The requester presents no new information regarding this question, they reiterate their earlier position that staff should not have resolved this issue through an Administrative Deficiency. The Third Party Administrative Deficiency rule at 10 TAC §11.10 does not contemplate a competitor questioning staff's review or decision regarding an application, its purpose is described as "to allow an unrelated person or entity to bring new, material information about an Application to staff's attention." In this instance, the requester has continued to seek to apply the rule in their client's favor.

The additional information provided does not change staff's recommendation; therefore no further action is recommended.

3. Whether the Applicant made intentional material misstatements or omissions to the office of Chairman Dutton in securing a letter of support. Because the Department is not an adjudicative body capable of weighing credibility issues and competing evidence, staff has focused on whether there is corroborated and uncontroverted evidence of such a misstatement or omission. Based on submissions by both Chairman Dutton's office, including the narrative and notes of his Chief of Staff who led the interview of the Applicant, and the affidavits of the Applicant's representatives, staff has not been able to identify any corroborated and uncontroverted material misstatement. Identifying a material omission is more difficult. Staff has focused on a question Ms. Jones says she asked, whether applicant had met with residents of the neighborhood surrounding the proposed development. We have not been provided any notes or other memorialization of the Applicant's response. Staff spoke with the Chief of Staff and Assistant Chief of Staff in Rep. Dutton's office to gather further limited information regarding the meeting in question.

Exhibit E - from 2016 Challenge Report

TDHCA ID#	16117	Development Name:	Indian Lake Apartment Homes
City:	Indian Lake	Region:	11
Requester:	Cynthia Bast on behalf of Application #16032, Lantana Villas		

Nature and Basis of Request: The request asked the Department to review whether the Application meets the requirements of §11.9(e)(3) of the 2016 Qualified Allocation Plan (“QAP”) regarding Pre-Application Participation; particularly whether the Applicant failed to properly notify all required individuals, rendering the Application ineligible for points under this section of the rule. Staff reviewed the request and determined that a Notice of Administrative Deficiency should be issued to the Applicant.

Applicant Response to Notice of Administrative Deficiency: In response to the Administrative Deficiency, the Applicant submitted a fully processed certified mail receipt indicating that notifications were delivered on received by the Town of Indian Lake on January 8, 2016, and a response from the Mayor dated February 26, 2016, indicating that each alderman of the Town of Indian Lake was provided and received copies of the notification upon receipt.

Analysis and Resolution: Staff has reviewed the response provided and determined that the matter was resolved.

Based on these findings, staff determined that no further action is required.

TDHCA ID#	16118	Development Name:	The Standard on the Creek
City:	Houston	Region:	6
Requester:	Donna Rickenbacker, Marque Real Estate Consultants		

Nature and Basis of Request: The request asked the Department to review its scoring of the application under §11.9(e)(1) Financial Feasibility of the 2016 Qualified Allocation Plan (“QAP”); specifically, that the Applicant did not submit a lender approval letter on its letterhead containing the required language necessary to be eligible for either 16 or 18 points under §11.9(e)(1) nor was such language incorporated in the lender term sheet provided. The request questioned whether this missing information should be curable through an Administrative Deficiency.

Analysis and Resolution: The request refers to language from §11.9(e)(1) of the QAP, which states: “Due to the highly competitive nature of the program, Applicants that elect points where supporting documentation is required but fail to provide any [emphasis added] supporting documentation will not be allowed to cure the issue through an Administrative Deficiency.” The application included a letter from the lender. The rule does not require that the letter that is the subject of your request be a separate letter. Since the application included a letter, it is within the rules for staff to request a clarification. Staff requested such and the Applicant cured the deficiency to the satisfaction of the rule.

Based on this rule, staff determined that the matter should not be the subject of an Administrative Deficiency related to this process.

Based on these findings, staff determined that no further action is required.

Exhibit F

Excerpts from the following applications reviewed by staff in 2017 and 2016, along with deficiencies issued:

17148 – Shady Shores

17307 – Marabella

16343 – Calallen Apartments

16033 – Hughes Springs Seniors Apartments

16162 – EHA Liberty Village

16117 – Indian Lake Apartment Homes

16082 – Lake Ridge Apartments

Application # 17148

Shady Shores

- Site Information Part II form not filled out correctly with respect to Underserved Area points.
- Staff accepted a change to the form as well as a change to the number of points requested. Note "MF-4/15/2017-3:35pm-bps" on top right corner indicating additional documentation accepted.
- Applicant submitted 3 letters for Input from Community Organizations. No information regarding participation in the community was submitted for two of the organizations.
- Staff requested via Administrative Deficiency that the missing documentation be provided.
- Note comment from staff and "Rec'd 3/9/2017 4:39 PM - EH" along with a comment that the documentation could not be used for scoring for one of the letters.
- No additional documentation was submitted for the third letter.
- All points were awarded.

From: e e
To: im is
Cc: e is e les
Subject: 1 1 li i e i e i e le se e l imme i el k le i
e ei
Date: es il 2 1 11
Importance: i

In the course of the Department’s Housing Tax Credit **Eligibility/Selection/Threshold** and/or Direct Loan review of the above referenced application, a possible Administrative Deficiency as defined in §10.3(a)(2) and described in §10.201(7)(A) and/or §10.201(7)(B) of the 2017 Uniform Multifamily Rules was identified. By this notice, the Department is requesting documentation to correct the following deficiency or deficiencies. Any issue initially identified as an Administrative Deficiency may ultimately be determined to be beyond the scope of an Administrative Deficiency, and the distinction between material and non-material missing information is reserved for the Director of Multifamily Finance, Executive Director, and Board.

The self score and section four of the Site Information Form Part II request three points for the Underserved Area item. Section four has the box that is worth three points marked with a “Yes”, but then x’ed out, while the box below it, worth two points, is marked “Yes”. However, three points are requested on the same page, instead of two points. Please revise Site Information Form Part II section four page as applicable.

The above list may not include all Administrative Deficiencies such as those that may be identified upon a supervisory review of the application. Notice of additional Administrative Deficiencies may appear in a separate notification.

All deficiencies must be corrected or otherwise resolved by 5 pm Austin local time on the fifth business day following the date of this deficiency notice. Deficiencies resolved after 5 pm Austin local time on the fifth business day will have 5 points deducted from the final score. For each additional day beyond the fifth day that any deficiency remains unresolved, the application will be treated in accordance with §10.201(7)(B) of the 2017 Uniform Multifamily Rules. Applications with unresolved deficiencies after 5pm Austin local time on the seventh business day may be terminated.

All deficiencies related to the Direct Loan portion of the Application must be corrected or clarified by 5pm Austin local time on the fifth business day following the date of this deficiency notice. Deficiencies resolved after 5pm Austin local time on the fifth business day will be subject to a \$500 fee for each business day that the deficiency remains unresolved. Applications with unresolved deficiencies after 5pm Austin local time on the tenth day may be terminated.

Unless the person that issued this deficiency notice, named below, specifies otherwise, submit all documentation at the same time and in only one file using the Department’s Serv-U HTTPs System. Once the documents are submitted to the Serv-U HTTPs system, please email the staff member issuing this notice. If you have questions regarding the Serv-U HTTPs submission process, contact Liz Cline at liz.cline@tdhca.state.tx.us or by phone at (512)475-

3227. You may also contact Jason Burr at jason.burr@tdhca.state.tx.us or by phone at (512)475-3986.

All applicants should review §§11.1(b) and 10.2(b) of the 2016 QAP and Uniform Multifamily Rules as they apply to due diligence, applicant responsibility, and the competitive nature of the program for which they are applying.

****All deficiencies must be corrected or clarified by 5 pm Austin local time on Tuesday, April 11, 2017. Please respond to this email as confirmation of receipt.****

About TDHCA

The Texas Department of Housing and Community Affairs administers a number of state and federal programs through for-profit, nonprofit, and local government partnerships to strengthen communities through affordable housing development, home ownership opportunities, weatherization, and community-based services for Texans in need. For more information, including current funding opportunities and information on local providers, please visit www.tdhca.state.tx.us.

Thanks,

Ben Sheppard
Specialist, Multifamily Finance
Texas Department of Housing and Community Affairs
Ph. 512.475.2122

Any person receiving guidance from TDHCA staff should be mindful that, as set forth in [10 TAC Section 11.1\(b\)](#) there are important limitations and caveats (Also see [10 TAC §10.2\(b\)](#)).

Development is Rural and Development Site is within the required distance of eligible amenities and/or services pursuant to §11.9(c)(4)(B)(ii) of the QAP. A map showing the Development Site, scale showing radius, location of the amenities, and other evidence as applicable is included behind this tab.

Application is seeking points for Opportunity Index. Total Points Claimed:  7

If necessary, provide a brief summary of how the Development Site is justifying the points selected.

3. §11.9(c)(8) - Proximity to the Urban Core (Competitive HTC Applications Only)

- Development Site is located in a City with a population over 300,000 and is *not* in At-Risk Set-Aside.
- AND
- Population of City is 300,000-500,000 and Development is located w/in 2 miles of City Hall facility.
- OR
- Population of City is more than 500,000 and Development is located w/in 4 miles of City Hall facility.


Application is seeking points for Proximity to the Urban Core. Total Points Claimed:  0

4. §11.9(c)(6) - Underserved Area (Competitive HTC and Direct Loan Applications Only)

Applications may qualify for up to five (5) points for proposed Developments located in one of the following areas:

- Colonia (Note: Not eligible if application qualifies for Opportunity Index points);
- Economically Distressed Area (Note: Not eligible if application qualifies for Opportunity Index points);
- ~~Yes~~ A census tract within the boundaries of an incorporated area that has not received a competitive tax credit allocation or a 4% non-competitive tax credit allocation for a Development within the last 15 years; and continues to appear on Department's inventory
- ~~Yes~~ If not the previous item a census tract that does not have a Development subject to an active tax credit LURA, (or has received a tax credit award but not yet reached the point where its LURA must be recorded);
- A census tract within the boundaries of an incorporated area and all contiguous census tracts for which neither the census tract within which the Development is located nor the contiguous census tracts have received an award or HTC allocation within the last 15 years and continues to appear on the Department's inventory (**only applies in cities with a population of ≥300,000 and will not apply in At-Risk**).

Contiguous Census Tract #	<input type="text"/>	Contiguous Census Tract #	<input type="text"/>
Contiguous Census Tract #	<input type="text"/>	Contiguous Census Tract #	<input type="text"/>
Contiguous Census Tract #	<input type="text"/>	Contiguous Census Tract #	<input type="text"/>

Application is seeking points for Underserved Area. Total Points Claimed:  3

should state "2" - bps

Development is Rural and Development Site is within the required distance of eligible amenities and/or services pursuant to §11.9(c)(4)(B)(ii) of the QAP. A map showing the Development Site, scale showing radius, location of the amenities, and other evidence as applicable is included behind this tab.

Application is seeking points for Opportunity Index. Total Points Claimed:  7

If necessary, provide a brief summary of how the Development Site is justifying the points selected:

3. §11.9(c)(8) - Proximity to the Urban Core (Competitive HTC Applications Only)

- Development Site is located in a City with a population over 300,000 and is *not* in At-Risk Set-Aside.
- AND
- Population of City is 300,000-500,000 and Development is located w/in 2 miles of City Hall facility.
- OR
- Population of City is more than 500,000 and Development is located w/in 4 miles of City Hall facility.

Application is seeking points for Proximity to the Urban Core. Total Points Claimed:  0

4. §11.9(c)(6) - Underserved Area (Competitive HTC and Direct Loan Applications Only)

Applications may qualify for up to five (5) points for proposed Developments located in one of the following areas:

- Colonia (*Note: Not eligible if application qualifies for Opportunity Index points*);
 - Economically Distressed Area (*Note: Not eligible if application qualifies for Opportunity Index points*);
 - Yes** A census tract within the boundaries of an incorporated area that has not received a competitive tax credit allocation or a 4% non-competitive tax credit allocation for a Development within the last 15 years; and continues to appear on Department's inventory
 - If not the previous item, a census tract that does not have a Development subject to an active tax credit LURA, (or has received a tax credit award but not yet reached the point where its LURA must be recorded);
 - A census tract within the boundaries of an incorporated area and all contiguous census tracts for which neither the census tract within which the Development is located nor the contiguous census tracts have received an award or HTC allocation within the last 15 years and continues to appear on the Department's inventory (**only applies in cities with a population of ≥300,000 and will not apply in At-Risk**).
- | | | | |
|---------------------------|----------------------|---------------------------|----------------------|
| Contiguous Census Tract # | <input type="text"/> | Contiguous Census Tract # | <input type="text"/> |
| Contiguous Census Tract # | <input type="text"/> | Contiguous Census Tract # | <input type="text"/> |
| Contiguous Census Tract # | <input type="text"/> | Contiguous Census Tract # | <input type="text"/> |

Application is seeking points for Underserved Area. Total Points Claimed:  3

Clarifying page sent as a deficiency response selects a scoring criterion that is not compatible with the site's census tract because the census tract extends beyond the Lake Dallas city limits. See maps on succeeding pages for census tract and city limit boundaries. - bps

Development is Rural and Development Site is within the required distance of eligible amenities and/or services pursuant to §11.9(c)(4)(B)(ii) of the QAP. A map showing the Development Site, scale showing radius, location of the amenities, and other evidence as applicable is included behind this tab.

Application is seeking points for Opportunity Index. Total Points Claimed:  7

If necessary, provide a brief summary of how the Development Site is justifying the points selected:

3. §11.9(c)(8) - Proximity to the Urban Core (Competitive HTC Applications Only)

- Development Site is located in a City with a population over 300,000 and is *not* in At-Risk Set-Aside.
- AND**
- Population of City is 300,000-500,000 and Development is located w/in 2 miles of City Hall facility.
- OR**
- Population of City is more than 500,000 and Development is located w/in 4 miles of City Hall facility.

Application is seeking points for Proximity to the Urban Core. Total Points Claimed:  0

4. §11.9(c)(6) - Underserved Area (Competitive HTC and Direct Loan Applications Only)

Applications may qualify for up to five (5) points for proposed Developments located in one of the following areas:

- No** Colonia (*Note: Not eligible if application qualifies for Opportunity Index points*);
- No** Economically Distressed Area (*Note: Not eligible if application qualifies for Opportunity Index points*);
- No** A census tract within the boundaries of an incorporated area that has not received a competitive tax credit allocation or a 4% non-competitive tax credit allocation for a Development within the last 15 years; and continues to appear on Department's inventory
- Yes** If not the previous item, a census tract that does not have a Development subject to an active tax credit LURA, (or has received a tax credit award but not yet reached the point where its LURA must be recorded);
- No** A census tract within the boundaries of an incorporated area and all contiguous census tracts for which neither the census tract within which the Development is located nor the contiguous census tracts have received an award or HTC allocation within the last 15 years and continues to appear on the Department's inventory (**only applies in cities with a population of ≥300,000 and will not apply in At-Risk**).

Contiguous Census Tract #	<input type="text"/>	Contiguous Census Tract #	<input type="text"/>
Contiguous Census Tract #	<input type="text"/>	Contiguous Census Tract #	<input type="text"/>
Contiguous Census Tract #	<input type="text"/>	Contiguous Census Tract #	<input type="text"/>

Application is seeking points for Underserved Area. Total Points Claimed:  2

From: Elizabeth Henderson
To: ["Kim Youngquist"](#); ["Dennis Hoover"](#); ["Nan Boyles"](#)
Subject: 17148 - 9% HTC Application Deficiency Notice - TIME SENSITIVE - Please reply immediately acknowledging receipt.
Date: Tuesday, March 07, 2017 1:52:00 PM

In the course of the Department's Housing Tax Credit **Eligibility/Selection/Threshold** and/or Direct Loan review of the above referenced application, a possible Administrative Deficiency as defined in §10.3(a)(2) and described in §10.201(7)(A) and/or §10.201(7)(B) of the 2017 Uniform Multifamily Rules was identified. By this notice, the Department is requesting documentation to correct the following deficiency or deficiencies. Any issue initially identified as an Administrative Deficiency may ultimately be determined to be beyond the scope of an Administrative Deficiency, and the distinction between material and non-material missing information is reserved for the Director of Multifamily Finance, Executive Director, and Board.

Tab 12, Site Control, Identity of Interest – The settlement statement from the current owner's purchase of the subject site was not found in the Application. Provide the settlement statement.

Tab 19a, 811 Participation – There are several properties owned by the members of the Applicant but only the potential participation of the subject property appears to have been explored for purposes of the 811 program. Provide confirmation from 811 staff, in letter form, that no properties within any of the owners' portfolios qualify for participation.

Tab 21, Relocation Assistance – Please explain whether you intend to pay rent for those tenants relocated off-site and if funding for these payments is included in the relocation budget.

Tab 22, Architectural Drawings – The following items were not found among the architectural drawings: Accessible routes, any mention of flood mitigation and distribution of accessible units. Provide a site plan that contains these elements.

Tab 24, Rent Schedule – Itemize "Tenant Charges". All non-rental income must be itemized. Generalizations are not acceptable.

Tab 31, Sources and Uses – The following items were missing from the Sources and Uses: a description of rents, operating subsidies and project-based assistance if any, including status, description of replacement reserves, and the signature of the construction/permanent lender.

Tab 35, Owner Contribution – Since a member of the owner is contributing more than 5% of the total Housing Development Costs, there are two items required by 10.204(7)(C). Refer to the rule and provide these items.

Tab 36, HUB Participation – There was no evidence of the HUB's experience in the housing industry and no explanation of how the HUB will materially participate. Provide these items.

Tab 38, List of Organizations – The form didn't list the full ownership of the GP entity, as

compared to the org charts. Compare the form to the organizational charts and submit a corrected form.

0. Tab 43, Architect Certification – The certification was not accompanied by the statement required by 10.204(3). Review the rule and provide the missing statement.
1. Tab 45, Credit Limit Pt. 2 – One form did not include the name of the person authorized to withdraw the Application. Update the deficient form and resubmit ONLY that form.
2. Tab 47, Community Input – Only one support letter was accompanied by evidence of presence and activity of the relevant organization within the city of the development. Provide the missing documentation for these organizations.
3. PCA/C N A – The C N A did not contain the statements required by 10.205(3). Review the rule and have the report preparer provide the missing statements.

The above list may not include all Administrative Deficiencies such as those that may be identified upon a supervisory review of the application. Notice of additional Administrative Deficiencies may appear in a separate notification.

All deficiencies must be corrected or otherwise resolved by 5 pm Austin local time on the fifth business day following the date of this deficiency notice. Deficiencies resolved after 5 pm Austin local time on the fifth business day will have 5 points deducted from the final score. For each additional day beyond the fifth day that any deficiency remains unresolved, the application will be treated in accordance with §10.201(7)(B) of the 2017 Uniform Multifamily Rules. Applications with unresolved deficiencies after 5pm Austin local time on the seventh business day may be terminated.

All deficiencies related to the Direct Loan portion of the Application must be corrected or clarified by 5pm Austin local time on the fifth business day following the date of this deficiency notice. Deficiencies resolved after 5pm Austin local time on the fifth business day will be subject to a \$500 fee for each business day that the deficiency remains unresolved. Applications with unresolved deficiencies after 5pm Austin local time on the tenth day may be terminated.

Unless the person that issued this deficiency notice, named below, specifies otherwise, submit all documentation at the same time and in only one file using the Department's Serv-U HTTPs System. Once the documents are submitted to the Serv-U HTTPs system, please email the staff member issuing this notice. If you have questions regarding the Serv-U HTTPs submission process, contact Liz Cline at liz.cline@tdhca.state.tx.us or by phone at (512)475-3227. You may also contact Jason Burr at jason.burr@tdhca.state.tx.us or by phone at (512)475-3986.

All applicants should review §§11.1(b) and 10.2(b) of the 2016 QAP and Uniform Multifamily Rules as they apply to due diligence, applicant responsibility, and the competitive nature of the program for which they are applying.

****All deficiencies must be corrected or clarified by 5 pm Austin local time on March 7, 2017. Please respond to this email as confirmation of receipt.****

About TDHCA

The Texas Department of Housing and Community Affairs administers a number of state and federal programs through for-profit, nonprofit, and local government partnerships to strengthen communities through affordable housing development, home ownership opportunities, weatherization, and community-based services for Texans in need. For more information, including current funding opportunities and information on local providers, please visit www.tdhca.state.tx.us.

Elizabeth Henderson

Program Specialist III

Texas Department of Housing and Community Affairs

221 E. 11th Street | Austin, TX 78701

Office: 512.463.9784 | Fax: 512.475.0764

Any person receiving guidance from TDHCA staff should be mindful that, as set forth in 10 TAC Section 11.1(b) there are important limitations and caveats (Also see 10 TAC §10.2(b)).

GREAT FUTURES START HERE.



BOYS & GIRLS CLUBS
OF NORTH CENTRAL TEXAS

Mr. Dennis Hoover
HVM 2017 Lake Dallas, Ltd.
P. O. Box 190
Burnet, Texas 78611

Dear Mr. Hoover,

Please accept this letter **expressing our support** for your efforts to obtain Housing Tax Credits from the Texas Department of Housing and Community Affairs for HVM 2017 Lake Dallas, Ltd.

The anticipated rehabilitation of Shady Shores, located here in Lake Dallas where our Boys and Girls Club of North Central Texas main office is located, will make a significant impact on the availability of safe, sanitary, and affordable housing for the citizens of Denton County, where affordable housing remains a critical need.

We sincerely hope that the Texas Department of Housing and Community Affairs will recognize the ongoing need for affordable housing in Lake Dallas, and therein show its support by awarding the appropriate financing necessary to rehabilitate this vital property.

We appreciate the opportunity to show our support for your plans, and wish you the best of luck in your endeavor.

Should you require any further information, please do not hesitate to contact us.

Sincerely,

A handwritten signature in black ink, appearing to read "Rick Troutman", written over a horizontal line.

Rick Troutman
President

940-239-9309

info@bgcnct.org

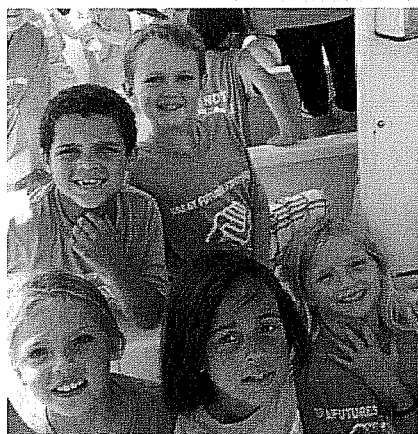


BOYS & GIRLS CLUBS
OF NORTH CENTRAL TEXAS



Home > Who We Are

WHO WE ARE



At the Boys & Girls Clubs of North Central Texas we are experienced youth development professionals with more than 21 years of experience working with area youth. We are Chartered Member of the Boys & Girls Clubs of America that has beginnings in 1860 In Hartford, Connecticut. Now over 150 years later we have

expanded to include over 4,000 locations in all 50 states. Our programs are nationally recognized and we have a proven track record of success in providing prevention and resiliency programs at both the state and Federal Level. A Boys & Girls Club is a way of life it is not about one specific program or one specific activity. It is about providing children with a positive way of life and arming them with a toolbox full of resources that they can draw upon.

Locally the Boys and Girls Clubs of North Central was established in 1994 and has clubs in four locations including Denton, Lake Dallas, Lewisville and Little Elm, Texas. The Boys and Girls Clubs of North Central Texas is 501(c)(3) non-profit organization – FEIN # 75-2440493

Main Phone – 940-239-9309

Email – info@BGCNCT.org

Locations

Main Office –

Lake Dallas Campus

303 Alamo Avenue

Lake Dallas, Texas 75065

940-239-9309

Denton Campus

4601 N. I-35e

Denton, Texas 76207

940-440-8219

Lewisville Campus

968 Raldon Street

Lewisville, Texas 75067

940-239-9309

Little Elm Campus

1851 Oak Grove Parkway

Little Elm, Texas 75068

940-239-9309

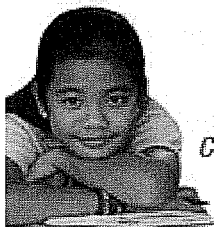
Camp Hours

After School Hours – 10:00 a.m. – 6:30 p.m.

Summer Camp –

7:00 a.m. – 6:30 p.m.

Donate Now!



*Make An
On-Line
Donation
Click Here>*

CONTACT US

Lake Dallas, Texas 75065

Tel: 940-239-9309 Fax:

940-239-9313

info@bgcnct.org

OUR LOCATION



ENLARGE

The Boys and Girls Clubs of North Central Texas is a 501(c)(3) non-profit organization and is a chartered member of the Boys and

Girls Clubs of America. The Boys and Girls Clubs of North Central Texas is NOT A DAYCARE and is not licensed as such. All clubs

operate as neighborhood recreational facilities.





Lake Shore Baptist Church

“Engaging people for a transforming relationship with Jesus Christ”

February 23, 2017

Mr. Dennis Hoover
HVM 2017 Lake Dallas, Ltd.
P.O. Box 190
Burnet, TX 78611

Dear Mr. Hoover,

Please accept this letter expressing our support for your efforts to obtain Housing Tax Credits from the Texas Department of Housing and Community Affairs for HVM 2017 Lake Dallas, Ltd.

The anticipated rehabilitation of Shady Shores Apartments, located here in Lake Dallas, will make a significant impact on the availability of safe, sanitary, and affordable housing for the citizens of Denton County, where affordable housing remains a critical need.

We sincerely hope that the Texas Department of Housing and Community Affairs will recognize the ongoing need for affordable housing in Lake Dallas, and therein show its support by awarding the appropriate financing necessary to rehabilitate this vital property.

We appreciate the opportunity to show our support for your plans, and wish you the best of luck in your endeavor.

Should you require any further information, please do not hesitate to contact us.

Sincerely,

Homer Walkup
Pastor
Lake Shore Baptist Church

200 South Mill Street
Lewisville, Texas 75057
972.221.1224
fx 972.219.4330
www.ccahelps.org



Rev. Chasz Parker
President and CEO

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Jane Nelson
State Senator
David Porter
Don Wills

February 23, 2017

Mr. Dennis Hoover
HVM 2017 Lake Dallas, Ltd.
P. O. Box 190
Burnet, TX 78611

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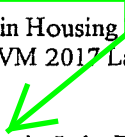
Should you require any further information, please do not hesitate to contact us.

Sincerely,

Daphne' Adams
Family Service Manager
Christian Community Action



This entity is in
Lewisville, not
Lake Dallas.



Our Mission: In the name of Jesus Christ, Christian Community Action ministers to the poor by providing comprehensive services that alleviate suffering, bring hope and change lives.

Internal Revenue Service

Date: May 17, 2007

CHRISTIAN COMMUNITY ACTION
200 S MILL ST
LEWISVILLE TX 75057-3944

Department of the Treasury
P. O. Box 2508
Cincinnati, OH 45201

Person to Contact:
Ms. Fox 31-07209
Customer Service Representative
Toll Free Telephone Number:
877-829-5500
Federal Identification Number:
23-7319371

Dear Sir or Madam:

This is in response to your request of May 17, 2007, regarding your organization's tax-exempt status.

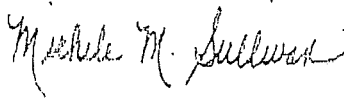
In November 1973 we issued a determination letter that recognized your organization as exempt from federal income tax. Our records indicate that your organization is currently exempt under section 501(c)(3) of the Internal Revenue Code.

Our records indicate that your organization is also classified as a public charity under sections 509(a)(1) and 170(b)(1)(A)(vi) of the Internal Revenue Code.

Our records indicate that contributions to your organization are deductible under section 170 of the Code, and that you are qualified to receive tax deductible bequests, devises, transfers or gifts under section 2055, 2106 or 2522 of the Internal Revenue Code.

If you have any questions, please call us at the telephone number shown in the heading of this letter.

Sincerely,



Michele M. Sullivan, Oper. Mgr.
Accounts Management Operations 1



Cannot be used as evidence for scoring.

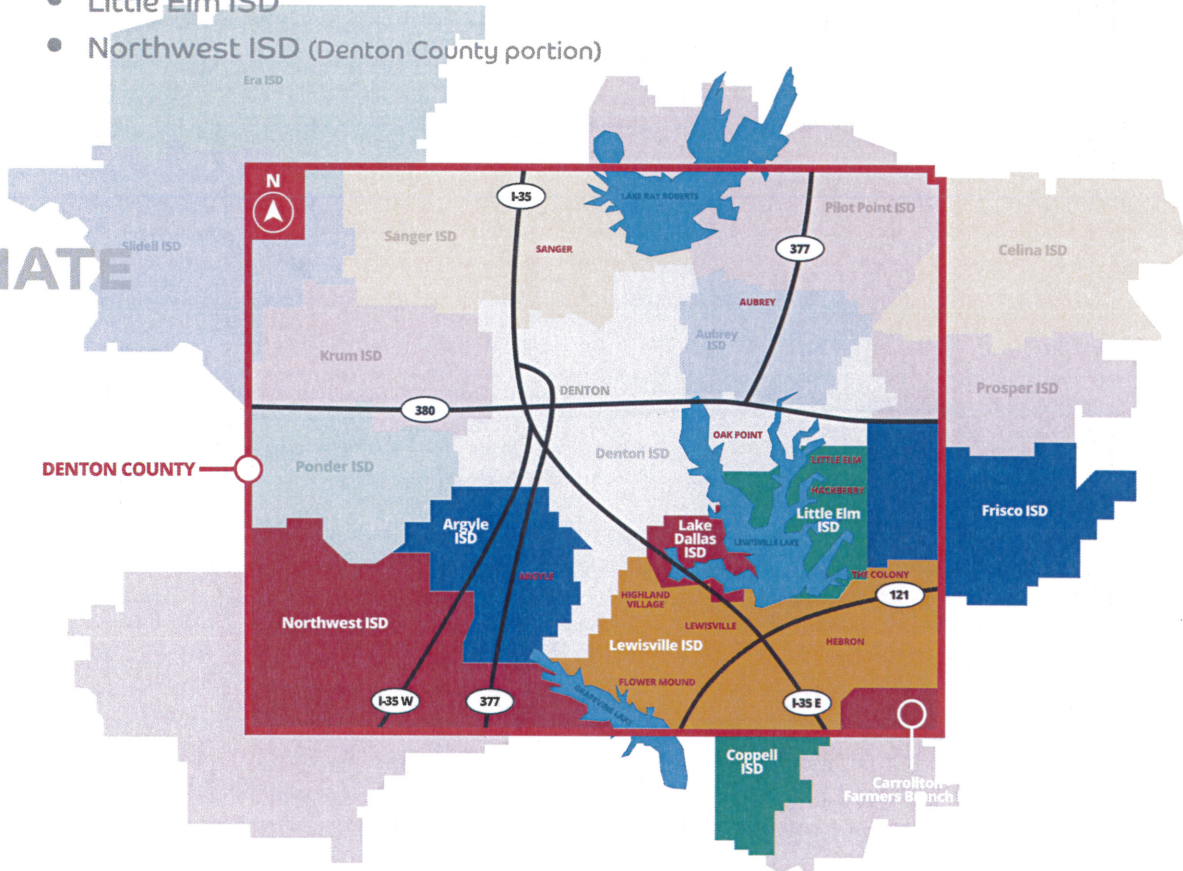
Home Learn About Us Our Services Spiritual Care
Christian Community Action
Shop at Resale Contact Donate

OUR SERVICE AREA

Christian Community Action serves communities throughout Collin, Dallas, Denton, Tarrant and Wise counties. Boundaries are established by these Independent School Districts:

- Argyle ISD
- Carrollton-Farmers Branch ISD(Denton County portion)
- Coppell ISD
- Frisco ISD with Frisco Family Service Referral
- Lake Dallas ISD
- Lewisville ISD
- Little Elm ISD
- Northwest ISD (Denton County portion)

DONATE



Application # 17307

Marabella

- Applicant submitted 4 letters for Input from Community Organizations.
- No documentation regarding participation in the community was submitted for the Emmanuel Temple Church of God in Christ.
- No documentation regarding tax-exempt status was submitted for the Area Agency on Aging or the Red River Aging & Disability Resource Center.
- No deficiency regarding these letters was issued.
- All points awarded.



Emmanuel Temple Church of God in Christ, Inc.

Founder: Supt. H.W. Cortez -1951

900 N. Adams P.O. Box 5801

Amarillo, Texas 79117-5801

February 21, 2017

Pastors

Elisha L. Demerson— Sr. Pastor
Bowden E. Jones Jr— Asst.Pastor
Richard W. Riles— Youth Pastor

Ministers

Eugene Allen
Kerry Barnes
K.T. Butler
Simyou Carpenter
Hattie Carter
Lee Carter
Nora Crosby

Board of Trustees

Norlean Cortez— Chairman
Lee Carter
Nadine Johnson
Lavonia Randle
Bowden E. Jones Jr.
Ann Franklin

Administrative Secretary

Nadine Johnson

Texas Department of Housing and Community Affairs
221 East 11th Street
Austin, TX 78701

Attention: Sharon Gamble – Multifamily Division

RE: TDHCA Application Number 17306
Developer: SH Amarillo Gem Lake, LP
Project Name: Residences of Gem Lake
Project Location: near southeast corner of Amarillo Blvd. and Gem Lake Road, Potter County, Texas

Dear Ms. Gamble,

I am pleased to give my support to SH Amarillo Boulevard, LP in its efforts to acquire Housing Tax Credits through the Texas Department of Housing and Community Affairs for The Residences of Gem Lake (TDHCA #17307), a Senior Affordable Housing Community to be located near the Amarillo Blvd and Gem Lake Road intersection in Amarillo, Texas.

This development will not only increase the availability of quality affordable housing and better living for the senior of Amarillo, but also will assist in adding to the tax base and creating jobs.

Sincerely,

Elisha L. Demerson,
Senior Pastor



Exempt Organizations Select Check

[Exempt Organizations Select Check Home](#)

Organizations Eligible to Receive Tax-Deductible Charitable Contributions (Pub. 78 data) - Search Results

The following list includes tax-exempt organizations that are eligible to receive tax-deductible charitable contributions. Click on the "Deductibility Status" column for an explanation of limitations on the deductibility of contributions made to different types of tax-exempt organizations.

Results are sorted by EIN. To sort results by another category, click on the icon next to the column heading for that category. Clicking on that icon a second time will reverse the sort order. Click on a column heading for an explanation of information in that column.

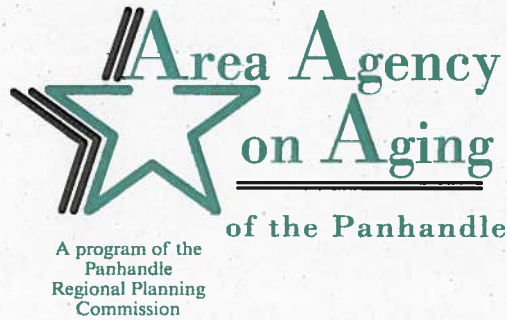
1-1 of 1 results

Results Per Page

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EIN ▲	Legal Name (Doing Business As) ▲	City ▲	State ▲	Country ▲	Deductibility Status ▲
75-6210552	Emmanuel Church of Amarillo Incorporated	Amarillo	TX	United States	PC

« Prev | 1-1 | Next »



February 22, 2017

Texas Department of Housing and Community Affairs
221 East 11th Street
Austin, TX 78701

Attention: Sharon Gamble – Multifamily Division

RE: TDHCA Application Number 17306
Developer: SH Amarillo Gem Lake, LP
Project Name: Residences of Gem Lake
Project Location near southeast corner of Amarillo Blvd. and Gem Lake Road,
Potter County, Texas

Dear Ms. Gamble,

The Area Agency on Aging of the Panhandle would like to express our support for Housing Tax Credits for The Residences of Gem Lake (TDHCA #17306), a multifamily housing community for seniors proposed in Amarillo, Texas. Our organization provides services to the City of Amarillo.

Affordable and accessible housing for our aging population is truly lacking in Amarillo. The 60 and over population in Amarillo and the surrounding area is growing rapidly which result in the demand exceeding the supply. Migration from our rural areas into Amarillo due to the desire to be closer to family and/or medical facilities feeds into this need. The Residences of Gem Lake would provide quality, affordable housing to those in need.

Again, we are very pleased to lend our support to The Residences tax credit application. If you need additional information, please feel free to call me at (806) 331-2227.

Sincerely,

Melissa Carter, Director
Area Agency on Aging of the Panhandle

Panhandle Regional Planning Commission



- Home
- About ▾
- Programs ▾
- Demographics
- Directory
- Calendar
- Employment
- Links



The Area Agency on Aging of the Panhandle serves as the advocate for the Panhandle's elderly population. To accomplish its mission of promoting dignity, independence and quality of life for older people, the AAA offers a range of comprehensive and coordinated programs designed to assist the region's elderly population and the families and friends who care for them. The AAA provides services to individuals age 60 and over and their caregivers of the 26 counties of the Panhandle. Funding for the agency is comprised of federal, state, and local funds.

The Area Agency on Aging provides the planning, coordination and implementation of many services. Eligible participants can take advantage of such programs as congregate and home delivered meals, emergency response services, adult day care, transportation, minor home repairs/modifications, homemaker services, personal care assistance, and legal assistance/representation. Information and assistance, benefits counseling and long-term care ombudsman are also provided.

[Area Agency on Aging Privacy Notice](#)

[Volunteer Opportunities](#)

[Advisory Council](#)

[Area Plan](#)

[Upcoming Meetings & Events](#)

[Area Agency on Aging Community Needs Survey](#)

[Contact](#)

PUBLIC NOTICE

Notice - Procurement of Services by Area Agencies on Aging

The Area Agency on Aging of the Panhandle (AAA) oversees the delivery of Older Americans Act services across the Texas Panhandle for individuals 60 years of age and older, their family members, and other caregivers. The AAA is currently seeking qualified entities to provide services such as: Congregate Meals, Home Delivered Meals, Transportation, Adult Day Care, Emergency Response Services, Personal Assistance, Homemaker, Consulting Pharmacist, and Caregiver Respite. Parties interested in providing services must contact the Area Agency on Aging of the Panhandle to obtain information relating to vendor open enrollment, the vending process, the types of services being considered, and the actual funding available.

A copy of the Vendor application for Services may be obtained from the Area Agency on Aging of the Panhandle, P.O. Box 9257, Amarillo, Texas 79105, ATTN: Melissa Carter, (806) 331-2227. A statement of qualifications for these proposed services will be required.

The Area Agency on Aging of the Panhandle has an open vendor enrollment policy. Proposals will be considered at anytime. The Area Agency on Aging of the Panhandle reserves the right to negotiate with any and all entities that submit proposals, as per the Texas Professional Services Procurement Act and the Uniform Grant and Contract Management Standards. The Area Agency on Aging of the Panhandle is an Affirmative Action/Equal Opportunity Employer.

Related Links

- [Patient's Guide to Preventing Doctor-Initiated Medicare Fraud](#)
- [Medicare FAQ](#)
- [Senior Medicare Resource Guide](#)
- [AgingCare](#)
- [Administration on Aging](#)
- [Amarillo Alzheimer's Academy](#)
- [Centers For Medicare and Medicaid Services](#)
- [Generations United](#)
- [Medicare](#)
- [Mesothelioma Cancer Alliance](#)
- [Mesothelioma Center](#)
- [Mesothelioma Guide](#)
- [National Association of Area Agencies on Aging](#)
- [National Family Caregiver Association](#)
- [Paying for Senior Care](#)
- [RxAssist](#)
- [Social Security Administration](#)
- [Texas Department of Aging and Disability Services](#)
- [Texas Department of Insurance](#)
- [Texas Legal Services Center](#)
- [Veterans Administration](#)

February 21, 2017

Texas Department of Housing and Community Affairs
221 East 11th Street
Austin, TX 78701

Attention: Sharon Gamble – Multifamily Division

RE: TDHCA Application Number 17306
Developer: SH Amarillo Gem Lake, LP
Project Name: Residences of Gem Lake
Project Location near southeast corner of Amarillo Blvd. and Gem Lake Road,
Potter County, Texas

Dear Ms. Gamble,

Jan Werner Adult Day Care Center would like to express our support for Housing Tax Credits for The Residences of Gem Lake (TDHCA #17306), a multifamily housing community for seniors proposed in Amarillo, Texas. Our organization provides services to the City of Amarillo.

There is a tremendous need for affordable housing for seniors in Amarillo. The population in Amarillo and the surrounding area is growing rapidly. The Residences of Gem Lake would provide quality, affordable housing to those in need.

Again, we are very pleased to lend our support to The Residences tax credit application. If you need additional information, please feel free to call me at (806) 374-5516.

Sincerely,



Alana J. Chilcote
Executive Director

NonProfitFacts.com (/) » Texas (../index-Texas.html) » Amarillo Multiservice Center For The Aging Inc, Jan Werner Adult Day Care Center

Amarillo Multiservice Center For The Aging Inc, Jan Werner Adult Day Care Center in Amarillo, Texas (TX)

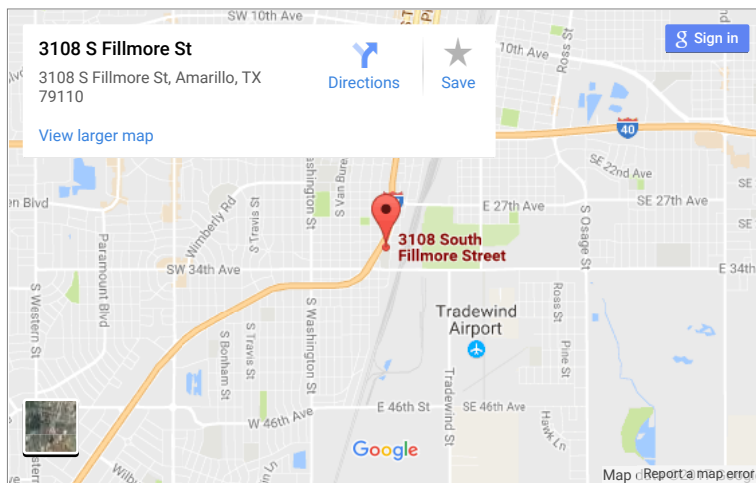


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- Overview
- Detailed Reports
 - Checklist
 - Statements Regarding Other IRS Filings and Tax Compliance
 - Compensation of Officers, Directors, Trustees, Key Employees, Highest Compensated Employees, and Independent Contractors
 - Statement of Revenue
 - Statement of Functional Expenses
 - Balance Sheet
 - Reason for Public Charity Status
 - Support Schedule for Organizations Described in Sections 170(b)(1)(A)(iv) and 170(b)(1)(A)(vi)
- Organizations performing similar types of work

Organization representatives - add corrected or new information about Amarillo Multiservice Center For The Aging Inc, Jan Werner Adult Day Care Center »

Non-representatives - add comments about Amarillo Multiservice Center For The Aging Inc, Jan Werner Adult Day Care Center»

Amarillo Multiservice Center For The Aging Inc, Jan Werner Adult Day Care Center	
Employer Identification Number (EIN)	751593441
Name of Organization	Amarillo Multiservice Center For The Aging Inc
Secondary Name	Jan Werner Adult Day Care Center
Address	3108 S Fillmore St, Amarillo (http://www.city-data.com/city/Amarillo-Texas.html), TX 79110-1026
Activities	Nursing or convalescent home, Services for the aged (see also 153 ad 382)
Ruling Date	02/1979
Deductibility	Contributions are deductible
Foundation	Organization which receives a substantial part of its support from a governmental unit or the general public
Organization	Corporation
Exempt Organization Status	Unconditional Exemption
Tax Period	08/2014
Assets	\$10,000,000 to \$49,999,999
Income	\$5,000,000 to \$9,999,999
Filing Requirement	990 (all other) or 990EZ return
Asset Amount	\$17,275,302
Amount of Income	\$9,136,633
Form 990 Revenue Amount	\$9,136,633
National Taxonomy of Exempt Entities (NTEE)	Human Services - Multipurpose and Other: Senior Centers, Services



Exempt Organizations Select Check

[Exempt Organizations Select Check Home](#)

Organizations Eligible to Receive Tax-Deductible Charitable Contributions (Pub. 78 data) - Search Results

The following list includes tax-exempt organizations that are eligible to receive tax-deductible charitable contributions. Click on the "Deductibility Status" column for an explanation of limitations on the deductibility of contributions made to different types of tax-exempt organizations.

Results are sorted by EIN. To sort results by another category, click on the icon next to the column heading for that category. Clicking on that icon a second time will reverse the sort order. Click on a column heading for an explanation of information in that column.

1-1 of 1 results

Results Per Page

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EIN ▲	Legal Name (Doing Business As) ▲	City ▲	State ▲	Country ▲	Deductibility Status ▲
75-1593441	Amarillo Multiservice Center for the Aging Inc.	Amarillo	TX	United States	PC

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Return Home

Who We Are

Services

Personnel

Resources

Contact Us

Who We Are



Happy Days are here. Over Thirty years ago, Jan Werner Adult Day Care began offering Happy Days for seniors and disabled adults in the Amarillo area with a mission to provide the best possible care, in an atmosphere of fellowship and love. We serve 250 clients from our state-of-the-art campus at 3108 S. Fillmore, where our staff provides leadership and innovation in developing cutting-edge services. These services focus on providing quality home and community care options that help our clients stay independent longer.

Jan Werner Adult Day Care is licensed as a healthcare facility. Cooperatively, our staff addresses the physical, mental and social needs of each client. We create a family atmosphere that encourages individuality, educational experiences, healthy habits and celebrates life!

Jan Werner ADULT DAY CARE

Home

Happy Days are Here!

NonProfitFacts.com (/) » Texas (../index-Texas.html) » Amarillo Multiservice Center For The Aging Inc, Jan Werner Adult Day Care Center

Amarillo Multiservice Center For The Aging Inc, Jan Werner Adult Day Care Center in Amarillo, Texas (TX)

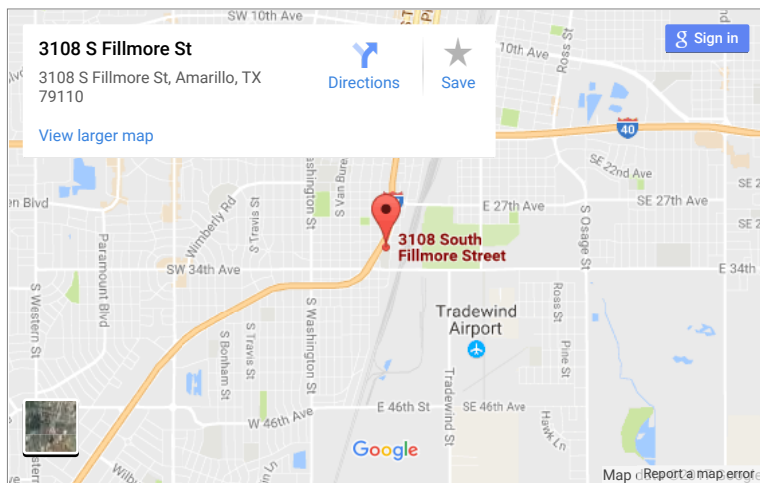


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Employer Identification Number (EIN)	751593441
Name of Organization	Amarillo Multiservice Center For The Aging Inc
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Address	3108 S Fillmore St, Amarillo (http://www.city-data.com/city/Amarillo-Texas.html), TX 79110-1026
Activities	Nursing or convalescent home, Services for the aged (see also 153 ad 382)
Ruling Date	02/1979
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Organization	Corporation
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Tax Period	08/2014
Assets	\$10,000,000 to \$49,999,999
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Filing Requirement	990 (all other) or 990EZ return
Asset Amount	\$17,275,302
Amount of Income	\$9,136,633
Form 990 Revenue Amount	\$9,136,633
National Taxonomy of Exempt Entities (NTEE)	Human Services - Multipurpose and Other: Senior Centers, Services



February 22, 2017

Texas Department of Housing and Community Affairs
221 East 11th Street
Austin, TX 78701

Attention: Sharon Gamble – Multifamily Division

RE: TDHCA Application Number 17306
Developer: SH Amarillo Gem Lake, LP
Project Name: Residences of Gem Lake
Project Location near southeast corner of Amarillo Blvd. and Gem Lake Road,
Potter County, Texas

Dear Ms. Gamble,

The Red River Aging and Disability Resource Center would like to express our support for Housing Tax Credits for The Residences of Gem Lake (TDHCA #17306), a multifamily housing community for seniors proposed in Amarillo, Texas. Our organization provides services to the City of Amarillo.

There is a tremendous need for affordable housing for seniors in Amarillo. The population in Amarillo and the surrounding area is growing rapidly. The Residences of Gem Lake would provide quality, affordable housing to those in need.

Again, we are very pleased to lend our support to The Residences tax credit application. If you need additional information, please feel free to call me at (806) 331-2227.

Sincerely,

A handwritten signature in blue ink that reads "Melissa Carter".

Melissa Carter
Red River ADRC



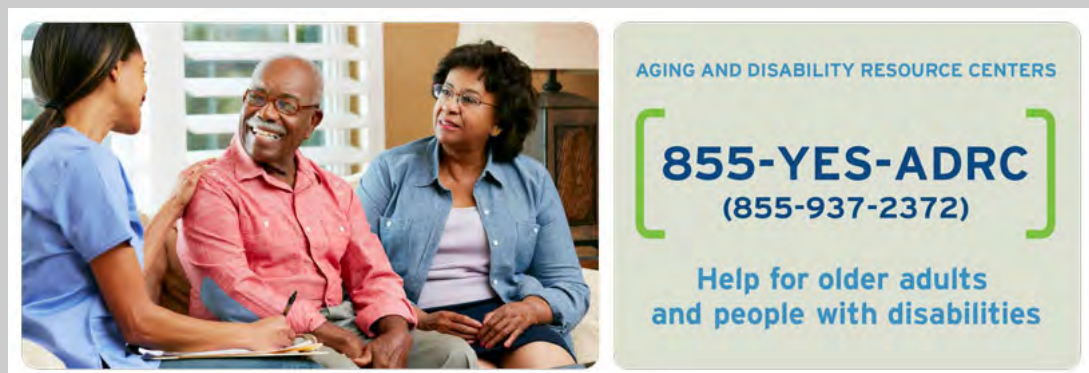
(/)

Aging and Disability Resource Center

Home (/) > Services (/hhs-services) > Aging (/services/aging) > Long-term Care (/services/aging/long-term-care) > Aging and Disability Resource Center

Services

- ▾ Aging (/services/aging)
 - Care for People 60+ (/services/aging/care-people-60)
 - ▾ Long-term Care (/services/aging/long-term-care)
 - ▾ Aging and Disability Resource Center (/services/aging/long-term-care/aging-disability-resource-center)
 - Are You a Family Caregiver? (/services/aging/long-term-care/aging-disability-resource-center/are-you-a-family-caregiver)
 - Contact Us (/services/aging/long-term-care/aging-disability-resource-center/contact-adrc-staff)
 - Find an ADRC (/services/aging/long-term-care/aging-disability-resource-center/find-adrc)
 - What is Long-term Care? (/services/aging/long-term-care/aging-disability-resource-center/what-long-term-care)
 - Who Should Call an ADRC? (/services/aging/long-term-care/aging-disability-resource-center/who-should-call-adrc)
 - Long-term Care Provider Search (http://apps.hhs.texas.gov/LTCSearch/)
 - Medicare Savings Program (https://yourtexasbenefits.hhsc.texas.gov/programs/health/disability-or-65plus/medicare-savings-programs)
 - Services for Caregivers (/services/aging/services-caregivers)
 - Disability (/services/disability)
 - Financial (/services/financial)
 - Health (/services/health)
 - Questions About Your Benefits (/services/questions-about-your-benefits)
 - Safety (/services/safety)
 - Service Coordination (/services/service-coordination)



It can be confusing to find help for older adults and people with disabilities. Aging and Disability Resource Centers (ADRCs) are part of the No Wrong Door system, which is designed to streamline public access to long-term services care programs. ADRCs serve as a key point of access to person centered LTSS specialized information, referral and assistance and provide one-stop access to information for people who need help finding long-term care services.

ADRCs help cut through the confusing maze of funding sources, multiple intake systems, and eligibility processes. ADRCs provide help to people in all 254 counties in the state.



Brazos Valley ADRC

Care Connection ADRC

Central Texas Aging & Disability & Veteran's Resource Center

Coastal Bend ADRC

Connect to Care

Disability Connections Resource Center

East Texas ADRC

Golden Crescent Aging & Disability Resource Center

Heart of Texas ADRC

North Central Texas ADRC

Red River ADRC

Counties Served: Archer, Armstrong, Baylor, Briscoe, Carson, Castro, Childress, Clay, Collingsworth, Cottle, Dallam, Deaf Smith, Donley, Foard, Gray, Hall, Hansford, Hardeman, Hartley, Hemphill, Hutchinson, Jack, Lipscomb, Montague, Moore, Ochiltree, Oldham, Parmer, Potter, Randall, Roberts, Sherman, Swisher, Wheeler, Wichita, Wilbarger and Young

4309 Jacksboro Highway
Suite 200
Wichita Falls, TX 76302
Phone: 940-234-1644
Toll Free: 1-855-937-2372

RIO-Net ADRC

South Plains ADRC

South Texas Aging and Disability Resource Center

Southeast/Deep East ADRC

Tarrant County ADRC

West Central Texas ADRC

West Texas ADRC

Español (/es/servicios/vejez/atencion-a-largo-plazo/centros-de-recursos-para-adultos-mayores-y-personas-discapacitadas/busque-un-adrc)



Facebook (<https://www.facebook.com/TexasHHSC/>)



Twitter (<https://twitter.com/TexasHHSC>)

Application # 16343

Calallen Apartments

- Applicant submitted 4 letters for Input from Community Organizations. No additional information regarding participation in the community or tax-exempt status was submitted
- Deficiency was issued requesting the information be submitted.
- Note comment from staff and "Mf RCVD 4/5/16 4:51 PM-LC" on top right corner on following pages taken from the application, indicating additional documentation submitted by Applicant was accepted by staff.
- All points were awarded, and eventually credits awarded.

documentation to correct the following deficiency or deficiencies. Any issue initially identified as an Administrative Deficiency may ultimately be determined to be beyond the scope of an Administrative Deficiency, and the distinction between material and non-material missing information is reserved for the Director of Multifamily Finance, Executive Director, and Board.

1. Development Owner Certification form: Page 3 requires that the applicant mark a selection of one of the two paragraphs headed "Unused Credit or Penalty Fee (select one box as applicable)". The box is not visible. Therefore, please mark the appropriate blank space.
2. Input From Community Organizations: Please explain how the application meets the requirements of §11.9(D)(6). There was no evidence submitted to show that the organizations are tax exempt and are active in the area that includes the Development Site.
3. Site Control: Clarify all sellers of the proposed property since January 4, 2013.
4. Unit Plans: The net rentable area for the 3 BD units does not agree with the Rent Schedule or the Building/Unit Type Configuration Form. Please clarify and revise the appropriate exhibit(s) so that all documents are consistent.
5. Building/Unit Type Configuration Form: The Building/Unit Type Configuration Form indicates that the A2 unit is a 2BD/2Bath unit. This does not agree with the Rent Schedule and Unit Plans. Additionally, the number of bedrooms and baths was omitted for unit type C1-h.
6. Building/Unit Type Configuration Form: The number of stories stated for building type III do not agree with the building plans or elevations. Please clarify and revise the appropriate exhibit(s) so that all documents are consistent.
7. Rent Schedule: Clarify what is meant by "tenant charges" under the non-rental income section.
8. Guarantor Chart: Clarify the guarantor chart pursuant to §10.204(13) of the 2016 Uniform Multifamily Rules.
9. Previous Participation: The List of Organizations and Principals indicates several persons do not have previous TDHCA experience but the Previous Participation forms do indicate previous experience. Please clarify and revise the appropriate exhibit(s) so that all documents are consistent.
10. List of Board Members, Nonprofit Participation Form: The form lists board members of TG 110, Inc. and Housing and Community Services, Inc. Please clarify which nonprofit is applying under the Nonprofit Set-Aside and its members.
11. ESA: Submit statements from the report provider that the preparer has read and understood §10.305 of the 2016 Uniform Multifamily Rules, that TDHCA may rely on the report, and that the preparer will not materially benefit from the Development other than receiving a fee for the report and that the fee is not contingent upon the report's findings.
12. Site Design and Feasibility Study: The preliminary site plan does not state that the plan materially adheres to all applicable zoning, site development, and building code ordinances. Please submit clarification from the report provider or if I missed it indicate its location.

The above list may not include all Administrative Deficiencies such as those that may be identified upon a supervisory review of the application. Notice of additional Administrative Deficiencies may appear in a separate notification.

All deficiencies must be corrected or otherwise resolved by 5 pm CST on the fifth business day following the date of this deficiency notice. Deficiencies resolved after 5 pm on the fifth business day will have 5 points deducted from the final score. For each additional day beyond the fifth day that any deficiency remains unresolved, the application will be treated in accordance with §10.201(7)(A) of the 2016 Uniform Multifamily Rules.

All deficiencies related to the Direct Loan portion of the Application must be corrected or clarified by 5pm CST on the fifth business day following the date of this deficiency notice. Deficiencies

resolved after 5pm CST on the fifth business day will be subject to a \$500 fee for each business day that the deficiency remains unresolved. Applications with unresolved deficiencies after 5pm CST on the tenth day may be terminated.

Unless the person that issued this deficiency notice, named below, specifies otherwise, submit all documentation at the same time and in only one file using the Department's Serv-U HTTPs System. Once the documents are submitted to the Serv-U HTTPs system, please email the staff member issuing this notice. If you have questions regarding the Serv-U HTTPs submission process, contact Liz Cline at liz.cline@tdhca.state.tx.us or by phone at (512)475-3227. You may also contact Jason Burr at jason.burr@tdhca.state.tx.us or by phone at (512)475-3986.

All applicants should review §§11.1(b) and 10.2(b) of the 2016 QAP and Uniform Multifamily Rules as they apply to due diligence, applicant responsibility, and the competitive nature of the program for which they are applying.

****All deficiencies must be corrected or clarified by 5 pm on April 8, 2016. Please respond to this email as confirmation of receipt.****

About TDHCA

The Texas Department of Housing and Community Affairs administers a number of state and federal programs through for-profit, nonprofit, and local government partnerships to strengthen communities through affordable housing development, home ownership opportunities, weatherization, and community-based services for Texans in need. For more information, including current funding opportunities and information on local providers, please visit www.tdhca.state.tx.us.

Liz Cline-Rew

Multifamily Finance Housing Specialist
Texas Department of Housing and Community Affairs
221 E. 11th Street | Austin, TX 78701
Office: 512.475.3227
Fax: 512.475.1895

Any person receiving guidance from TDHCA staff should be mindful that, as set forth in 10 TAC Section 11.1(b) there are important limitations and caveats (Also see 10 TAC §10.2(b)).



CORPUS CHRISTI LITERACY COUNCIL
READ TO SUCCEED

February 17, 2016

Mr. Tim Irvine
Executive Director
Texas Department of Housing and Community Affairs
P.O. Box 13941
Austin, TX 78711-3941

Re: Calallen Apartments, TDHCA #16343

Dear Mr. Irvine,

We would like to express our support for the proposed Calallen Apartments development to be located at approximately 14800 Northwest Blvd., Corpus Christi, TX 78410. Our 501(c)(3) nonprofit teaches adults to read and write in English throughout the city of Corpus Christi and the surrounding area. Our mission is to reduce the illiteracy rate, which is 17% in Nueces County. Our website can be found at www.ccliteracy.org, and provides additional information about our organization and the programs we offer.

When a person is not literate, their world is very restricted. Jobs available are scarce if one cannot read. All the social problems you associate with illiteracy- lack of jobs, poor health, lack of preparation for school, workplace accidents, and much more, place many people in situations in which they cannot afford decent housing. We encourage quality affordable housing accessible to working families like those we serve through our efforts.

We encourage you to support this application for tax credits in the 2016 application cycle. Thank you for your attention and please do not hesitate to contact me if you have any questions.

Sincerely,

Dr. Mary V. Gleason, Executive Director

4044 Greenwood Dr ♦ Corpus Christi, Texas 78416 ♦ 361.826-7086 ♦ www.ccliteracy.org





Corpus Christi Literacy Council

Read to Succeed!

Telephone: (361) 826-7086
 Ben F. McDonald Library
 4044 Greenwood Dr.
 Corpus Christi, TX 78416

[About Us](#) | [Learn Now](#) | [En Español](#) | [Calendar](#) | [Volunteer](#) | [Contact Us](#) | [Staff](#) | [News](#)

Please take a look at what we do!

- Happening NOW
- Past Events
- Programs
- Workshops

[Gallery](#)

[Volunteer Now!](#)

[Funding](#)

Many thanks to our contributors!



• [Log in](#)

About Us

The Corpus Christi Literacy Council first opened its doors in 1986. More than 6,400 students, throughout the Corpus Christi Bay Area and South Texas, have been helped during those 20 years. We are affiliated with [ProLiteracy](#).

Currently, the Corpus Christi Literacy Council has more than 100 volunteer tutors who serve in more than 80 tutoring sites across Corpus Christi. Volunteers work on a one-to-one basis with students at neutral locations convenient to both the tutor and student.

We have located at the Ben F. McDonald Library (4044 Greenwood Dr., 78416) on the corner of Greenwood Dr. and Home Rd.

During the school year we do have some evening classes that go until 8 PM, and we have occasional training sessions on Saturdays. Our phone number is 361-826-7086, and there is an answering service for after-hours calls.

[Staff](#)

[Directors](#)

[Mission/Goals](#)

Corpus Christi Literacy Council | Webmaster: Blue Arrow Technical Solutions ©

Return of Organization Exempt From Income Tax

Under section 501(c), 527, or 4947(a)(1) of the Internal Revenue Code (except private foundations)

Do not enter social security numbers on this form as it may be made public.
Information about Form 990 and its instructions is at www.irs.gov/form990.

RECEIVED 4/5/16 4:51 PM No. 0545-0047

2014
Open to Public Inspection

A For the 2014 calendar year, or tax year beginning _____, **and ending** _____

B Check if applicable:
 Address change
 Name change
 Initial return
 Final return/terminated
 Amended return
 Application pending

C Name of organization
Corpus Christi Literacy Council

D Employer identification number
74-2444906

Doing business as _____
E Telephone number
361-826-7086

Number and street (or P O box if mail is not delivered to street address) _____ Room/suite _____
4044 Greenwood Dr

City or town, state or province, country, and ZIP or foreign postal code
Corpus Christi TX 78416

F Name and address of principal officer
Dr. Mary Gleason
Same

G Gross receipts \$ **102,507**

H(a) Is this a group return for subordinates? Yes No
H(b) Are all subordinates included? Yes No
 If "No," attach a list (see instructions)

I Tax-exempt status 501(c)(3) 501(c) () (insert no) 4947(a)(1) or 527

J Website **www.ccliteracy.org**

K Form of organization Corporation Trust Association Other

L Year of formation **1986** **M State of legal domicile** **TX**

H(c) Group exemption number _____

Part I Summary

1 Briefly describe the organization's mission or most significant activities
To identify, develop, promote and coordinate comprehensive programs & resources that will measurably reduce functional adult illiteracy in the Corpus Christi/Coastal Bend Area.

2 Check this box if the organization discontinued its operations or disposed of more than 25% of its net assets

3 Number of voting members of the governing body (Part VI, line 1a) **3** **10**

4 Number of independent voting members of the governing body (Part VI, line 1b) **4** **10**

5 Total number of individuals employed in calendar year 2014 (Part V, line 2a) **5** **3**

6 Total number of volunteers (estimate if necessary) **6** **97**

7a Total unrelated business revenue from Part VIII, column (C), line 12 **7a** **0**

7b Net unrelated business taxable income from Form 990-T, line 34 **7b** **0**

	Prior Year	Current Year
8 Contributions and grants (Part VIII, line 1h)	97,613	83,094
9 Program service revenue (Part VIII, line 2g)	1,982	19,070
10 Investment income (Part VIII, column (A), lines 3, 4, and 7d)	46	38
11 Other revenue (Part VIII, column (A), lines 5, 6d, 8c, 9c, 10c, and 11e)	28	305
12 Total revenue - add lines 8 through 11 (must equal Part VIII, column (A), line 12)	99,669	102,507
13 Grants and similar amounts paid (Part IX, column (A), lines 1-3)		0
14 Benefits paid to or for members (Part IX, column (A), line 4)		0
15 Salaries, other compensation, employee benefits (Part IX, column (A), lines 5-10)	42,110	72,502
16a Professional fundraising fees (Part IX, column (A), line 11e)		0
b Total fundraising expenses (Part IX, column (D), line 25) 6,875		
17 Other expenses (Part IX, column (A), lines 11a-11d, 11f-24e)	41,178	41,707
18 Total expenses - Add lines 13-17 (must equal Part IX, column (A), line 25)	83,288	114,209
19 Revenue less expenses - Subtract line 18 from line 12	16,381	-11,702
	Beginning of Current Year	End of Year
20 Total assets (Part X, line 16)	54,999	46,042
21 Total liabilities (Part X, line 26)	25	2,770
22 Net assets or fund balances - Subtract line 21 from line 20	54,974	43,272

Part II Signature Block

Under penalties of perjury, I declare that I have examined this return, including accompanying schedules and statements, and to the best of my knowledge and belief, it is true, correct, and complete. Declaration of preparer (other than officer) is based on all information of which preparer has any knowledge.

Sign Here
 Signature of officer: *Mary Gleason*
 Date: **9-14-2015**
 Type or print name and title: **MARY GLEASON, Exec. Dir.**

Paid Preparer Use Only
 Preparer's name: **Darrell P Thompson, CPA**
 Preparer's signature: *Darrell P. Thompson CPA*
 Date: **09/03/15**
 Check if self-employed PTIN: **P00198507**
 Firm's name: **Dove, Thompson & Company**
 Firm's EIN: **74-2588605**
 Firm's address: **711 N Carancahua St Ste 820 Corpus Christi, TX 78401-0547**
 Phone no: **361-887-1874**

May the IRS discuss this return with the preparer shown above? (see instructions) Yes No

For Paperwork Reduction Act Notice, see the separate instructions.

9021 12



February 16, 2016

Mr. Tim Irvine
Executive Director
Texas Department of Housing and Community Affairs
P.O. Box 13941
Austin, TX 78711-3941

Re: Calallen Apartments
TDHCA #16343

Dear Mr. Irvine,

We would like to express our support for the proposed Calallen Apartments development to be located at approximately 14800 Northwest Blvd., Corpus Christi, TX 78410. Our 501(c)(3) nonprofit is involved in feeding families in need, nutrition education and diabetes management throughout the city of Corpus Christi. We encourage quality affordable housing accessible to working families like those we serve through our efforts.

Our mission is to reduce hunger in South Texas through food distribution and nutrition education. Our website can be found at foodbankcc.com and provides additional information about our organization and the programs we offer.

Quality affordable housing opportunities are an integral component of serving those amongst us who are most in need. We encourage you to support this application for tax credits in the 2016 application cycle. Thank you for your attention and please do not hesitate to contact me if you have any questions.

Sincerely,

Bea Hanson
Executive Director
Food Bank of Corpus Christi



Mission Statement

"The Food Bank of Corpus Christi reduces hunger in South Texas through food distribution and nutrition education."



USDA Nondiscrimination Statement

In accordance with Federal civil rights law and U.S. Department of Agriculture (USDA) civil rights regulations and policies, the USDA, its Agencies, offices, and employees, and institutions participating in or administering USDA programs are prohibited from discriminating based on race, color, national origin, sex, disability, age, or reprisal or retaliation for prior civil rights activity in any program or activity conducted or funded by USDA.

Persons with disabilities who require alternative means of communication for program information (e.g. Braille, large print, audiotape, American Sign Language, etc.), should contact the Agency (State or local) where they applied for benefits. Individuals who are deaf, hard of hearing or have speech disabilities may contact USDA through the Federal Relay Service at (800) 877-8339. Additionally, program information may be made available in languages other than English.

To file a program complaint of discrimination, complete the USDA Program Discrimination Complaint Form, (AD-3027) found online at: http://www.ascr.usda.gov/complaint_filing_cust.html, and at any USDA office, or write a letter addressed to USDA and provide in the letter all of the information requested in the form. To request a copy of the complaint form, call (866) 632-9992. Submit your completed form or letter to USDA by:

(1) mail: U.S. Department of Agriculture.

Office of the Assistant Secretary for Civil Rights

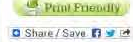
1400 Independence Avenue, SW

Washington, D.C. 20250-9410;

(2) fax: (202) 690-7442; or

(3) email: program.intake@usda.gov.

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Photo of the day



Community Advocate





How To Get Help



The Food Bank of Corpus Christi distributes food in bulk to incorporated 501C3 nonprofit organizations or churches that have a purpose or mission statement related to the care and feeding of the ill, needy, or minor children. The Food Bank has Food Pantries in or serving every zip code in Corpus Christi and has representation in most of the 11 rural counties that we serve.

The clients may call the Food Bank, give their zip code and we will refer them to the agency that is most convenient to their home. Clients must fall under the maximum income guidelines as designated by the USDA. The guidelines for income are based on family size, it is the responsibility of the pantries to determine if a client meets that criteria. The client must provide proof of residence in the area in which they live and a picture ID. Generally these pantries are emergency pantries which serve the clients at least 4 times per year.

The Food Bank does not distribute food directly to individuals.



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Photo of the day



Community Advocate



Form **990**

Return of Organization Exempt From Income Tax

Under section 501(c), 527, or 4947(a)(1) of the Internal Revenue Code (except private foundations)

- Do not enter Social Security numbers on this form as it may be made public.
- Information about Form 990 and its instructions is at www.irs.gov/form990.

2013

Open to Public Inspection

Department of the Treasury
Internal Revenue Service

A For the 2013 calendar year, or tax year beginning 9/01, 2013, and ending 8/31, 2014

B Check if applicable:

- Address change
- Name change
- Initial return
- Terminated
- Amended return
- Application pending

C **THE FOOD BANK OF CORPUS CHRISTI, INC.**
826 KRILL STREET
CORPUS CHRISTI, TX 78408-2515

D Employer Identification Number: **74-2234089**

E Telephone number: **361-887-6291**

G Gross receipts \$ **12,996,277.**

F Name and address of principal officer: **SAME AS C ABOVE**

H(a) Is this a group return for subordinates? Yes No

H(b) Are all subordinates included? Yes No If 'No,' attach a list (see instructions)

H(c) Group exemption number

I Tax-exempt status: 501(c)(3) 501(c) () (insert no.) 4947(a)(1) or 527

J Website: **WWW.FOODBANKCC.ORG**

K Form of organization: Corporation Trust Association Other

L Year of formation: **1982**

M State of legal domicile: **TX**

Part I Summary

1 Briefly describe the organization's mission or most significant activities: **TO COLLECT AND WAREHOUSE FOOD WHICH HAS BEEN DONATED BY CONCERNED BUSINESSES AND ORGANIZATIONS AND DISTRIBUTE IT TO SOCIAL AGENCIES WHICH FEED THE NEEDY**

2 Check this box if the organization discontinued its operations or disposed of more than 25% of its net assets.

3 Number of voting members of the governing body (Part VI, line 1a): **3**

4 Number of independent voting members of the governing body (Part VI, line 1b): **4**

5 Total number of individuals employed in calendar year 2013 (Part V, line 2a): **5**

6 Total number of volunteers (estimate if necessary): **6** **4,244**

7a Total unrelated business revenue from Part VIII, column (C), line 12: **7a** **0.**

7b Net unrelated business taxable income from Form 990-T, line 34: **7b** **0.**

	Prior Year	Current Year
8 Contributions and grants (Part VIII, line 1h)	10,595,525.	12,220,319.
9 Program service revenue (Part VIII, line 2g)	561,630.	682,973.
10 Investment income (Part VIII, column (A), lines 3, 4, and 7d)	43,292.	33,232.
11 Other revenue (Part VIII, column (A), lines 5, 6d, 8c, 9c, 10, and 11e)	74,205.	50,001.
12 Total revenue - add lines 8 through 11 (must equal Part VIII, column (A), line 12)	11,274,652.	12,986,525.
13 Grants and similar amounts paid (Part IX, column (A), lines 1-3)		
14 Benefits paid to or for members (Part IX, column (A), line 4)		
15 Salaries, other compensation, employee benefits (Part IX, column (A), lines 5-10)	880,203.	1,051,146.
16a Professional fundraising fees (Part IX, column (A), line 11e)		
b Total fundraising expenses (Part IX, column (D), line 25)		240,653.
17 Other expenses (Part IX, column (A), lines 11a-11d, 11f-24e)	10,063,922.	12,103,278.
18 Total expenses. Add lines 13-17 (must equal Part IX, column (A), line 25)	10,944,125.	13,154,424.
19 Revenue less expenses. Subtract line 18 from line 12	330,527.	-167,899.
20 Total assets (Part X, line 16)	Beginning of Current Year 5,219,881.	End of Year 5,360,275.
21 Total liabilities (Part X, line 26)	82,025.	80,927.
22 Net assets or fund balances. Subtract line 21 from line 20	5,137,856.	5,279,348.

Part II Signature Block

Under penalties of perjury, I declare that I have examined this return, including accompanying schedules and statements, and to the best of my knowledge and belief, it is true, correct, and complete. Declaration of preparer (other than officer) is based on all information of which preparer has any knowledge.

Sign Here

Signature of officer: *Beatrice Hanson* Date: 1/23/15

Type of print name and title: **Beatrice Hanson, Executive Director**

Paid Preparer Use Only

Print/Type preparer's name: **LUPE VALDEZ** Preparer's signature: *Lupe Valdez* Date: 1/20/15

Check if self-employed PTIN: **P01584583**

Firm's name: **GF VALDEZ, P.C.** Firm's EIN: **20-0842060**

Firm's address: **5430 HOLLY ROAD SUITE 1
CORPUS CHRISTI, TX 78411** Phone no: **(361) 991-1650**

May the IRS discuss this return with the preparer shown above? (see instructions) Yes No

BAA For Paperwork Reduction Act Notice, see the separate instructions.

SCANNED FEB 11 2015

917 17



COASTAL BEND
WELLNESS FOUNDATION
EDUCATION AWARENESS ADVOCACY

February 17, 2016

Mr. Tim Irvine
Executive Director
Texas Department of Housing and Community Affairs
P.O. Box 13941
Austin, TX 78711-3941

Re: Calallen Apartments
TDHCA #16343

Dear Mr. Irvine,

We would like to express our support for the proposed Calallen Apartments development to be located at approximately 14800 Northwest Blvd., Corpus Christi, TX 78410. Our 501(c)(3) nonprofit is involved in advocacy, awareness development and education throughout the city of Corpus Christi. We encourage quality affordable housing accessible to working families like those we serve through our efforts.

The mission of the Coastal Bend Wellness Foundation is to take the lead in providing health and wellness initiatives through treatment, awareness, education, advocacy, and services. Our website can be found at www.cbwellness.org and provides additional information about our organization and the programs we offer.

Quality affordable housing opportunities are an integral component of serving those amongst us who are most in need. We encourage you to support this application for tax credits in the 2016 application cycle. Thank you for your attention and please do not hesitate to contact me if you have any questions.

Sincerely,

Meredith Grantham, MPA
Chief Operating Officer
Coastal Bend Wellness Foundation

Form **990**
 Department of the Treasury
 Internal Revenue Service

Return of Organization Exempt From Income Tax

Under section 501(c), 527, or 4947(a)(1) of the Internal Revenue Code (except private foundations)

▶ Do not enter Social Security numbers on this form as it may be made public. By law, the IRS generally cannot redact the information on the form.
 ▶ Information about Form 990 and its instructions is at www.irs.gov/form990

OMB No. 1545-0047
2013
Open to Public Inspection

A For the 2013 calendar year, or tax year beginning 09-01-2013, 2013, and ending 08-31-2014

B Check if applicable: <input type="checkbox"/> Address change <input type="checkbox"/> Name change <input type="checkbox"/> Initial return <input type="checkbox"/> Terminated <input type="checkbox"/> Amended return <input type="checkbox"/> Application pending	C Name of organization COASTAL BEND WELLNESS FOUNDATION INC Doing Business As Number and street (or P O box if mail is not delivered to street address) Room/suite 5633 S STAPLES City or town, state or province, country, and ZIP or foreign postal code CORPUS CHRISTI, TX 78411	D Employer identification number 74-2429518 E Telephone number (361) 814-2001 G Gross receipts \$ 3,532,966
F Name and address of principal officer BILL HOELSCHER 5633 S STAPLES CORPUS CHRISTI, TX 78411		H(a) Is this a group return for subordinates? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No H(b) Are all subordinates included? <input type="checkbox"/> Yes <input type="checkbox"/> No If "No," attach a list (see instructions) H(c) Group exemption number ▶
I Tax-exempt status <input checked="" type="checkbox"/> 501(c)(3) <input type="checkbox"/> 501(c) () (insert no) <input type="checkbox"/> 4947(a)(1) or <input type="checkbox"/> 527		
J Website: ▶ www.cbwellness.org		
K Form of organization <input checked="" type="checkbox"/> Corporation <input type="checkbox"/> Trust <input type="checkbox"/> Association <input type="checkbox"/> Other ▶		L Year of formation 1986 M State of legal domicile TX

Part I Summary

	1 Briefly describe the organization's mission or most significant activities CBWF PROVIDES PREVENTION, INTERVENTION, TESTING, CLIENT SERVICE REFERRALS, AND ACCESS INTO CARE FOR MEDICAL, SUBSTANCE ABUSE AND MENTAL HEALTH SERVICES		
	2 Check this box <input type="checkbox"/> if the organization discontinued its operations or disposed of more than 25% of its net assets		
Activities & Governance	3 Number of voting members of the governing body (Part VI, line 1a)	3	6
	4 Number of independent voting members of the governing body (Part VI, line 1b)	4	6
	5 Total number of individuals employed in calendar year 2013 (Part V, line 2a)	5	62
	6 Total number of volunteers (estimate if necessary)	6	100
	7a Total unrelated business revenue from Part VIII, column (C), line 12	7a	0
	b Net unrelated business taxable income from Form 990-T, line 34	7b	
	Revenue	8 Contributions and grants (Part VIII, line 1h)	Prior Year 3,567,098
9 Program service revenue (Part VIII, line 2g)			320,599
10 Investment income (Part VIII, column (A), lines 3, 4, and 7d)			0
11 Other revenue (Part VIII, column (A), lines 5, 6d, 8c, 9c, 10c, and 11e)			0
12 Total revenue—add lines 8 through 11 (must equal Part VIII, column (A), line 12)		3,567,098	3,532,966
Expenses		13 Grants and similar amounts paid (Part IX, column (A), lines 1–3)	
	14 Benefits paid to or for members (Part IX, column (A), line 4)		0
	15 Salaries, other compensation, employee benefits (Part IX, column (A), lines 5–10)	2,006,364	1,779,942
	16a Professional fundraising fees (Part IX, column (A), line 11e)		0
	b Total fundraising expenses (Part IX, column (D), line 25) ▶ 16,803		
	17 Other expenses (Part IX, column (A), lines 11a–11d, 11f–24e)	1,513,503	1,415,854
18 Total expenses Add lines 13–17 (must equal Part IX, column (A), line 25)	3,519,867	3,195,796	
19 Revenue less expenses Subtract line 18 from line 12	47,231	337,170	
Net Assets or Fund Balances		Beginning of Current Year	End of Year
	20 Total assets (Part X, line 16)	407,322	803,761
	21 Total liabilities (Part X, line 26)	121,718	180,987
22 Net assets or fund balances Subtract line 21 from line 20	285,604	622,774	

Part II Signature Block

Under penalties of perjury, I declare that I have examined this return, including accompanying schedules and statements, and to the best of my knowledge and belief, it is true, correct, and complete. Declaration of preparer (other than officer) is based on all information of which preparer has any knowledge.

Sign Here	***** Signature of officer	2015-04-27 Date			
	BILL HOELSCHER CEO Type or print name and title				
Paid Preparer Use Only	Print/Type preparer's name AMY HERNANDEZ CPA	Preparer's signature	Date	Check <input type="checkbox"/> if self-employed	PTIN
	Firm's name ▶ RAUL HERNANDEZ & CO PC			Firm's EIN ▶	
	Firm's address ▶ 5422 HOLLY RD CORPUS CHRISTI, TX 78411			Phone no	
May the IRS discuss this return with the preparer shown above? (see instructions) <input type="checkbox"/> Yes <input type="checkbox"/> No					

SCHEDULE A
(Form 990 or 990EZ)

Public Charity Status and Public Support

Complete if the organization is a section 501(c)(3) organization or a section 4947(a)(1) nonexempt charitable trust.

- ▶ Attach to Form 990 or Form 990-EZ. ▶ See separate instructions.
- ▶ Information about Schedule A (Form 990 or 990-EZ) and its instructions is at www.irs.gov/form990.

2013

Open to Public Inspection

Department of the Treasury
Internal Revenue Service

Name of the organization
COASTAL BEND WELLNESS FOUNDATION INC

Employer identification number
74-2429518

Part I Reason for Public Charity Status (All organizations must complete this part.) See instructions.

The organization is not a private foundation because it is (For lines 1 through 11, check only one box)

- 1 A church, convention of churches, or association of churches described in **section 170(b)(1)(A)(i)**.
- 2 A school described in **section 170(b)(1)(A)(ii)**. (Attach Schedule E)
- 3 A hospital or a cooperative hospital service organization described in **section 170(b)(1)(A)(iii)**.
- 4 A medical research organization operated in conjunction with a hospital described in **section 170(b)(1)(A)(iii)**. Enter the hospital's name, city, and state _____
- 5 An organization operated for the benefit of a college or university owned or operated by a governmental unit described in **section 170(b)(1)(A)(iv)**. (Complete Part II)
- 6 A federal, state, or local government or governmental unit described in **section 170(b)(1)(A)(v)**.
- 7 An organization that normally receives a substantial part of its support from a governmental unit or from the general public described in **section 170(b)(1)(A)(vi)**. (Complete Part II)
- 8 A community trust described in **section 170(b)(1)(A)(vi)** (Complete Part II)
- 9 An organization that normally receives (1) more than 33 1/3% of its support from contributions, membership fees, and gross receipts from activities related to its exempt functions—subject to certain exceptions, and (2) no more than 33 1/3% of its support from gross investment income and unrelated business taxable income (less section 511 tax) from businesses acquired by the organization after June 30, 1975 See **section 509(a)(2)**. (Complete Part III)
- 10 An organization organized and operated exclusively to test for public safety See **section 509(a)(4)**.
- 11 An organization organized and operated exclusively for the benefit of, to perform the functions of, or to carry out the purposes of one or more publicly supported organizations described in section 509(a)(1) or section 509(a)(2) See **section 509(a)(3)**. Check the box that describes the type of supporting organization and complete lines 11e through 11h
 - a Type I b Type II c Type III - Functionally integrated d Type III - Non-functionally integrated
- e By checking this box, I certify that the organization is not controlled directly or indirectly by one or more disqualified persons other than foundation managers and other than one or more publicly supported organizations described in section 509(a)(1) or section 509(a)(2)
- f If the organization received a written determination from the IRS that it is a Type I, Type II, or Type III supporting organization, check this box
- g Since August 17, 2006, has the organization accepted any gift or contribution from any of the following persons?
 - (i) A person who directly or indirectly controls, either alone or together with persons described in (ii) and (iii) below, the governing body of the supported organization?
 - (ii) A family member of a person described in (i) above?
 - (iii) A 35% controlled entity of a person described in (i) or (ii) above?

	Yes	No
11g(i)		
11g(ii)		
11g(iii)		

h Provide the following information about the supported organization(s)

(i) Name of supported organization	(ii) EIN	(iii) Type of organization (described on lines 1- 9 above or IRC section (see instructions))	(iv) Is the organization in col (i) listed in your governing document?		(v) Did you notify the organization in col (i) of your support?		(vi) Is the organization in col (i) organized in the U S ?		(vii) Amount of monetary support
			Yes	No	Yes	No	Yes	No	
Total									

Red Ribbon Ball highlights.



Our mission

The mission of the Coastal Bend Wellness Foundation is to take the lead in providing health and wellness initiatives through treatment, education, advocacy, and services.

About us

The Coastal Bend Wellness Foundation (CBWF) is a grass-roots, community based non-profit organization, with a long standing history of providing services to those in our community that are often overlooked, filling on gaps in services that no other agency provides. Current services include primary health care, mental health and substance abuse programs, infectious disease testing, education and linkage to treatment, and youth education to provide foundation on the dangers of drug use.

CBWF was founded in 1986, as the Coastal Bend AIDS Foundation, by a group of concerned citizens, who wanted to help people dying of AIDS. The group started by delivering food and blankets from the trunk of a car. As the disease became more chronic rather than acute, and funding became available for additional services, the agency grew to provide additional support services for those living with HIV and AIDS.

In 2012, the board of directors decided to change the name of the agency, to better fit the array of services provided. Today, the Coastal Bend Wellness Foundation still honors its founding members by providing HIV/AIDS specific medical treatment and support services, but also encompasses programs for the entire community.

In 2015, CBWF became a federally qualified health center. We now are proud to be able to provide primary health care to anyone, regardless of the ability to pay or insurance status. Since its inception, CBWF has consistently pursued development of service programs that translated its mission statement from a planning concept into action, moving it towards the reality of a seamless continuation of health care and support services for those most in need.

We are proud of those brave people who started this agency in a time when there was no much fear and discrimination against those with HIV/AIDS. We continue in their footsteps, by never wavering in our commitment to identify the gaps of care in our community and seeking ways to fill those needs, only concerned with helping and making a difference. We do this all, for the sake of one.

CBWF on Facebook

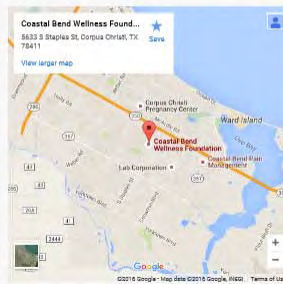
Red Ribbon Ball highlights.



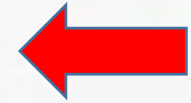
More Cool Friends

Thanks to our sponsors for making Red Ribbon Ball a success.

Borden Insurance
Kenedy Foundation
Nancy Bergey



CBWF is located at 5633 S Staples St,
Corpus Christi, TX 78411
Ph. 361.814.2001 or 1.800.982.9629
Office Hours 9:00a.m.-5:30 p.m., Mon.-Fri.
Testing Hours at CBWF:
Monday, Wednesday, Thursday 9:00 a.m. - 4:00 p.m.
Tues 9:00 a.m. - 7:30 p.m.
Saturday 11:00 a.m. - 2:00 p.m.





DOING
THE MOST
GOODSM

William Booth, Founder
Andre' Cox, General
Donald C. Bell, Commissioner, Territorial Commander
Ken Luyk, Lt. Colonel, Divisional Commander
Tarryl and Sharon Ray, Majors, Regional Coordinators

February 24, 2016

Mr. Tim Irvine
Executive Director
Texas Department of Housing and Community Affairs
P.O. Box 13941
Austin, TX 78711-3941

Re: Calallen Apartments
TDHCA #16343

Dear Mr. Irvine,

We would like to express our support for the proposed Calallen Apartments development to be located at approximately 14800 Northwest Blvd., Corpus Christi, TX 78410. Our 501(c)(3) nonprofit is involved with transitional housing for families and Veterans in the city of Corpus Christi. We encourage quality affordable housing accessible to working families like those we serve so that they may have more options as they successfully transition from our programs into permanent sustainable housing.

Our mission is to preach the gospel of Jesus Christ and to meet human needs in His name without discrimination. Our website can be found at www.salvationarmytexas.org/corpuschristi and provides additional information about our organization and the programs we offer.

Quality affordable housing opportunities are an integral component of serving those amongst us who are most in need. We encourage you to support this application for tax credits in the 2016 application cycle. Thank you for your attention and please do not hesitate to contact me if you have any questions.

Sincerely,

Tarryl Ray

Major Tarryl Ray
Area Commander
The Salvation Army of the Coastal Bend



ABOUT THE SALVATION ARMY

“Doing The Most Good.” In these four words, our mission – to feed, to clothe, to comfort, to care. To rebuild broken homes and broken lives. By walking with the addicted, we can lead them to recovery. In fighting hunger and poverty, we can feed and nurture the spirit. And, in living and sharing the Christian Gospel by meeting tangible needs, we give the world a lasting display of the love behind our beliefs.

The Salvation Army operates 7,618 centers in communities across the United States. These include food distribution, disaster relief, rehabilitation centers, anti-human trafficking efforts, and a wealth of children’s programs. Our work is funded through kettle donations, corporate contributions, and the sale of goods donated to our Salvation Army Family Stores. Eighty-two cents of every dollar we spend supports our various missions across the country. We are a tax-exempt 501(c)(3) organization, and contributions are deductible for Federal Income Tax Purposes to the extent permitted under Section 170(b)(2) for corporations.

An international movement, The Salvation Army is an evangelical arm of the universal Christian Church. Our message is based on the Bible, and our ministry is motivated by the love of God. We preach the Gospel of Jesus Christ and meet human needs in His name without discrimination.



DOING THE MOST GOOD®

DONATE

SEARCH

WAYS WE HELP

WAYS YOU CAN HELP

ABOUT US

ZIP OR CITY, ST SEAR

BELOW ARE THE SALVATION ARMY CENTERS THAT ARE NEAREST TO 'CORPUS CHRISTI'



THE SALVATION ARMY OF CORPUS CHRISTI, TEXAS

1802 Buford Street
CORPUS CHRISTI
78401

Services Offered:
Emergency Shelter
Store
Worship Services - Church

Telephone: (361) 884-9497
Email:
sa.corpuschristi_texas@uss.salvationarmy.org
Website: <http://>

SEARCH AGAIN

SEARCH

Enter your postcode or town to find us near you.

To narrow down your search results, please select a category below:

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- [Adult Rehabilitation Centers](#)
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- [Emergency Assistance](#)
- [Family Counseling Services](#)
- [Family Stores](#)
- [Health Services](#)
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- [Older Adult Services](#)
- [Worship Center](#)
- [Youth Services](#)

salvation army corpus Christi

Showing results for salvation army corpus Christi. Search instead for salvation army corpus Christi.

The Salvation Army Food Services 4.5 ★★★★★ (3) Social Services Organization - Josephine St



Salvation Army Thrift Store 3 - Thrift Store - S Padre Island Dr Open until 7:00 PM



The Salvation Army Community Center Community Center - Buford St



Salvation Army Portland Unit Charity - 7th St



Salvation Army Social Services - Keystone Dr Permanently closed

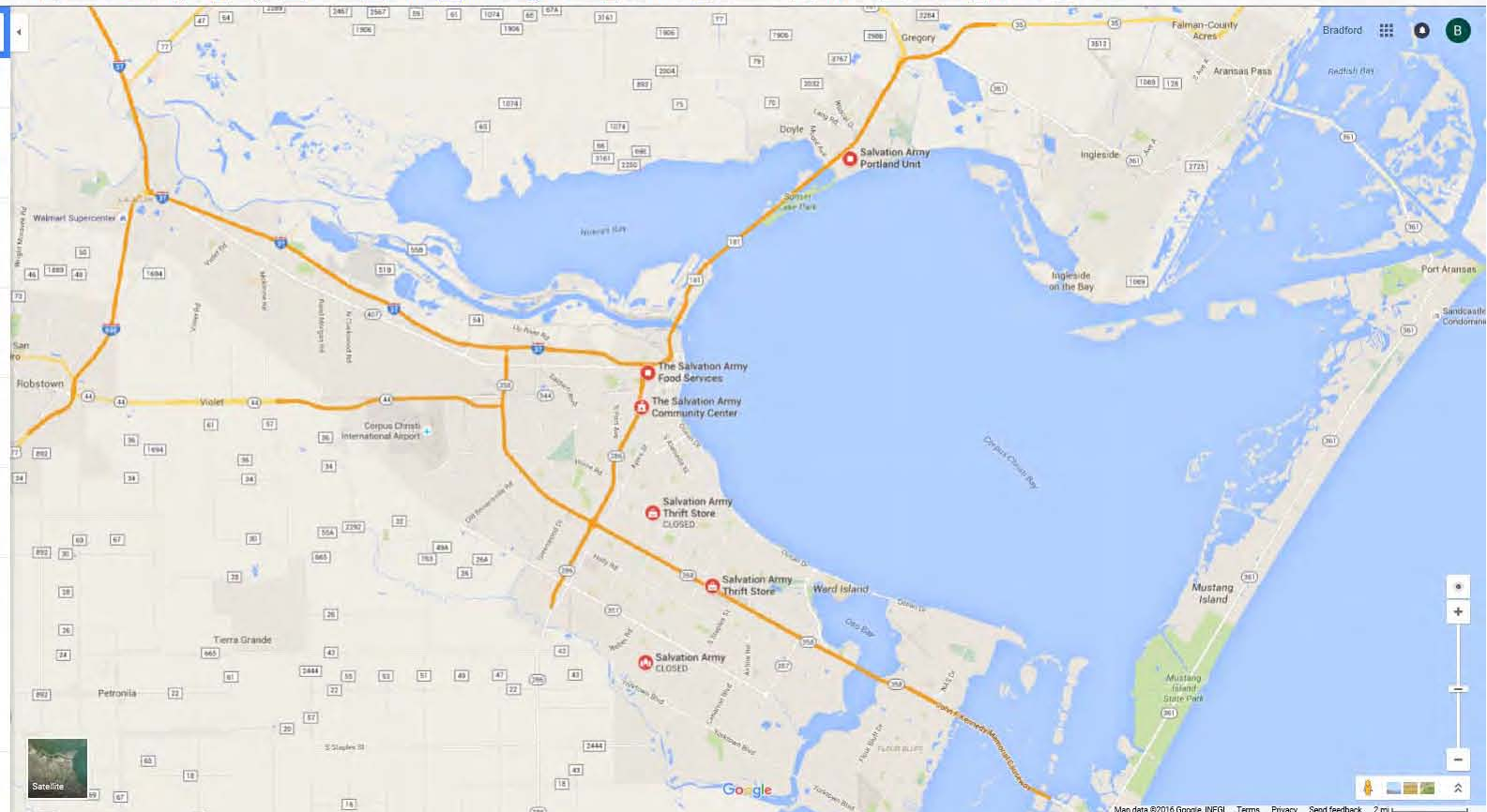


Salvation Army Thrift Store Thrift Store - Kostoryz Rd Permanently closed



Showing results 1 - 6

Update results when map moves



Application # 16033

Hughes Spring Seniors Apartments

- Applicant submitted 3 letters for points under Input from Community Organizations.
- Applicant did not submit any documentation regarding participation in the community for any of the letters.
- No deficiency was issued regarding the organizations' participation.
- Points were awarded, and eventually credits awarded.

CHAMBER OF COMMERCE
"WHERE HOSPITALITY IS A HABIT"
P.O. BOX 218 HUGHES SPRINGS TEXAS 75656

February 2, 2016

Murray Calhoun
MAC Real Estate, LLC
3224 26th Street
Metairie, LA 70002

Re: Letter of Support
Hughes Springs Seniors Apartments, Hughes Springs, TX, Application # 16033

Dear Mr. Calhoun,

The Chamber of Commerce supports the proposed acquisition and rehabilitation of the Hughes Springs Seniors Apartments in its current location. Our organization is a non-profit organization that serves the community in which this development is located.

Sincerely,

Signature Jeannie Adams
Tax ID # 1-75-2020561-2

TEXAS SECRETARY of STATE CARLOS H. CASCOS

[UCC](#) | [Business Organizations](#) | [Trademarks](#) | [Notary](#) | [Account](#) | [Help/Fees](#) | [Briefcase](#) | [Logout](#)

BUSINESS ORGANIZATIONS INQUIRY - VIEW ENTITY

Filing Number:	800102811	Entity Type:	<u>Domestic Nonprofit Corporation</u>
Original Date of Filing:	July 8, 2002	Entity Status:	In existence
Formation Date:	N/A	Non-Profit Type:	N/A
Tax ID:	17520205612	FEIN:	
Duration:	Perpetual		

Name: Hughes Springs Chamber of Commerce
Address: PO BOX 218
 Hughes Springs, TX 75656-0218 USA

REGISTERED AGENT	FILING HISTORY	NAMES	MANAGEMENT	ASSUMED NAMES	ASSOCIATED ENTITIES
Name	Address	Inactive Date			
Jeannie Windham	PO BOX 218 Hughes Springs, TX 75656 USA				

Instructions:

● To place an order for additional information about a filing press the 'Order' button.



First Baptist Church

February 4, 2016

Murray Calhoun
MAC-RE, LLC
3224 26th Street
Metairie, LA 70002

Re: Letter of Support
Hughes Springs Seniors Apartments, Hughes Springs, TX, Application # 16033

Dear Mr. Calhoun,

The First Baptist Church of Hughes Springs supports the proposed acquisition and rehabilitation of the Hughes Springs Seniors Apartments in its current location. Our organization is a non-profit organization that serves the community in which this development is located.

Sincerely,

Daniel Bramlett

Pastor

FBC, Hughes Springs, TX

TAX ID 45-2705116

TEXAS SECRETARY of STATE

CARLOS H. CASCOS

[UCC](#) | [Business Organizations](#) | [Trademarks](#) | [Notary](#) | [Account](#) | [Help/Fees](#) | [Briefcase](#) | [Logout](#)

BUSINESS ORGANIZATIONS INQUIRY - VIEW ENTITY

Filing Number: 801384339 **Entity Type:** Domestic Nonprofit Corporation
Original Date of Filing: February 14, 2011 **Entity Status:** In existence
Formation Date: N/A **Non-Profit Type:** N/A
Tax ID: 32043613523 **FEIN:**
Duration: Perpetual

Name: First Baptist Church of Hughes Springs Texas
Address: PO BOX 878
 HUGHES SPGS, TX 75656-0878 USA

REGISTERED AGENT	FILING HISTORY	NAMES	MANAGEMENT	ASSUMED NAMES	ASSOCIATED ENTITIES
Name	Address	Inactive Date			
Daniel Bramlet	302 East 3rd Street, PO Box 878 Hughes Springs, TX 75656 USA				

Instructions:

- To place an order for additional information about a filing press the 'Order' button.

**HOLLY SPRINGS WSC
P.O. BOX 1078
HUGHES SPRINGS, TX 75656**

February 2, 2016

Murray Calhoun
MAC Real Estate, LLC
3224 26th Street
Metairie, LA 70002

Re: Letter of Support
Hughes Springs Seniors Apartments, Hughes Springs, TX, Application # 16033

Dear Mr. Calhoun,

Billy Simon
Ward Supply Center
The ~~Ward Supply Center~~ supports the proposed acquisition and rehabilitation of the Hughes Springs Seniors Apartments in its current location. Our organization is a non-profit organization that serves the community in which this development is located.

Sincerely,

Signature *Pat Fehleitt office*
Tax ID # 75-2178196

TEXAS SECRETARY of STATE

CARLOS H. CASCOS

[UCC](#) | [Business Organizations](#) | [Trademarks](#) | [Notary](#) | [Account](#) | [Help/Fees](#) | [Briefcase](#) | [Logout](#)

BUSINESS ORGANIZATIONS INQUIRY - VIEW ENTITY

Filing Number:	40933401	Entity Type:	Domestic Nonprofit Corporation
Original Date of Filing:	June 28, 1977	Entity Status:	In existence
Formation Date:	N/A	Non-Profit Type:	Water Supply Corporation
Tax ID:	30003196539	FEIN:	
Duration:	Perpetual		
Name:	HOLLY SPRINGS WATER SUPPLY CORPORATION		
Address:	603 E 1ST Hughes Springs, TX 75656-3657 USA		

REGISTERED AGENT	FILING HISTORY	NAMES	MANAGEMENT	ASSUMED NAMES	ASSOCIATED ENTITIES
Name	Address	Inactive Date			
Rick Shelton	603 E. First St. Hughes Springs, TX 75656 USA				

Instructions:

- To place an order for additional information about a filing press the 'Order' button.

Application # 16162

EHA Liberty Village

- Applicant did not submit documentation supporting no HTC developments in census tract for Underserved Area.
- Deficiency was issued requesting the information be submitted.
- Note comment from staff and “MF-3/15/2016-10:32am-bps” on top right corner on following pages taken from the application, indicating additional documentation submitted by Applicant was accepted by staff.
- All points were awarded, and eventually credits awarded.

Development is located within appropriate distance of the following:

I certify that if the Development Site is located more than 2 miles from the school that free transportation is provided by the school district and evidence is provided behind this tab.

Target Population:

Tract Quartile:

School Rating for scoring (Elementary or closest):



Application is seeking Opportunity Index Points.

Total Points Claimed:

If necessary, provide a brief summary of how the Development Site is justifying the points selected:

Summary (lines 77-82 are hidden, and available if needed)

3. §11.9(c)(8) - Proximity to Important Services (Competitive HTC Applications Only)

Development is located within 1.5 mile radius, or 3 mile radius for Development in a Rural Area, of the services listed below. (Check all that apply)

Full Service Grocery Store

Pharmacy



Application is seeking Proximity to Important Services Points.

Total Points Claimed:

4. §11.9(c)(6) - Underserved Area (Competitive HTC Applications Only)

Applications may qualify for up to two (2) points for proposed Developments located in one of the following areas:

Colonia;

Economically Distressed Area;

A Place, or if outside of the boundaries of any Place, a county that has never received a competitive tax credit allocation or a 4% non-competitive tax credit allocation serving the same Target Population that remains active; or

For Rural Areas only, a census tract that has never received a competitive tax credit allocation or a 4% non-competitive tax credit allocation serving the same Target Population that remain active.

A census tract that has not received a competitive tax credit allocation or a 4% non-competitive tax credit allocation serving the same Target Population that remains active or if serving same Target Population then it has not received the allocation within the past 10 years.

Application is seeking Underserved Area Points.



Total Points Claimed:

See deficiency response excerpt on next page. - bps

UNDERSERVED AREA ---- Lopezville CDP / Liberty Village

- Liberty Village is located within the boundary of Lopezville CDP. **(See, Red Line Border)**
- Liberty Village is located within census tract 238.01. **(See, Purple Line Border)**
- Three existing tax credit deals are located within census tract 238.01 – **(See, pinpoints #03036, #15173, & #15264)**
- None of these three existing tax credit deals are located within the boundary of Lopezville CDP.
- Lopezville CDP has three census tracts overlapping its boundary – **(See, 238.01, 217.02, & 218.06)**
- 217.02 & 218.06 do not have any existing tax credit deals in the inventory.
- Liberty Village is claiming (2) underserved points for being in a “place” (i.e., Lopezville CDP) without an existing TC deal.



S Expy 281

#03036

General

#15173

General

233.01

Liberty Village

Alberta Dr Alberta Rd

Lopezville COP

#15264

General

217.02

N Veterans Blvd

N Raul Longoria Rd

218.06

W Trenton Rd

E Canton Rd

Canton Rd

E Trenton Rd

W Owassa Rd

S Cesar Chavez Rd

E Alberta Rd

W Minnesota Rd

S Alamo Rd

W Nolana Loop

N Alamo Rd



From: e e
To: k e s e e e i leslie lem ss i es m
Subject: 1 1 2 li i e i e i e le se k le e e ei
Date: s 1 2 1

In the course of the Department's Housing Tax Credit **Eligibility/Selection/Threshold** and/or Direct Loan review of the above referenced application, a possible Administrative Deficiency as defined in §10.3(a)(2) and described in §10.201(7)(A) and/or §10.201(7)(B) of the 2016 Uniform Multifamily Rules was identified. By this notice, the Department is requesting documentation to correct the following deficiency or deficiencies. Any issue initially identified as an Administrative Deficiency may ultimately be determined to be beyond the scope of an Administrative Deficiency, and the distinction between material and non-material missing information is reserved for the Director of Multifamily Finance, Executive Director, and Board.

1. Development Owner Certification has no selections marked. Note that page three has no designated spaces to indicate selections under "Unused Credit or Penalty Fee" but this section must still show a selection.
2. Hold harmless letter does not evidence receipt by addressee.
3. Contract for site should include the drainage easement if the easement is needed to develop the property, notwithstanding that the easement will be dedicated to the county or state.
4. Underserved area information is needed. Please map the locations of the HTC developments that are in the subject census tract and of any HTC developments that exist in any other census tract that is part of the CDP.
5. Development Cost Schedule has no cost corresponding to the relocation costs.
6. Site plan omits required language, i.e. "this site plan materially adheres, etc."
7. Site plan does not indicate the buildings by building type. There is no indication of which building is the one type 2b building versus the two 2a buildings.
8. Site plan is required to contain a table of buildings and units but the table in the plan is of units, only.
9. Site plan table unit sizes do not agree with unit sizes in the Building/Unit Type Configuration form and Rent Schedule.
10. Site plan table of unit sizes in the Feasibility Report site plan does not agree with Application site plan table of unit sizes.
11. Site plan number of parking spaces differs from Specifications and Building/Unit Type Configuration form.
12. Building/Unit Type Configuration and Rent Schedule does agree with the unit plans about the sizes of the units C and D.
13. Utility allowance schedule from the PHA is not in the application.
14. Financing Narrative statement of syndication rate is inconsistent with Sources and Uses.
15. BBVA Compass letter for Lumberton Senior Village is in the Liberty Village application.
16. Financing Narrative misstates the percentages of the equity pay-ins. This information is redundant anyway and can be deleted.
17. Financing Narrative disagrees with the Sources and Uses about deferred developer fee.
18. Financing Narrative should describe and quantify the city's contribution of \$100, operating subsidies (consistent with PHA letter), replacement reserves (consistent with equity letter) and commitment status of the funds.
19. Guarantor chart was omitted.
20. Eligibility Certification must be submitted for each Principal of Three B Ventures in the of Developer.
21. List of Organizations and Principals lists Longoria and Guzman as Principals in "Org. 2" but they are not in the charts.
22. Previous Participation Forms of Barrera, Rodriquez, Longoria, Gonzalez, and Guzman do not have the box marked in section one but no properties are listed.
23. Previous Participation Form of Ramirez has no properties listed although the box is not marked in

- section one and the List of Organizations and Principals indicates experience.
24. Previous Participation Forms must be submitted for each Principal of Three B Ventures in the of Developer.
 25. List of Nonprofit Organization's [etc. form] does not include Longoria.
 26. Applicant Credit Limit Documentation is not signed and dated.

The above list may not include all Administrative Deficiencies such as those that may be identified upon a supervisory review of the application. Notice of additional Administrative Deficiencies may appear in a separate notification.

All deficiencies must be corrected or otherwise resolved by 5 pm CST on the fifth business day following the date of this deficiency notice. Deficiencies resolved after 5 pm on the fifth business day will have 5 points deducted from the final score. For each additional day beyond the fifth day that any deficiency remains unresolved, the application will be treated in accordance with §10.201(7)(A) of the 2016 Uniform Multifamily Rules.

All deficiencies related to the Direct Loan portion of the Application must be corrected or clarified by 5pm CST on the fifth business day following the date of this deficiency notice. Deficiencies resolved after 5pm CST on the fifth business day will be subject to a \$500 fee for each business day that the deficiency remains unresolved. Applications with unresolved deficiencies after 5pm CST on the tenth day may be terminated.

Unless the person that issued this deficiency notice, named below, specifies otherwise, submit all documentation at the same time and in only one file using the Department's Serv-U HTTPs System. Once the documents are submitted to the Serv-U HTTPs system, please email the staff member issuing this notice. If you have questions regarding the Serv-U HTTPs submission process, contact Liz Cline at liz.cline@tdhca.state.tx.us or by phone at (512)475-3227. You may also contact Jason Burr at jason.burr@tdhca.state.tx.us or by phone at (512)475-3986.

All applicants should review §§11.1(b) and 10.2(b) of the 2016 QAP and Uniform Multifamily Rules as they apply to due diligence, applicant responsibility, and the competitive nature of the program for which they are applying.

****All deficiencies must be corrected or clarified by 5 pm on Thursday, March 17, 2016. Please respond to this email as confirmation of receipt.****

About TDHCA

The Texas Department of Housing and Community Affairs administers a number of state and federal programs through for-profit, nonprofit, and local government partnerships to strengthen communities through affordable housing development, home ownership opportunities, weatherization, and community-based services for Texans in need. For more information, including current funding opportunities and information on local providers, please visit www.tdhca.state.tx.us.

Thanks,

Ben Sheppard

Application # 16117

Indian Lake Apartment Homes

- Applicant submitted 4 letters for points under Input from Community Organizations.
- Applicant did not submit any documentation regarding organizations' participation in the community.
- Deficiency was issued requesting the information be submitted.
- Note "Rec'd 04/07/2016 3:46 PM – EH" on top right corner indicating staff accepted the additional documentation.
- In addition, the deficiency issued requested additional information for Sponsor Characteristics points.
- All points were awarded, and eventually credits awarded.



BOYS & GIRLS CLUBS OF LOS FRESNOS

February 18, 2016

To Whom It May Concern,

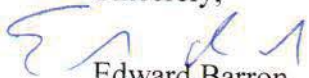
This letter is in support of the TX Indian Lakes, a development proposed for the Town of Indian Lake, Texas.

This 80 unit, multi-family development will provide much needed affordable housing to families in Cameron County. There is such a demand for quality, safe, affordable housing, particularly in the rural and suburban areas of our county, and this project will fill that need.

TX Indian Lakes, which has received the unanimous support of the Board of Aldermen of the Town of Indian Lake, will also provide much needed growth to the area, and help to expand the town's tax base.

Thank you for your consideration of this worthy project.

Sincerely,


Edward Barron
Executive Director



BOYS & GIRLS CLUBS OF LOS FRESNOS

Dear Ms. Henderson:

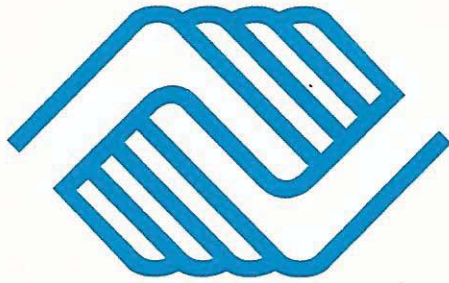
This letter should serve to confirm that the Boys & Girls Clubs of Los Fresnos active area includes both sites located at the NW corner of Old Alice Rd and Henderson, Indian Lake, TX and 400 East 3rd street, Los Fresnos TX. Our activity in that area includes (An afterschool program design for **Academic Success** – Youth demonstrate increased engagement in school and learning, and show improved academic success. BGCA's vision is that every member progresses to the next grade level on time and graduates with a plan for the future. **Good Character & Citizenship** – Youth demonstrate an increase in positive character traits and civic engagement, while also making contributions to their community. BGCA's vision is to inspire a generation of civically engaged youth who balance self-confidence with concern for others.

Healthy Lifestyles – Youth demonstrate improved healthy habits and decision – making skills, and show a strong commitment to leading a healthier lifestyle. BGCA's vision is to empower youth to make healthier choices.

Sincerely,

Edward Barron

*Boys & Girls Club of Los Fresnos
Ph: (956)233-1102
900 N. Arroyo Boulevard
Los Fresnos, TX 78566*



BOYS & GIRLS CLUBS OF LOS FRESNOS

April 7, 2016

Hon. Barbara Collum
Town of Indian Lake
62 S Aztec Cove
Indian Lake TX 78566

Dear Mayor Collum,

This letter is to confirm that the Boys and Girls Clubs of Los Fresnos serves children from the Town of Indian Lake, and membership in the club is open to residents of the Town of Indian Lake.

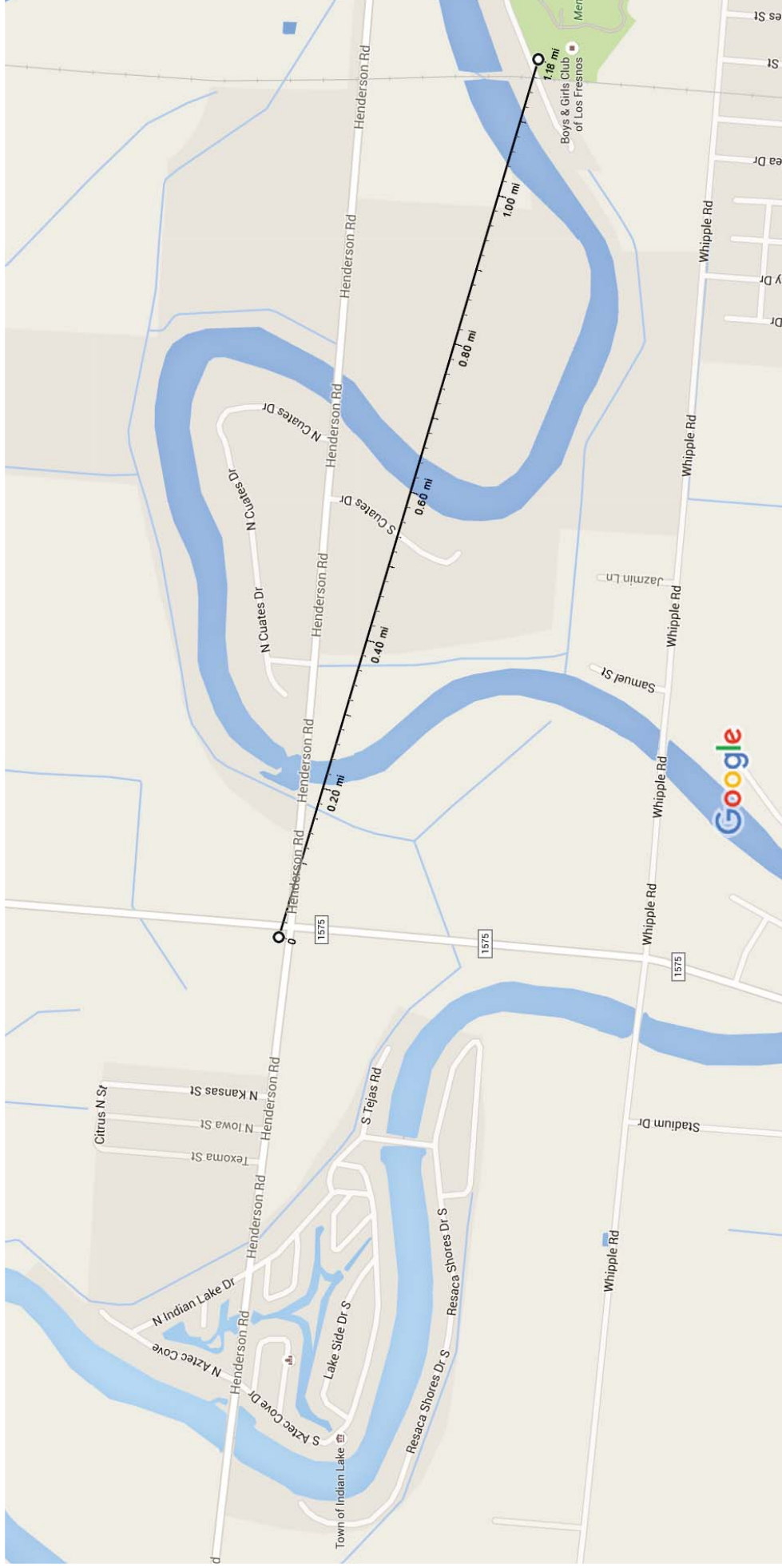
As the closest Boys and Girls Club to the Town of Indian Lake, only three miles away, our facility is well-situated to serve the town. We have served children of that community for over ten years and it's our pleasure to continue serving their children and residents in the future.

Sincerely,

A handwritten signature in blue ink, appearing to read 'E Barron', written in a cursive style.

EDWARD BARRON
Executive Director

Tx Indian Lake Apartments, Distance from site to Los Fresnos Boys and Girls Club



Measure distance
Total distance: 1.18 mi (1.91 km)

INTERNAL REVENUE SERVICE
P.O. BOX 2508
CINCINNATI, OH 45201

Date: **MAR 16 2000**

BOYS AND GIRLS CLUB OF LOS FRESNOS
TEXAS
200 N. BRAZIL STREET
LOS FRESNOS, TX 78566

DEPARTMENT OF THE TREASURY

Employer Identification Number:
74-2799966

DLN:
310076333

Contact Person:
CLAIR SZYMONIAK ID#75515

Contact Telephone Number:
(877) 829-5500

Accounting Period Ending:
December 31

Form 990 Required:
Yes

Addendum Applies:
No

Dear Applicant:

Based on information supplied, and assuming your operations will be as stated in your application for recognition of exemption, we have determined you are exempt from federal income tax under section 501(a) of the Internal Revenue Code as an organization described in section 501(c)(3).

We have further determined that you are not a private foundation within the meaning of section 509(a) of the Code, because you are an organization described in section 509(a)(1) and 170(b)(1)(A)(vi).

If your sources of support, or your purposes, character, or method of operation change, please let us know so we can consider the effect of the change on your exempt status and foundation status. In the case of an amendment to your organizational document or bylaws, please send us a copy of the amended document or bylaws. Also, you should inform us of all changes in your name or address.

As of January 1, 1984, you are liable for taxes under the Federal Insurance Contributions Act (social security taxes) on remuneration of \$100 or more you pay to each of your employees during a calendar year. You are not liable for the tax imposed under the Federal Unemployment Tax Act (FUTA).

Since you are not a private foundation, you are not subject to the excise taxes under Chapter 42 of the Code. However, if you are involved in an excess benefit transaction, that transaction might be subject to the excise taxes of section 4958. Additionally, you are not automatically exempt from other federal excise taxes. If you have any questions about excise, employment, or other federal taxes, please contact your key district office.

Grantors and contributors may rely on this determination unless the Internal Revenue Service publishes notice to the contrary. However, if you lose your section 509(a)(1) status, a grantor or contributor may not rely on this determination if he or she was in part responsible for, or was aware of, the act or failure to act, or the substantial or material change on the part of the organization that resulted

LOS FRESNOS LIONS CLUB
P. O. BOX 103
LOS FRESNOS, TX 78566

February 18, 2016

Ms. Elizabeth Henderson
Program Specialist III
Texas Department of Housing and Community Affairs
221 E. II th Street
Austin, TX 78701

Dear Ms. Henderson:

This letter should serve to confirm that the Los Fresnos Lion Club's active area includes both sites located at the NW corner of Old Alice Road and Henderson, Indian Lake, TX and 400 East 3rd Street, Los Fresnos, TX. The Lions Club serves both areas with food at Thanksgiving and Christmas, gifts for children at Christmas, and helps send handicapped children to summer camp. If you should need additional information please let me know.

Sincerely, 

LOS FRESNOS LIONS CLUB
2016 Board of Directors

Mary Jaramillo-President
Carl Macomb-Secretary/Treasurer
Sherry Macomb-Vice President

Adan Lopez
Hank Garcia
Noe Lopez

Jimmy Goss
Carlos Garcia

Agustin Lopez
Amy Gonzales
Neil Anderson

154 S Aztec Cove

154 S Aztec Cove

32 Resaca del Sol



Lions Clubs International

We are Lions.

300 W 22ND STREET • OAK BROOK ILLINOIS 60523-8842 USA • 630.571.5466



In response to your recent request regarding the association's exemption, enclosed is a copy of the original group exemption letter dated December 4, 1940, which exempts Lions Clubs International and all Lions clubs from federal income tax.

The association and its clubs are exempt from federal income tax under Internal Revenue Code Section 501(c)4 which is evident from the enclosed 1972 supplemental letter. For your information, the Group Exemption Number is 0239. Organizations which meet the tax definition of "charitable" are exempted under Section 501(c)3. At present we are unable, under our corporate purposes, to gain exemption under this Section. Please refer to the association's web site at www.lionsclubs.org (Click "Resources", "Forms" and "Legal") for further tax information.

If I may be of further assistance, please do not hesitate to contact me.

Sincerely yours,

A handwritten signature in cursive script that reads "Amy J. Peña".

Amy J. Peña
Attorney

AJP:kw

Attachments

LOS FRESNOS LIONS CLUB
P. O. BOX 103
LOS FRESNOS, TX 78566

April 8, 2015

Ms. Elizabeth Henderson
Program Specialist III
Texas Department of Housing and Community Affairs
221 E. 11th Street
Austin, TX 78701

Dear Ms. Henderson:

This letter should serve to confirm that the Los Fresnos Lion Club's active area includes both sites located at the NW corner of Old Alice Road and Henderson, Indian Lake, TX and 400 East 3rd Street, Los Fresnos, TX. The Lions Club serves both areas with food at Thanksgiving and Christmas, gifts for children at Christmas, and helps send handicapped children to summer camp.

If you should need additional information please let me know.

Sincerely,



Mary Jaramillo
President
Los Fresnos Lions Club

LOS FRESNOS LIONS CLUB
2016 Board of Directors

Mary Jaramillo-President
Carl Macomb-Secretary/Treasurer
Sherry Macomb-Vice President

Adan Lopez
Hank Garcia
Noe Lopez

Jimmy Goss
Carlos Garcia

Agustin Lopez
Amy Gonzales
Neil Anderson

154 S Aztec Cove

154 S Aztec Cove

32 Resaca del Sol





TREASURY DEPARTMENT

WASHINGTON

OFFICE OF
COMMISSIONER OF INTERNAL REVENUE

ADDRESS REPLY TO
COMMISSIONER OF INTERNAL REVENUE
AND REFER TO

IT:P:T:l

LLA

International Association of Lions Clubs,
332 South Michigan Avenue,
Chicago, Illinois.

DEC 4 1940

RECEIVED
LIONS INTERNATIONAL
DEC 6 1940

Sirs:

Reference is made to evidence submitted for use in determining your status and the status of your districts and subordinate clubs for Federal income and employment tax purposes.

The records of the Bureau disclose that under date of December 20, 1926, you were held exempt from Federal income tax under the provisions of section 231(9) of the Revenue Act of 1926 and the corresponding provisions of prior revenue acts.

It is the opinion of this office, based upon the evidence presented, that you and your districts and subordinate clubs appearing in four revised copies of the "Annual Directory Lions International", of August, 1940, are exempt from Federal income tax under the provisions of section 101(9) of the Internal Revenue Code and the corresponding provisions of prior revenue acts.

Accordingly, you and your districts and subordinate clubs appearing in the "Annual Directory Lions International" will not be required to file returns of income unless there is a change in the character, purposes, or method of operation of your organization or of your districts and subordinate clubs. Any such changes should be immediately reported by you to this Bureau in order that the effect of the changes upon your present exempt status may be determined.

You should furnish the Bureau annually on the calendar-year basis lists in quadruplicate, showing only the names and addresses of any districts and subordinate clubs which were chartered during the calendar year and the names and addresses of any districts and clubs which for any reason ceased to exist. Such annual lists should be accompanied by a statement sworn to by one of your principal officers as to whether or not the information heretofore submitted by you, and on which this ruling is based, is applicable in all respects to the new districts and clubs appearing on the lists, and should be forwarded so as to reach this office not later than February 15 of the following year.

AN'S

International Association of Lions Clubs.

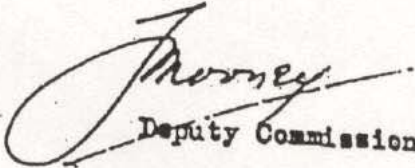
Since any organization which is exempt from Federal income tax under the provisions of section 101 of the Internal Revenue Code, also is exempt from the capital stock tax pursuant to the express provisions of section 1201(a)(1) of the Internal Revenue Code, you and your district and subordinate clubs will not be required to file capital stock tax returns for future years so long as the exemption from income tax is effective.

The determination of your status and that of your districts and subordinate clubs for Federal employment tax purposes will be made the subject of a separate communication.

A copy of this ruling is being transmitted to the collectors of internal revenue for the various districts in which your districts and subordinate clubs are located.

By direction of the Commissioner.

Respectfully,


Deputy Commissioner.

Department of the Treasury

Internal Revenue Service
Washington, DC 20224

Date:

AUG 24 1972

In reply refer to:

Form M-3444
T:MS:EO:R



RECEIVED
ROY SCHAEZEL

AUG 24 1972

General Counsel
LIONS INTERNATIONAL

▷ The International Association of
Lions Clubs
c/o Roy Schaezel
York and Cermak Roads
Oak Brook, Illinois 60521
EIN 36-1263962 DO 36

Gentlemen:

Date of original group exemption letter: December 4, 1940
I.R. Code: Section 501(c)(4)

Based on the information supplied, we rule that the new subordinates you recently submitted for addition to your group exemption roster are exempt from Federal income tax under the section of the Internal Revenue Code shown above. This ruling supplements your original group exemption letter.

Each subordinate is required to file Form 990, Return of Organization Exempt From Income Tax, if its annual gross receipts are normally more than \$5,000. If filing is required, and if you do not include the subordinates in a group return, each must file the Form 990 by the 15th day of the fifth month after the end of its annual accounting period.

The new subordinates are not required to file a Form 1120 income tax return. However, if they are subject to tax on unrelated business income under section 511 of the Code, they must file Form 990-T.

The new subordinates are liable for social security taxes under the Federal Insurance Contributions Act and, if they employ four or more individuals, for the tax under the Federal Unemployment Tax Act.

Next year, within 45 days after your annual accounting period closes, please send us two copies of the following information about your subordinates:

1. A statement describing all changes during the year in the purposes, character, or method of operation of your subordinates.

2. A list showing the name, employer identification number (if the subordinate is required to file Form 990), and mailing address, including ZIP Code, of each subordinate on your group exemption roster that during the year:
 - a. changed its name or address;
 - b. was deleted from the roster; or
 - c. was added to the roster.

A directory of subordinates may be substituted for this list if it includes the required information and identifies the affected subordinates according to the three categories above.

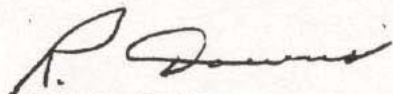
3. For subordinates added to the roster, a letter signed by one of your principal officers containing or attaching:
 - a. a statement that the information upon which your present group exemption letter is based applies to the new subordinates;
 - b. a statement that each has given you written authorization to add its name to the roster; and
 - c. a list of those to which the Service previously issued separate rulings or determination letters relating to exemption.
4. If applicable, a statement that your group exemption roster did not change during the year.

Please be sure to enter your employer identification number on all your tax returns and in your correspondence with the Internal Revenue Service.

Thank you for your cooperation.

Sincerely yours,

Acting



Chief, Rulings Section
Exempt Organizations Branch

LOS FRESNOS RODEO COMMITTEE, INC.
P. O. BOX 103
LOS FRESNOS, TX 78566

February 18, 2016

Ms. Elizabeth Henderson
Program Specialist III
Texas Department of Housing and Community Affairs
221 E. II th Street
Austin, TX 78701

Dear Ms. Henderson:

This letter should serve to confirm that the Los Fresnos Rodeo Committee's active area includes both sites located at the NW comer of Old Alice Road and Henderson, Indian Lake, TX and 400 East 3rd Street, Los Fresnos, TX. The Rodeo Committee serves a114-H and FFA students in Cameron County, Texas which includes both areas. Additionally, the Rodeo Committee provides a rodeo, stock show, carnival and concerts.

If you should need additional information please let me know.

Sincerely, 

[Home](#) > [About Us](#) > Los Fresnos Rodeo Committee Directors

LOS FRESNOS RODEO COMMITTEE DIRECTORS

PRO RODEO SINCE 1989

Since its beginning in 1989, The LosFresnos PRCA Rodeo has grown to be the Biggest Little Rodeo in Texas! A small group of forward thinking individuals got together with a dream for our community. We have been blessed by God to have the skills, hard working people, and great community partnerships to keep bringing this weekend to you. Without you the dream would have never been fulfilled. So hats off to you!!! Your support and friendship will be forever cherished.

BOARD OF DIRECTORS

Mike Todd	Chairman	27 years
George Gomez	Vice-Chairman	27 years
Carl Macomb	Treasurer	27 years
Dwight Chaffin	Secretary	24 years
Carlos Salazar	Director	27 years
John Cardoza	Director	26 years
Larry Cantu	Director	23 years
Mark Milum	Director	23 years
Jerry Reed	Director	20 years
Bill McCormick	Director	20 years
Noel Lopez	Director	18 years
Jimmy Goss	Director	16 years
Jim Moses	Director	16 years
Jeff Crow	Director	13 years
Agustin Lopez Jr.	Director	12 years
Juan Garcia	Director	12 years
Mike Meyn Jr.	Director	10 years
Daniel Zurita	Director	9 years
Wesley Milum	Director	8 years
Milan Jirmasek	Director	5 years
Ron Bowen	Director	5 years
James Harris	Director	4 years
Hurlee Cherrington	Director	3 years
Henry Juarez	Director	3 years
Tyson Zufelt	Director	2 years

Home Address: 49 W Resaca Del Sol, Los Fresnos, TX

Home Address: 14 Buena Vista Ln, Los Fresnos, TX

Home Address: 154 S Aztec Cove, Los Fresnos, TX

Home Address: 64 Resaca Del Sol, Los Fresnos, TX

ASSOCIATE DIRECTORS

This group of individuals are the unsung heroes of our organization. They are all extremely important to the entire organization and the volunteered man hours are invaluable to the success of the Los

Los Fresnos Rodeo Committee Inc

Los Fresnos, Texas

EIN: 74-2594936

Business promotion (chamber of commerce, business league, etc.

Other cultural or historical activities

Like 0

Share

Tweet 0

+1 0

Buffer 0

Tweet 0

reddit this!

DEMOGRAPHIC



[View Larger Map](#)

ADDRESS

PO BOX 103
78566-0103

IN CARE OF NAME

N/A

TELEPHONE / FAX

N/A

WEBSITE / EMAIL

N/A

DBA NAME(S)

N/A

FACEBOOK PAGE

N/A

GOOGLE+ PAGE

N/A

TWITTER PAGE

N/A

CLASSIFICATION

ORGANIZATION CODE

1: Corporation

DEDUCTIBILITY CODE

2: Contributions are not deductible

AFFILIATION CODE

3: Independent

SUBSECTION/CLASSIFICATION CODES

N/A

ACTIVITY CODES

200: Business promotion (chamber of commerce, business league, etc.

119: Other cultural or historical activities

NTEE COMMON CODE

N/A

NTEE CODE

N/A

FOUNDATION CODE

00: All organizations except 501(c)(3)

EXEMPT ORGANIZATION STATUS CODE

1: Unconditional Exemption



Texas Department of Housing and Community Affairs
P.O. Box 13941
Austin, TX 78711

To whom it may concern:

I am writing to extend my organization's full support for the new construction proposed for the Indian Lake Apartment Homes, located at the northwest corner of Henderson and Old Alice Road in Indian Lake, Texas in Cameron County. I understand that Indian Lakes will be considered for 9% low income tax credits from the Texas Department of Housing and Community Affairs in the 2015 competitive round.

I believe this project represents a magnificent opportunity to continue to meet the growing need for affordable housing in Cameron County. The amenities, location, and the tenant social services to be offered will continue to raise the standard of living for all of the families fortunate enough to call Indian Lakes home.

I fully support TX Indian Lakes Apartments, LP in its efforts to win tax credits and see this development to fruition in the coming year.

Please keep me aware of developments concerning this project.

Respectfully,

Enrique C. Juarez
President

From: li e e es
To: [eliss](#) [mi](#) [ill is e](#)
Subject: 1 11 li i e i e i ke me mes
Date: i il 1 2 1

In the course of the Department's Housing Tax Credit **Eligibility/Selection/Threshold** and/or Direct Loan review of the above referenced application, a possible Administrative Deficiency as defined in §10.3(a)(2) and described in §10.201(7)(A) and/or §10.201(7)(B) of the 2016 Uniform Multifamily Rules was identified. By this notice, the Department is requesting documentation to correct the following deficiency or deficiencies. Any issue initially identified as an Administrative Deficiency may ultimately be determined to be beyond the scope of an Administrative Deficiency, and the distinction between material and non-material missing information is reserved for the Director of Multifamily Finance, Executive Director, and Board.

- . Tab 2, Owner Certification – The boxes pertaining to returned credits were missed (no lines printed on the form so nearly everyone is missing them). Complete these boxes and resubmit the form.
- . Tab 9, Schools – Provide evidence of how the middle school and high school were identified. Include information from the school district that verifies that the schools you selected are the correct ones for the development site.
- . Tabs 18, Common Amenities – The points elected are not consistent with the number of units being provided. Revise and resubmit.
- . Tab 22, Clubhouse Plan – The clubhouse plan is not legible. Provide a legible plan.
- . Tab 22, Elevations – The elevations and the measurements on them are not legible. Provide legible plans.
- . Tab 36, Sponsor Characteristics – The statement about how the HUB will materially participate was not found in the Application. Provide the statement or tell me where it is located.
- . Tab 39, Previous Participation – Review the names on these forms. Some of them are not consistent with the org charts.
- . Tab 43, Architect Certification – Provide the 2016 form executed. The provided form doesn't show its year.
- . Tab 45, Credit Limit - Review the names on these forms. Some of them are not consistent with the org charts.
- 0. Tab 45, Credit Limit, Pt. 2 – If the names on the Part 1 change, provide an updated Part 2.
- 1. ESA – In the ESA, I did not see the reliance statement. Provide the reliance statement from the report provider or state where it is located.
- 2. Feasibility Report – The statement about adherence to local codes and ordinances was not

found in the report or on the site plan. Please clarify.

3. Input From Community Organizations – I did not find evidence among any of your community organization letters showing their presence or activities in the city of the development. Provide such evidence and preferably not in letter form.

The above list may not include all Administrative Deficiencies such as those that may be identified upon a supervisory review of the application. Notice of additional Administrative Deficiencies may appear in a separate notification.

All deficiencies must be corrected or otherwise resolved by 5 pm CST on the fifth business day following the date of this deficiency notice. Deficiencies resolved after 5 pm on the fifth business day will have 5 points deducted from the final score. For each additional day beyond the fifth day that any deficiency remains unresolved, the application will be treated in accordance with §10.201(7)(A) of the 2016 Uniform Multifamily Rules.

All deficiencies related to the Direct Loan portion of the Application must be corrected or clarified by 5pm CST on the fifth business day following the date of this deficiency notice. Deficiencies resolved after 5pm CST on the fifth business day will be subject to a \$500 fee for each business day that the deficiency remains unresolved. Applications with unresolved deficiencies after 5pm CST on the tenth day may be terminated.

Unless the person that issued this deficiency notice, named below, specifies otherwise, submit all documentation at the same time and in only one file using the Department's Serv-U HTTPs System. Once the documents are submitted to the Serv-U HTTPs system, please email the staff member issuing this notice. If you have questions regarding the Serv-U HTTPs submission process, contact Liz Cline at liz.cline@tdhca.state.tx.us or by phone at (512)475-3227. You may also contact Jason Burr at jason.burr@tdhca.state.tx.us or by phone at (512)475-3986.

All applicants should review §§11.1(b) and 10.2(b) of the 2016 QAP and Uniform Multifamily Rules as they apply to due diligence, applicant responsibility, and the competitive nature of the program for which they are applying.

****All deficiencies must be corrected or clarified by 5 pm on April 8, 2016. Please respond to this email as confirmation of receipt.****

About TDHCA

The Texas Department of Housing and Community Affairs administers a number of state and federal programs through for-profit, nonprofit, and local government partnerships to strengthen communities through affordable housing development, home ownership opportunities, weatherization, and community-based services for Texans in need. For more information, including current funding opportunities and information on local providers, please visit www.tdhca.state.tx.us.

Elizabeth Henderson

Program Specialist III

Application # 16082

Lake Ridge Apartments

- Applicant submitted 2 letters for points under Input from Community Organizations.
- Applicant did not submit any documentation regarding tax-exempt status of the organizations.
- No deficiency was issued regarding the organizations' status.
- In addition, the deficiency issued requested additional information for both Opportunity Index and Sponsor Characteristics points.
- All points were awarded, and eventually credits awarded.



P O Box 581 Voice: (903) 887-3152 info@cedarcreeklakechamber.com
Mabank, TX 75147 Fax: (903) 887-3695 www.cedarcreeklakechamber.com

***“The Mission Statement of the Cedar Creek Lake Area Chamber of Commerce
Is to attract, promote, and provide benefits for a growing community.”***

February 25, 2016

Emily Lindsey
HVM 2016 Mabank, Ltd.
P.O. Box 190
Burnet, Texas 78611

Dear Ms. Lindsey,

This letter will express our support for your efforts to obtain Housing Tax Credits from the Texas Department of Housing and Community Affairs, for HVM 2016 Mabank, Ltd.

The anticipated rehabilitation of Lake Ridge Apartments (currently Pecan Grove Village Apartments), located here in Mabank, will have a significant impact on the availability of safe, sanitary, and affordable housing for the citizens of the communities in Kaufman County, where affordable housing remains a critical need.

We sincerely hope that the Texas Department of Housing and Community Affairs will also recognize the ongoing need for affordable housing in Mabank, through their rehabilitation financing, which will provide support of this vital property.

We are pleased for the opportunity to show our support for your plans, and wish you the best of luck in your endeavor.

Should you require any further information, please do not hesitate to contact me.

Sincerely,

A handwritten signature in black ink that reads "Jo Ann Hanstrom".

Jo Ann Hanstrom
President/CCLAC

Gun Barrel City ~Mabank~Tool/Seven Points/Kemp
“Working Together for Community Unity”



- [HOME](#)
welcome
- [ABOUT US](#)
what & who
- [ABOUT THE LAKE](#)
community info
- [EVENTS CALENDAR](#)
chamber happenings
- [BECOME A MEMBER](#)
benefits & sign-up
- [MEMBER LIST](#)
current members
- [CONTACT US](#)
our info

ABOUT US

"The Mission Statement of The Cedar Creek Lake Area Chamber of Commerce is to attract, promote and provide benefits for a growing business community."

Gun Barrel City • Eustace • Kemp • **Mabank** • Seven Points • Tool
"Working Together For Community Unity"

A relatively young organization (established in 2001), The Cedar Creek Lake Area Chamber of Commerce now boasts a membership approaching 500 members. Conveniently located at 604 S. Third Street in Mabank, the chamber offers exclusive referral to members, and maintains racks for a host of brochures, business cards, and other literature on chamber businesses and civic organizations. The friendly staff is on hand Monday – Friday, 9-12 and 1-5, closed Saturday, Sunday and holidays.

Under the direction of an eleven member Board of Directors representing the four chamber chapters, the chamber sponsors and/or participates in numerous activities each year, including: the Annual Awards Banquet in March, The Cedar Creek Lake Car Show & Kiwanis Krawfish Boil in May, The "Red Hot 18" Golf Tournament in July, Mabank ISD New Teachers Luncheon in August, Cedar Creek Lake Fall Business Expo in October, Leadership Cedar Creek Lake September – May annually, Monthly Luncheon meetings and a Monthly Business After Hours. Periodic seminars and workshops are hosted by the chamber to enhance business owner learning opportunities.

The Cedar Creek Lake Car Show & Kiwanis Krawfish Boil, held the first Saturday in May, has quickly become a premier event in east Texas. On the one day in May, funds are raised for the chamber, Kiwanis Club of Cedar Creek Lake and the Mabank ISD Education Foundation, through Drive One 4 UR School during the Car Show.

The 2013 event featured over 170 beautiful show cars, trucks, motorcycles and FUN for the community. Visit www.CedarCreekLakeCarShow.net for more information.

In addition to the many annual chamber "Hub" activities, the four chapters independently sponsor their own various community events, including Western Week in Mabank in June and Pioneer Days in Eustace in the fall. Several of the chapters host networking events monthly. Please check our Calendar of Events for a complete list. CCLACC Ambassadors, a group of approximately 20 volunteer chamber advocates, attend ribbon cuttings, solicit new members and assist where needed. The group meets for lunch the third Tuesday of each month and all members are encouraged to join.

For information on becoming a member of The Cedar Creek Lake Area Chamber of Commerce, call 903.887.3152 or email info@cedarcreeklakechamber.com.

Watch the "News" section of our Home Page for upcoming events and immediate information of interest.

ABOUT THE LAKE

Cedar Creek Lake was voted Winner of D Magazine's "Worth the Commute" several years ago, featuring Best Places to Live.

[read more ...](#)

BECOME A MEMBER

Joining the Chamber of Commerce is not an expense, it's an investment! AND MORE... Meeting Notices, Educational Opportunities.

[member benefits ...](#)

EVENTS CALENDAR

Please visit our Events Calendar to view all the upcoming Chamber sponsored functions in the Greater Cedar Creek Lake Area!

[view calendar ...](#)

Kaufman County Senior Citizens Services, Inc.

P.O. Box 836
200 S. Virginia
Terrell, TX 75160



Phone - 972.563.1421
Fax - 972.563.1491
Web - www.nohungrysenior.org

February 25, 2016

Emily Lindsey
HVM 2016 Mabank, Ltd.
P.O. Box 190
Burnet, Texas 78611

Dear Ms. Lindsey,

Please accept this letter expressing our support for your efforts to obtain Housing Tax Credits from the Texas Department of Housing and Community Affairs, for HVM 2016 Mabank, Ltd.

The anticipated rehabilitation of Lake Ridge Apartments (currently Pecan Grove Village Apartments), located here in Mabank, will make a significant impact on the availability of safe, sanitary, and affordable housing for the citizens of the communities in Kaufman County, where affordable housing remains a critical need.

We sincerely hope that the Texas Department of Housing and Community Affairs will also recognize the ongoing need for affordable housing in Mabank, through their rehabilitation financing which will support of this vital property.

We appreciate the opportunity to show our support for your plans, and wish you the best of luck in your endeavor.

Should you require any further information, please do not hesitate to contact us.

Sincerely,

A handwritten signature in cursive script that reads "Phyllis Walker". The signature is written in black ink and is positioned above the printed name.

Phyllis Walker
Director of Aging Services
Kaufman County Senior Citizens Services Inc.

KAUFMAN COUNTY SENIOR CITIZENS SERVICES

Mabank Center

Mabank Center: The Senior Center at the Ballpark



The Senior Center at the Ball Park in Mabank, Texas is a place for all senior citizens 60 years old and older, to come make lots of new friends, participate in many activities, eat lunch , and just have lots of fun. We are open Monday through Friday, and during the week we have many scheduled activities. On Mondays, Wednesdays, and Fridays we have several 42 tables (dominos) going. We have a scheduled Bible Study every Wednesday at 10:00 a.m. We also have a 40 minute exercise class on Mon., Wed.,and Fri. Tuesdays and Thursdays we have bingo games going. We have many different things we do throughout the month just to add a little variety to our activities. Every third Tuesday of the month we have an evening dance with a live country and western band with a covered dish dinner. Every last Wednesday of the month we have a Pot Luck Birthday lunch.

Event Schedule

Our Facility



Enjoy conversation, camaraderie, activities and a delicious, nutritious meal five days a week. Each Center is unique in its' offerings and takes pride in catering to the local seniors. It's easy to get involved and there is no membership fee.



Contact Person:
Lisa Smith, Site Director

405 West Walnut
Mabank, TX 75147

Phone:
(903) 887-0067

Programs:
Dancing and Activities

Hours:
Monday - Friday 8:00am - 1:00pm

Need a Ride?
Call STAR Transit at (972) 563-5875

Mabank Senior Center

Today

February 2016

Print Week Month Agenda

Sun	Mon	Tue	Wed	Thu	Fri	Sat
31	Feb 1	2	3	4	5	6
7	8	9	10	11	12	13
14	15	16	17	18	19	20
21	22	23	24	25	26	27
28	29	Mar 1	2	3	4	5

Events shown in time zone: Eastern Time

Calendar

Do you know of someone who needs Meals on Wheels?

Please call us at (972) 563-1421

Important Links and Hotlines

[STAR Transit Transportation](#)

[Social Security Administration](#)

[Elder Abuse Hotline \(800\) 252-5400](#)

[DADS - Department of Aging and Disability Services](#)

Local Senior Meal Sites

[Kaufman Senior Center](#)

[Terrell Senior Center](#)

[Forney Senior Center](#)

[Mabank Senior Center](#)

[Corsicana / Navarro County Meals on Wheels](#)

Get In Touch

PO Box 836
200 S Virginia
Terrell, TX 75160

Like 248 people like this. Be the first of your friends.

 (972) 563-1421

 [Click Here to Email Us](#)

From: i l i e
To: [mil](#) [me](#) [e is](#) [e](#)
Subject: 1 2 l i i e i e i e
Date: e es 1 2 1 1
Importance: i

In the course of the Department's Housing Tax Credit **Eligibility/Selection/Threshold** and/or Direct Loan review of the above referenced application, a possible Administrative Deficiency as defined in §10.3(a)(2) and described in §10.201(7)(A) and/or §10.201(7)(B) of the 2016 Uniform Multifamily Rules was identified. By this notice, the Department is requesting documentation to correct the following deficiency or deficiencies. Any issue initially identified as an Administrative Deficiency may ultimately be determined to be beyond the scope of an Administrative Deficiency, and the distinction between material and non-material missing information is reserved for the Director of Multifamily Finance, Executive Director, and Board.

1. Development Owner Certification form: Page 3 requires that the applicant mark a selection of one of the two paragraphs headed "Unused Credit or Penalty Fee (select one box as applicable)." The box is not visible. Therefore, please mark the appropriate blank space.
2. Mandatory Community Assets: The radius is not identified on the map.
3. Site Information Form II: Several pages of the form were omitted. Please submit the 2nd and 3rd pages.
4. Opportunity Index: Please explain how the application is eligible for points under §11.9(c) (4). The radius is not identified on the map.
5. Acquisition and Rehabilitation Information: The Rental Agreement has "one year" struck through. Please clarify the term for the rental assistance.
6. Occupied Developments: The Resident Relocation Plan indicates tenants may need to be relocated, however, there is no relocation budget in the Plan or in the Development Cost Schedule. Please clarify and revise any appropriate exhibit(s).
7. Site Plan: Clarify whether there are any easements and the location of a detention/retention pond.
8. Unit Plans: The square footage stated on the 2 BD unit type does not agree with the Rent Schedule or Building/Unit Type Configuration. Please clarify and revise the appropriate exhibit(s) so that all documents are consistent.
9. Annual Operating Expenses: Revise the exhibit to include a description of any expenses listed as "other". Avoid the term, "misc".
10. Commitment Letter: Submit the transfer letter from the USDA and evidence of the balance of the USDA 515 loan pursuant to §10.204(7)(A)(iii) of the 2016 Uniform Multifamily Rules.
11. Development Owner Contribution: The Development appears to have been financed by more than 5% from the Development Owner. Submit a letter from a Third Party CPA verifying the capacity of the Development Owner to provide funding with funds that are not otherwise committed or pledged and a letter from the Development Owner's bank

confirming such funds are available to the Development Owner.

12. Sponsor Characteristics: Please explain how the HUB is eligible for points under §11.9(b)(2). Clarify the experience of the HUB. The Experience Certificate submitted is for a non-member officer per the Ownership chart.
13. Sponsor Characteristics: The HUB certificate is not legible. The font appears to have turned into boxes during PDF conversion.
14. Guarantor Chart: Clarify the guarantor chart pursuant to §10.204(13) of the 2016 Uniform Multifamily Rules.
15. Previous Participation: The box in Part 2 was not selected to certify no prior experience with any other TDHCA administered programs and no selections were made to indicate prior experience. Please clarify by either checking the box or making selections in Part 2 for each of the submitted Previous Participation forms.
16. Appraisal: Submit a statement from the report provider that the preparer has read and understood §10.304 of the 2016 Uniform Multifamily Rules. The report references 2015 Rules.

The above list may not include all Administrative Deficiencies such as those that may be identified upon a supervisory review of the application. Notice of additional Administrative Deficiencies may appear in a separate notification.

All deficiencies must be corrected or otherwise resolved by 5 pm CST on the fifth business day following the date of this deficiency notice. Deficiencies resolved after 5 pm on the fifth business day will have 5 points deducted from the final score. For each additional day beyond the fifth day that any deficiency remains unresolved, the application will be treated in accordance with §10.201(7)(A) of the 2016 Uniform Multifamily Rules.

All deficiencies related to the Direct Loan portion of the Application must be corrected or clarified by 5pm CST on the fifth business day following the date of this deficiency notice. Deficiencies resolved after 5pm CST on the fifth business day will be subject to a \$500 fee for each business day that the deficiency remains unresolved. Applications with unresolved deficiencies after 5pm CST on the tenth day may be terminated.

Unless the person that issued this deficiency notice, named below, specifies otherwise, submit all documentation at the same time and in only one file using the Department's Serv-U HTTPs System. Once the documents are submitted to the Serv-U HTTPs system, please email the staff member issuing this notice. If you have questions regarding the Serv-U HTTPs submission process, contact Liz Cline at liz.cline@tdhca.state.tx.us or by phone at (512)475-3227. You may also contact Jason Burr at jason.burr@tdhca.state.tx.us or by phone at (512)475-3986.

All applicants should review §§11.1(b) and 10.2(b) of the 2016 QAP and Uniform Multifamily Rules as they apply to due diligence, applicant responsibility, and the competitive nature of the program for which they are applying.

17363

Executive Director's
Response



TEXAS DEPARTMENT OF HOUSING AND COMMUNITY AFFAIRS

www.tdhca.state.tx.us

Greg Abbott
GOVERNOR

BOARD MEMBERS

J. Paul Oxer, *Chair*
Leslie Bingham-Escareño, *Vice Chair*
Juan S. Muñoz, PhD
T. Tolbert Chisum
Tom H. Gann
J.B. Goodwin

May 17, 2017

Writer's direct phone # (512) 475-3296
Email: tim.irvine@tdhca.state.tx.us

Mr. John C. Shackelford
Shackelford, Bowen, McKinley & Norton, LLP
9201 N Central Expressway
Dallas, TX 75231

RE: APPEAL OF SCORING NOTICE: 17363 RESIDENCES OF LOG BRANCH, ROWLETT, TEXAS

Dear Mr. Shackelford:

The Texas Department of Housing and Community Affairs (the "Department") is in receipt of your appeal, dated May 2, 2017, of the scoring notice for the above referenced Application. This Application was denied three points under 10 TAC §11.9(c)(6) of the 2017 Qualified Allocation Plan ("QAP") related to Underserved Area because the Application did not include evidence that the Development Site is in a census tract that is within the boundaries of an incorporated area; and four points under §11.9(d)(6), related to Input from Community Organizations, because the Application did not include evidence that the organizations that provided letters to score points under this item are tax-exempt organizations.

Regarding the loss of points under §11.9(c)(6) related to Underserved Area, you take the position that staff could use various documents within the Application to conclude that the Application qualifies for the points. Per §11.9(c)(6):

Underserved Area. (§§2306.6725(b)(2); 2306.127, 42(m)(1)(C)(ii)) An Application may qualify to receive up to five (5) points if the Development Site is located in one of the areas described in subparagraphs (A) - (E) of this paragraph, **and the Application contains evidence substantiating qualification for the points.**

... (C) A census tract within the boundaries of an incorporated area that has not received a competitive tax credit allocation or a 4 percent non-competitive tax credit allocation for a Development within the past 15 years and continues to appear on the Department's inventory (3 points);

The Application did not include documentation of the boundaries of the census tract, or of the positioning of those boundaries relative to the boundaries of the incorporated area. Staff does not engage in proving that an application qualifies for points; staff verifies whether an Application qualifies for points based upon the documentation submitted in the Application. The Application simply did not include documentation that would allow staff to conclude that the points should be awarded.



Regarding the loss of points under §11.9(d)(6) related to Input from Community Organizations, your appeal states that “[t]here is little guidance regarding any specific documentation that should be submitted with these letters.” Per §11.9(d)(6)(A):

(A) An Application may receive two (2) points for each letter of support submitted from a community or civic organization that serves the community in which the Development Site is located. ... To qualify, the organization must be qualified as tax exempt and have as a primary (not ancillary or secondary) purpose the overall betterment, development, or improvement of the community as a whole or of a major aspect of the community such as improvement of schools, fire protection, law enforcement, city-wide transit, flood mitigation, or the like. ... ***The community or civic organization must provide evidence of its tax exempt status*** and its existence and participation in the community in which the Development Site is located including, but not limited to, a listing of services and/or members, brochures, annual reports, etc. ...(emphasis added)

The letters and the screenshots of the organizations’ websites, self-describing their organizations as being tax exempt are not commonly accepted as reliable evidence of tax-exempt status.

Your appeal states that if staff determined that the Application did not include sufficient documentation, you should be able to correct those omissions through an Administrative Deficiency. Pursuant to 10 TAC §10.201(7)(B) of the 2017 Uniform Multifamily Rules related to the Administrative Deficiency Process:

The purpose of the Administrative Deficiency process is to allow an Applicant to provide clarification, correction, or non-material missing information to resolve inconsistencies in the original Application or to assist staff in evaluating the Application.

These are not issues regarding inconsistencies in the Application or issues that require clarification or correction. The rule requires that evidence be provided, and the appropriate evidence was not provided.

I do not find that the points raised in your appeal clearly demonstrate that the Application is eligible for the points requested, and accordingly I must deny the appeal. You have indicated that you wish to appeal this decision directly to the Governing Board. Therefore, this appeal has been placed on the agenda for the next meeting scheduled for May 25, 2017. Should you have any questions, please contact Sharon Gamble, Competitive Tax Credit Program Administrator, at sharon.gamble@tdhca.state.tx.us or by phone at 512-936-7834.

Sincerely,



Timothy K. Irvine
Executive Director

BOARD ACTION ITEM
MULTIFAMILY FINANCE DIVISION
MAY 25, 2017

Presentation, discussion, and possible action on timely filed scoring appeals under 10 TAC §10.901 et seq. of the Department's Multifamily Program Rules (Subchapter G) related to Fee Schedule, Appeals and other Provisions.

RECOMMENDED ACTION

WHEREAS, a 9% Housing Tax Credit Application #17708, for Cedar Ridge Apartments was submitted to the Department by the Full Application Delivery Date;

WHEREAS, staff has determined that the Application does not qualify for three (3) points under 10 TAC §11.9(c)(6) of the 2017 Qualified Allocation Plan ("QAP") related to Underserved Area because the census tract includes areas that are not within the boundaries of an incorporated area, and does not qualify for four (4) points under 10 TAC §11.9(d)(6) related to Input from Community Organizations, because the letter submitted is not eligible for points under that item;

WHEREAS, a Competitive HTC scoring notice was provided to the Applicant identifying points that the Applicant elected but did not qualify to receive under 10 TAC §11.9 related to Competitive HTC Selection Criteria;

WHEREAS, the Applicants timely filed an appeal addressing only the loss of three (3) points related to Underserved Area; and

WHEREAS, the Executive Director denied the appeal;

NOW, therefore, it is hereby

RESOLVED, that the scoring appeal for Application #17708, Cedar Ridge Apartments is hereby denied.

BACKGROUND

10 TAC §11.9 related to Competitive HTC Selection Criteria identifies the scoring criteria used in evaluating and ranking Applications. It includes those items required under Texas Government Code, Chapter 2306, §42 of the Internal Revenue Code ("the Code"), and other criteria established in a manner consistent with Chapter 2306 and §42 of the Code.

The Cedar Ridge Apartments Application proposes the Acquisition and Rehabilitation of 80 units for the General population in Dayton.

§11.9(c)(6) Underserved Area

To qualify for three (3) points under §11.9(c)(6) of the 2017 Qualified Allocation Plan (“QAP”) related to Underserved Area, the Application must include evidence that the Development Site is in a census tract that is within the boundaries of an incorporated area. Per §11.9(c)(6). Documents in the Application indicated that portions of the census tract are outside of the incorporated area.

The appeal asserts that “the language of the Rule does not contain any indication that the census tract must be entirely within the incorporated area of the city.” Per §11.9(c)(6):

Underserved Area. (§§2306.6725(b)(2); 2306.127, 42(m)(1)(C)(ii)) An Application may qualify to receive up to five (5) points if the Development Site is located in one of the areas described in subparagraphs (A) - (E) of this paragraph, and the Application contains evidence substantiating qualification for the points. If an Application qualifies for points under paragraph §11.9(c)(4) of this subsection then the Application is not eligible for points under subparagraphs (A) and (B) of this paragraph.

(A) The Development Site is located wholly or partially within the boundaries of a colonia as such boundaries are determined by the Office of the Attorney General and within 150 miles of the Rio Grande River border. For purposes of this scoring item, the colonia must lack water, wastewater, or electricity provided to all residents of the colonia at a level commensurate with the quality and quantity expected of a municipality and the proposed Development must make available any such missing water, wastewater, and electricity supply infrastructure physically within the borders of the colonia in a manner that would enable the current dwellings within the colonia to connect to such infrastructure (2 points);

(B) An Economically Distressed Area (1 point);

(C) A census tract within the boundaries of an incorporated area that has not received a competitive tax credit allocation or a 4 percent non-competitive tax credit allocation for a Development within the past 15 years and continues to appear on the Department's inventory (3 points);

Note that item (A) contains the language "wholly or partially within the boundaries" when describing the area that would qualify for points. Note, as well, that such language does not appear in item (C), indicating that partial inclusion of the census tract within the boundaries of an incorporated area would not satisfy this subsection.

The appeal asserts that the Applicant should have been allowed to change its scoring selection under this item via the Administrative Deficiency process. The Application requested three points under this scoring item, indicating on the Application form that the Development Site is located in a census tract that is within the boundaries of an incorporated area. Review of the Application showed that the census tract extends beyond the incorporated area; therefore the Application does not meet the requirement for the three points. Pursuant to 10 TAC §10.201(7) Administrative Deficiency Process:

The purpose of the Administrative Deficiency process is to allow an Applicant to provide clarification, correction, or non-material missing information to resolve inconsistencies in the original Application or to assist staff in evaluating the Application. Staff will request such information via a deficiency notice.

That the census tract extends beyond the incorporated area is not an issue requiring clarification or correction, nor is it an inconsistency in the Application. Therefore, staff was unable to discern a basis for handling this as an Administrative Deficiency beyond giving the Applicant an opportunity to explain how the Application qualifies for points under the scoring item. The Application requested points for which it is not eligible, and staff will not request a change to the Application self-score.

Staff recommends that the Board deny the appeal.

17708

Scoring Notice and
Documentation



MULTIFAMILY FINANCE PRODUCTION DIVISION
Housing Tax Credit Program - 2017 Application Round
Scoring Notice - Competitive Housing Tax Credit Application

Devin Baker

Phone #: (281) 689-2030

Email: dpbaker@lcjcompanies.com

Second Email: jewashburn@lcjcompanies.com

Date: May 05, 2017

**THIS NOTICE WILL ONLY BE
TRANSMITTED VIA EMAIL**

**RE: 2017 Competitive Housing Tax Credit (HTC) Application for Cedar Ridge Apartments, TDHCA
Number: 17708**

The Texas Department of Housing and Community Affairs has completed its program review of the Application referenced above as further described in the 2017 Qualified Allocation Plan ("QAP"). This scoring notice provides a summary of staff's assessment of the application's score. The notice is divided into several sections.

Section 1 of the scoring notice provides a summary of the score requested by the Applicant followed by the score staff has assessed based on the Application submitted. You should note that four scoring items are not reflected in this scoring comparison but are addressed separately.

Section 2 of the scoring notice includes each of the five scoring criteria for which points could not be requested by the Applicant in the application self-score form and include: §11.9(d)(1) Local Government Support, §11.9(d)(4) Quantifiable Community Participation, §11.9(d)(5) Community Support from State Representative, §11.9(d)(6) Input from Community Organizations, and §11.9(d)(7) Concerted Revitalization Plan.

Section 3 provides information related to any point deductions assessed under §11.9(f) of the QAP or §10.201(7)(A) of the Uniform Multifamily Rules.

Section 4 provides the final cumulative score in bold.

Section 5 includes an explanation of any differences between the requested and awarded score and tie-breakers as well as any penalty points assessed.

The scores provided herein are merely informational at this point in the process and may be subject to change. For example, points awarded under §11.9(e)(4) "Leveraging of Private, State, and Federal Resources", 11.9(b)(1)(A) "Unit Sizes", 11.9(b)(1)(B) "Unit and Development Features", 11.9(c)(1) "Income Levels of Tenants", 11.9(c)(2) "Rent Levels of Tenants", 11.9(e)(1) "Financial Feasibility", 11.9(e)(3) "Pre-Application Participation", and may be adjusted should the underwriting review result in changes to the Application that would affect these scores. If a scoring adjustment is necessary, staff will provide the Applicant a revised scoring notice.

Be further advised that if the Applicant failed to properly disclose information in the Application that could have a material impact on the scoring information provided herein, the score included in this notice may require adjustment and/or the Applicant may be subject to other penalties as provided for in the Department's rules.

This preliminary scoring notice is provided by staff at this time to ensure that an Applicant has sufficient notice to exercise any appeal process provided under §10.902 of the Uniform Multifamily Rules. All information in this scoring notice is further subject to modification, acceptance, and/or approval by the Department's Governing Board.



MULTIFAMILY FINANCE PRODUCTION DIVISION
Housing Tax Credit Program - 2017 Application Round
Scoring Notice - Competitive Housing Tax Credit Application

Page 2 of Final Scoring Notice: 17708, Cedar Ridge Apartments

Section 1:

Score Requested by Applicant (Does not include points for §11.9(d)(1), (4), (5), or (6) of the 2017 QAP):	120
Score Awarded by Department staff (Does not include points for §11.9(d)(1), (4), (5), or (6) of the 2017 QAP):	117
Difference between Requested and Awarded:	3

Section 2:

Points Awarded for §11.9(d)(1) Local Government Support:	17
Points Awarded for §11.9(d)(4) Quantifiable Community Participation:	4
Points Awarded for §11.9(d)(5) Community Support from State Representative:	8
Points Awarded for §11.9(d)(6) Input from Community Organizations:	0
Points Awarded for §11.9(d)(7) Concerted Revitalization Plan:	0

Section 3:

Points Deducted for §11.9(f) of the QAP or §10.201(7)(A) of the Uniform Multifamily Rules:	0
--	---

Section 4:

Final Score Awarded to Application by Department staff:	146
--	------------

Section 5:

Explanation for difference between points requested and points awarded by the Department as well as penalties assessed:

§11.9(c)(6) Underserved Area. The Application requested three points but the census tract includes areas that are not within the boundaries of an incorporated area . (Requested 3, Awarded 0)

§11.9(d)(6) Input from Community Organizations. The letter from the Cedar Ridge Resident Council is not eligible for points under this item. No other letters were included. (Possible points 4, Awarded 0)

Explanation for difference between requested tie-breakers and tie-breakers qualified by the Department:

NA

Restrictions and requirements relating to the filing of an appeal can be found in §10.902 of the Uniform Multifamily Rules. If you wish to appeal this scoring notice, you must file your appeal with the Department no later than 5:00 p.m. Austin local time, Friday, May 12, 2017. If an appeal is denied by the Executive Director, an Applicant may appeal to the Department's Board.

In an effort to increase the likelihood that Board appeals related to scoring are heard at the Board meeting, the Department has provided an Appeal Election Form for all appeals submitted to the Executive Director. In the event an appeal is denied by the Executive Director, the Applicant is able to request that the appeal automatically be added to the Board agenda.

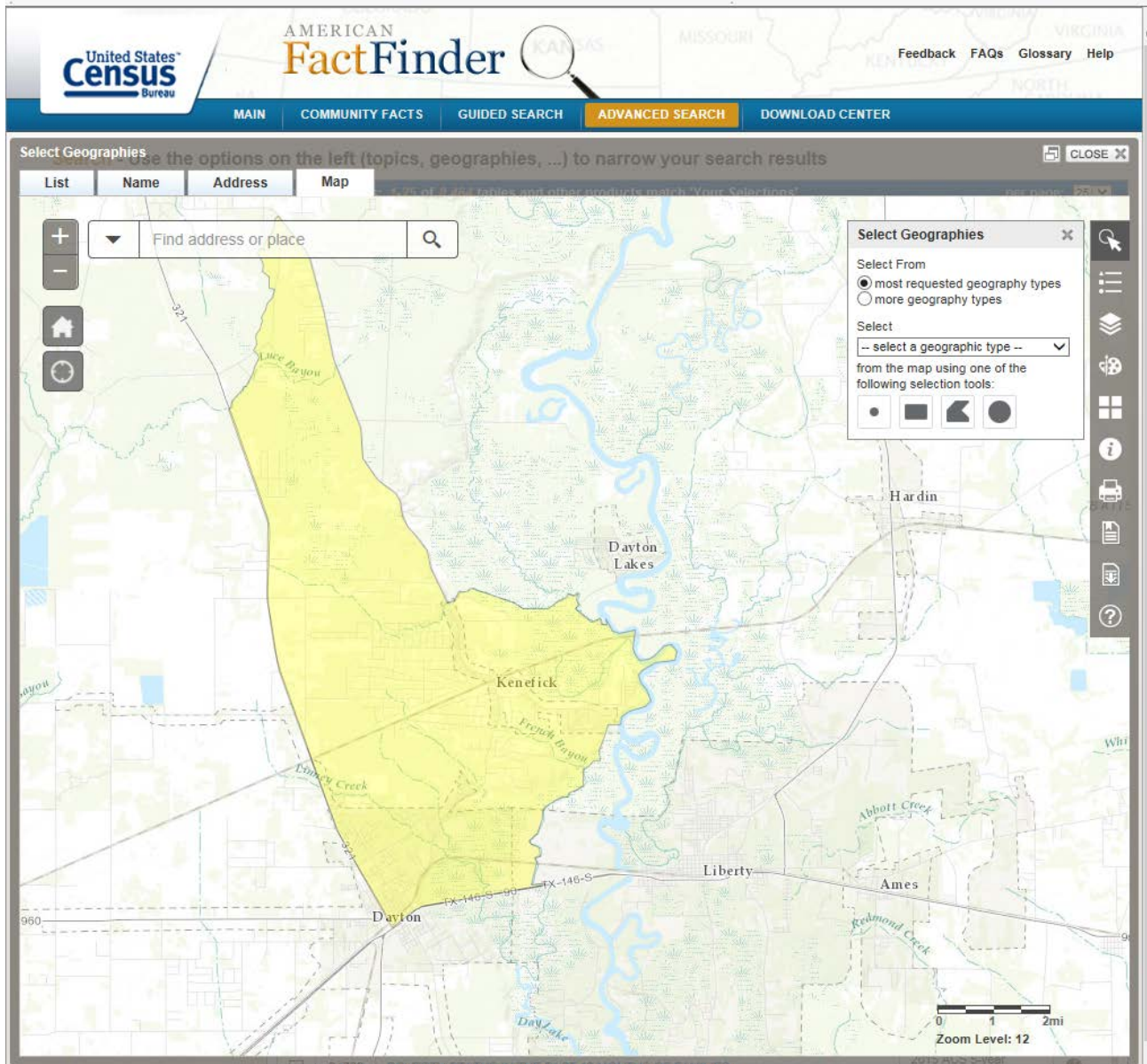
If you have any concerns regarding potential miscalculations or errors made by the Department, please contact Sharon Gamble at (512) 936-7834 or by email at <mailto:sharon.gamble@tdhca.state.tx.us>.

Sincerely,

Sharon Gamble

Sharon Gamble

9% Competitive HTC Program Administrator



2017 Competitive HTC Pre-Application

Submission Date	2017-01-09 15:48:40
Application Number	17708
Full Name	Devin Baker
Address	19276 FM 1485 New Caney TX 77357
Phone Number	(281) 689-2030
Email	dpbaker@lcjcompanies.com
Full Name	James Washburn
Email	jewashburn@lcjcompanies.com
Phone Number	(281) 689-2030
Name of Proposed Entity	Cedar Ridge Housing, Ltd.
Development Name	Cedar Ridge Apartments
Development Type	Acq/Rehab
Secondary Type	None
Initial Construction Year	1979
Target Population	General
Address	1907 N Winfree St.
City	Dayton
Zip Code	77535
ETJ?	No
County	Liberty
Region	6
Rural/Urban	Rural
Census Tract	48291700800
Total LI Units	80
Total MR Units	0
Total Units	80
HTC Request	790000

Pre-App Fee Due	800
Has Fee already been submitted?	Yes
Check Name	LCJ Development, Inc.
Check #	1363
Set-Asides	USDA
U.S. Representative	Congressman Brian Babin
District	36
State Senator	Senator Robert Nichols
District	3
State Representative	Representative John C. Otto
District	18
School Superintendent	Dr. Jessica Johnson
District Name	Dayton ISD
Address	100 Cherry Creek Rd. Dayton 77535
Presiding Officer of Board of Trustees	Larry Wadzeck
Address	100 Cherry Creek Rd. Dayton 77535
Name	Jeff Lambright
Office	Mayor
Name 2	Dwight A. Pruitt
Office 2	Mayor Pro Tem
Name 3	Sherial L. Lawson
Office 3	City Council Member
Name 4	Dr. John S. Johnson
Office 4	City Council Member
Name 5	Troy Barton
Office 5	City Council Member
Name 6	Josh Townsend

Office 6	City Council Member
Name 7	Honorable Jay Knight
Office 7	County Commissioner
Name 8	Mike McCarty
Office 8	County Commissioner
Name 9	Greg Arthur
Office 9	County Commissioner
Name 10	Eddie Lowery
Office 10	County Commissioner
Name 11	Leon Wilson
Office 11	County Commissioner

Are there Neighborhood Organizations whose boundaries contain the Development Site? Yes

Neighborhood Organization Cedar Ridge Resident Council

Address 1907 N Winfree St.
Dayton
TX
77535

Unit Sizes 8

Unit Features 7

Sponsor Characteristics 1

High Quality Housing Total 16

Income Levels of Tenants 16

Rent Levels of Tenants 11

Tenant Services 10

Opportunity Index 7

Educational Quality 2

Underserved Area 3

Tenant Populations with Special Housing Needs 2

Proximity to the Urban Core 0

Serve and Support Texans Most in Need Total	51
Commitment of Development Funding by Local Political Subdivision	1
Declared Disaster Area	10
Local Government Support §11.9(d)(1)	17 points
Quantifiable Community Participation §11.9(d)(4)	8 points
Support from State Representative §11.9(d)(5)	Yes
Input from Community Organizations §11.9(d)(6)	0 points
Concerted Revitalization Plan §11.9(d)(7)	0 points
Is application eligible to score at least 4 points under Opportunity Index, §11.9(c)(4) (B) (whether points are elected or not)?	Yes
Community Support and Engagement Total	11
Financial Feasibility	18
Cost of Development per Square Foot	12
Pre-Application Participation	6
Leveraging Private, State and Federal Resources	3
Extended Affordability	2
Historic Preservation	0
Right of First Refusal	1
Funding Request Amount	1
Efficient Use of Limited Resources and Applicant Accountability Total	43
Total Applicant Self-Score	121

Do not select items used to score points under Opportunity Index

university/community college
indoor recreation
outdoor recreation

Site Control Documentation

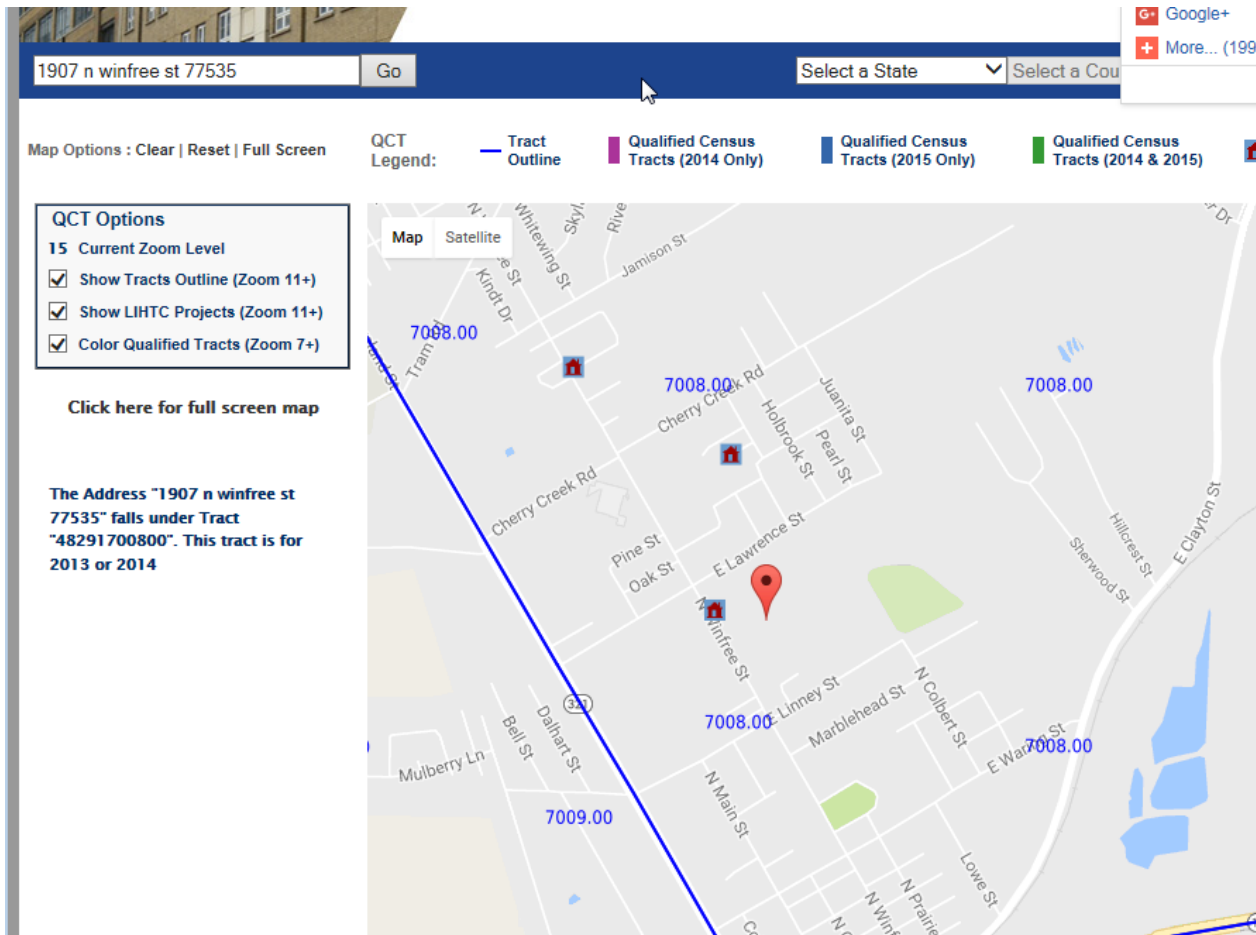
[Cedar Ridge Received Contract \(1.6.17\).pdf](#)

Census Tract Map

[2 CR Site Census Tract.pdf](#)

Other Pertinent Information

[CR Census Tract Liberty County.pdf](#)



17708

Applicant Appeal to
Executive Director



600 Congress, Suite 2200
Austin, TX 78701
Telephone: 512-305-4700
Fax: 512-305-4800
www.lockelord.com

Neal Rackleff
Direct Telephone: 512-305-4715
neal.rackleff@lockelord.com

May 12, 2017

Via Electronic Mail

Tim Irvine
Executive Director
Texas Department of Housing and Community Affairs
221 West 11th Street
Austin, Texas 78701

Re: #17708 – Cedar Ridge Apartments
Appeal of determination in Scoring Notice

Dear Mr. Irvine:

We represent Cedar Ridge Housing, Ltd., (the “**Applicant**”), which filed the above-referenced application (the “**Application**”) for low-income housing tax credits. This letter constitutes an appeal of the determination by staff of the Texas Department of Housing and Community Affairs (the “**Department**”) in the scoring notice published by the Department on May 5, 2017 (the “**Scoring Notice**”) that Applicant should not receive the 3 points requested for being in an underserved area described in §11.9(c)(6) (the “**Rule**”) of the 2017 Qualified Allocation Plan (“**QAP**”).

The Rule provides up to 5 points for applications in which the development site “is located in one of the areas described in subparagraphs (A)-(E) of this paragraph, and the Application contains evidence substantiating qualification for the points.” (emphasis added) The Applicant stated “yes” on the line in the application form (see page from application attached hereto as Exhibit “A”) next to the option corresponding to subparagraph (C) and described in item §11.9(c)(6)(C) of the QAP as follows:

(C) A census tract within the boundaries of an incorporated area that has not received a competitive tax credit allocation or a 4 percent non-competitive tax credit allocation for a Development within the past 15 years and continues to appear on the Department's inventory (3 points)

The Scoring Notice explained that “[t]he Application requested three points but the census tract includes areas that are not within the boundaries of an incorporated area.” Therefore, the Department denied Applicant the 3 points and any other points for which Applicant may have been eligible under the “underserved area” category.

PLAIN LANGUAGE & GOOD PUBLIC POLICY
SUPPORT APPLICANT'S REQUEST

§11.9(c)(6)(C) when read in the context of the entire §11.9(c)(6) provision clearly indicates that if a “development site” is located within an underserved area that is both: (a) within a census tract that has not received an allocation of housing tax credits within the past 15 years; and (b) which is in an incorporated area--it should be eligible for the 3 points.

The Department has taken the position that all of the census tract must be inside the boundaries of the incorporated city, as evidenced by the FAQ it published. However, while FAQs may be helpful articulations of staff’s interpretation of the rule—they clearly do not have any legally binding effect, whereas the rule itself is valid and binding legal authority. Any inconsistency between staff’s well-intended, helpful information and the QAP must be resolved in favor of the Rule.

The language of the Rule does not contain any indication that the census tract must be entirely within the incorporated area of the city. A more reasonable interpretation is that the development site must be entirely within a census tract in which no credits have been allocated for 15 years and that the development site must be entirely within an incorporated city. The FAQ adds language to the Rule that favors the Department’s interpretation but clearly does not preempt the Rule or the Applicant’s understanding and interpretation of the Rule.

Additionally, the clear intent of the Rule is to provide opportunities for areas in census tracts that have not received credits for many years—if ever--to receive them. Therefore, if it is good public policy to encourage allocation of credits in an area of a city that has a census tract that does not extend beyond the city limits, is it not better public policy to expand the reach of such an area to a larger footprint extending beyond the city limits? If the purpose of the policy is to provide more opportunities to underserved areas, then interpreting the Rule in a manner to cover a larger area rather than a smaller more restrictive area more fully achieves that policy objective. A map illustrating the larger area of coverage of the census tract at issue (Census Tract No. 7008) is attached hereto as Exhibit “B”.

Furthermore, a census tract may be either partially within an incorporated area or entirely within an incorporated area and still be “within” the incorporated area. Since both constructions follow the express language of the Rule the two interpretations are not mutually exclusive. The fact that the Rule itself contains no modifying language to foreclose either interpretation means that both are therefore valid. And because both interpretations are valid, the Applicant should receive the 3 points at issue.

APPLICANT ALSO QUALIFIES FOR 2 POINTS

In addition to qualifying for the 3 points possible under subparagraph (C) of the Rule, Applicant clearly qualifies for the 2 points possible under subparagraph (D). That provision states the following: “For areas not scoring points for (C) above, a census tract

that does not have a Development subject to an active tax credit LURA” 2 points will be awarded. All of the census tract depicted in Exhibit B, both the portion within and outside the incorporated area of the City, is not subject to any existing LURA—that is an objective and indisputable fact not subject to any level of subjective interpretation. Additionally, Applicant provided evidence of that fact in the Application.

Importantly, a review of Exhibit A reveals that unlike some applicants, the Applicant did not expressly repudiate a request for points under the other available categories by stating “no” in the other boxes. In this instance, Applicant stated “yes” in the box corresponding to subparagraph (C) and left all the other boxes blank.

Additionally, the language of the Rule and the Department’s application ties the provision relating to subparagraph (C) to that for subparagraph (D). The application language states: “If not the previous item, a census tract that does not have a Development subject to an active tax credit LURA. . . .” in describing the 2 point provision corresponding to subparagraph (D).

Of far greater legal significance, the Rule similarly states in subparagraph (D): “For areas not scoring points for (C) above, a census tract that does not have a Development subject to an active tax credit LURA” 2 points are awarded.” The language of subparagraph (D) is linked as a default provision to (C) if for some reason (C) is deemed inapplicable. Consequently, allowing the 2 points for Applicant is consistent with and in fact appears to be mandated by the plain language of the Rule.

Had Applicant expressly rejected the alternative available through subparagraph (D) then it would be reasonable for the Department not to award the 2 points. However, in this instance, the Applicant kept the 2 point option open allowing for the linkage in the rule between the two provisions to be operative. Thus the Department may award the 2 points by operation of the Rule and not run afoul of concerns about “changing an application” after it has been submitted.

Additionally, as was noted by numerous participants in the April 27, 2017 Department Board meeting, the Department has historically awarded the number of points an applicant qualifies for even if such points were not expressly indicated in the relevant application. It would be inequitable and counter to the spirit of openness and transparency that has been the hallmark of the Department’s practices under current leadership, to break from such a long standing practice, without first providing: (a) notice to the public; (b) robust discussion between Department staff and the development community; and (c) consideration by and approval of the Board.

In summary, we believe the Department may award the 3 points based on the clear and plain language of the Rule. If however, you determine that is not appropriate, then Applicant respectfully requests that the 2 points be awarded.

Texas Department of Housing
and Community Affairs
May 12, 2017
Page 4

Thank you for your consideration of this important matter.

Sincerely,



Neal Rackleff

cc: Jim Washburn
Devin Baker
Cynthia Bast

Exhibit A

Development is Rural and Development Site is within the required distance of eligible amenities and/or services pursuant to §11.9(c)(4)(B)(ii) of the QAP. A map showing the Development Site, scale showing radius, location of the amenities, and other evidence as applicable is included behind this tab.


full service grocery store or pharmacy (4 miles)	university or community college (15 miles)
health-related facility (4 miles)	museum (4 miles)
licensed center serving children (4 miles)	indoor recreation facility available to public (3 miles)
census tract with crime rate of ≤26 per 1k persons	outdoor recreation facility available to public (3 miles)
public library (4 miles)	community, civic or service organization (3 miles)
public park (4 miles)	

Application is seeking points for Opportunity Index. Total Points Claimed:  7

If necessary, provide a brief summary of how the Development Site is justifying the points selected:
 Site is located within range of all listed amenities. For those exceeding the maximum allowable points, they will be used as Tie Breakers if necessary.

3. §11.9(c)(8) - Proximity to the Urban Core (Competitive HTC Applications Only)

- Development Site is located in a City with a population over 300,000 and is *not* in At-Risk Set-Aside.
- AND
- Population of City is 300,000-500,000 and Development is located w/in 2 miles of City Hall facility.
- OR
- Population of City is more than 500,000 and Development is located w/in 4 miles of City Hall facility.

Application is seeking points for Proximity to the Urban Core. Total Points Claimed:  0

4. §11.9(c)(6) - Underserved Area (Competitive HTC and Direct Loan Applications Only)

Applications may qualify for up to five (5) points for proposed Developments located in one of the following areas:

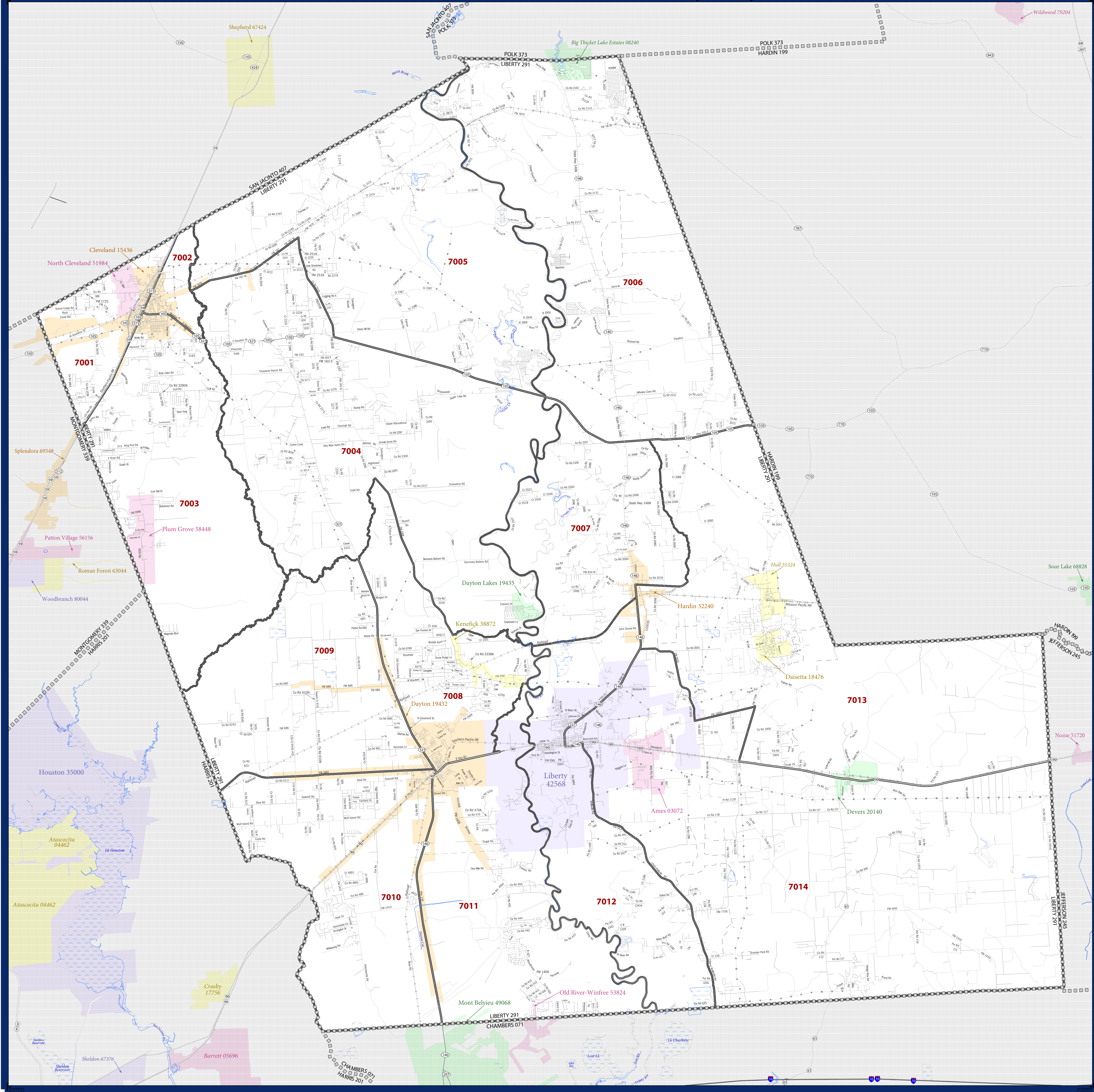
- Colonia (Note: Not eligible if application qualifies for Opportunity Index points);
- Economically Distressed Area (Note: Not eligible if application qualifies for Opportunity Index points);
- Yes** A census tract within the boundaries of an incorporated area that has not received a competitive tax credit allocation or a 4% non-competitive tax credit allocation for a Development within the last 15 years; and continues to appear on Department's inventory
- If not the previous item, a census tract that does not have a Development subject to an active tax credit LURA, (or has received a tax credit award but not yet reached the point where its LURA must be recorded);
- A census tract within the boundaries of an incorporated area and all contiguous census tracts for which neither the census tract within which the Development is located nor the contiguous census tracts have received an award or HTC allocation within the last 15 years and continues to appear on the Department's inventory (**only applies in cities with a population of ≥300,000 and will not apply in At-Risk**).

Contiguous Census Tract #	<input type="text"/>	Contiguous Census Tract #	<input type="text"/>
Contiguous Census Tract #	<input type="text"/>	Contiguous Census Tract #	<input type="text"/>
Contiguous Census Tract #	<input type="text"/>	Contiguous Census Tract #	<input type="text"/>

Application is seeking points for Underserved Area. Total Points Claimed:  3

EXHIBIT B

2010 CENSUS - CENSUS TRACT REFERENCE MAP: Liberty County, TX



LEGEND

SYMBOL DESCRIPTION	SYMBOL	LABEL STYLE
Federal American Indian Reservation	[Dotted pattern]	L'ANSE RES 1880
Off Reservation Trust Land, Hawaiian Home Land	[Dotted pattern]	T1880
Oklahoma Tribal Statistical Area, Alaska Native Village Statistical Area, Tribal Designated Statistical Area	[Dotted pattern]	KAW OTSA 5340
State American Indian Reservation	[Dotted pattern]	Tama Res 4125
State Designated Tribal Statistical Area	[Dotted pattern]	Lumbee STSA 9815
Alaska Native Regional Corporation	[Dotted pattern]	NANA ANRC 52120
State (or statistically equivalent entity)	[Dotted pattern]	NEW YORK 36
County (or statistically equivalent entity)	[Dotted pattern]	ERIE 029
Minor Civil Division (MCD) ^{1,2}	[Dotted pattern]	Bristol town 07485
Consolidated City	[Dotted pattern]	MILFORD 47500
Incorporated Place ^{1,3}	[Dotted pattern]	Davis 18100
Census Designated Place (CDP) ³	[Dotted pattern]	Incline Village 35100
Census Tract	[Dotted pattern]	33.07

DESCRIPTION	SYMBOL	DESCRIPTION	SYMBOL
Interstate	[Thick solid line]	Water Body	[Blue wavy line]
U.S. Highway	[Thin solid line]	Swamp or Marsh	[Blue wavy line]
State Highway	[Thin solid line]	Glacier	[Blue wavy line]
Other Road	[Thin solid line]	Military	[Blue wavy line]
4WD Trail, Stamen, Alley, Walkway, or Ferry	[Thin solid line]	National or State Park, Forest, or Recreation Area	[Blue wavy line]
Railroad	[Thin solid line]	Inset Area	[Blue wavy line]
Pipeline or Power Line	[Thin solid line]	Outside Subject Area	[Blue wavy line]
Ridge or Fence	[Thin solid line]		
Property Line	[Thin solid line]		
Nonvisible Boundary or Feature Not Elsewhere Classified	[Thin solid line]		

Where state, county, and/or MCD boundaries coincide, the map shows the boundary symbol for the highest ranking of these boundaries.

1 A " " following an MCD name denotes a false MCD. A " " following a place name indicates that a false MCD exists with the same name and FIPS code as the place; the false MCD label is not shown.

2 MCD boundaries are shown in the following states in which MCDs have functioning governments: Connecticut, Maine, Massachusetts, Michigan, Minnesota, New Hampshire, New Jersey, New York, Pennsylvania, Rhode Island, Vermont, and Wisconsin.

3 Place label color correlates to the place fill color.

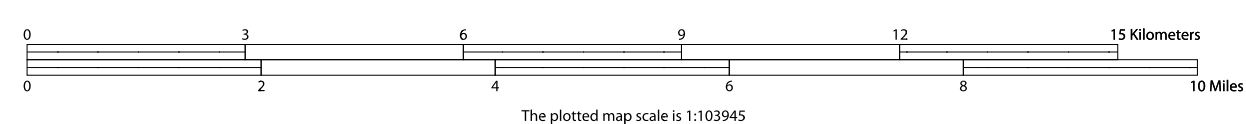


All legal boundaries and names are as of January 1, 2010. The boundaries shown on this map are for Census Bureau statistical data collection and tabulation purposes only; their depiction and designation for statistical purposes does not constitute a determination of jurisdictional authority or rights of ownership or entitlement.

Geographic Vintage: 2010 Census (reference date: January 1, 2010)
 Data Source: U.S. Census Bureau's MAI/TIGER database (TAB100148)
 Map Created by Geography Division: December 12, 2010

U.S. DEPARTMENT OF COMMERCE Economics and Statistics Administration U.S. Census Bureau

Projection: Albers Equal Area Conic
 Datum: NAD 83
 Spheroid: GRS 80
 1st Standard Parallel: 27 36 51
 2nd Standard Parallel: 34 43 24
 Central Meridian: -100 04 35
 Latitude of Projection's Origin: 25 50 13
 False Easting: 0
 False Northing: 0



PARENT SHEET 1
 Total Sheets: 1
 Index Sheets: 0
 Parent Sheets: 1
 Inset Sheets: 0

NAME: Liberty County (291)
 ENTITY TYPE: County or statistically equivalent entity
 ST: Texas (48)

17708

Executive Director's
Response



TEXAS DEPARTMENT OF HOUSING AND COMMUNITY AFFAIRS

www.tdhca.state.tx.us

Greg Abbott
GOVERNOR

BOARD MEMBERS
J. Paul Oxer, *Chair*
Leslie Bingham-Escareño, *Vice Chair*
Juan S. Muñoz, PhD
T. Tolbert Chisum
Tom H. Gann
J.B. Goodwin

May 16, 2017

Writer's direct phone # (512) 475-3296
Email: tim.irvine@tdhca.state.tx.us

Mr. Neal Rackleff
Locke Lord
600 Congress, Suite 2200
Austin, TX 78701

RE: APPEAL OF SCORING NOTICE: 17708 CEDAR RIDGE APARTMENTS, DAYTON, TEXAS

Dear Mr. Rackleff:

The Texas Department of Housing and Community Affairs (the "Department") is in receipt of your appeal dated May 12, 2017, of the scoring notice for the above-referenced Application. This Application was denied three points under 10 TAC §11.9(c)(6) of the 2017 Qualified Allocation Plan ("QAP") related to Underserved Area because the census tract includes areas that are not within the boundaries of an incorporated area.

The appeal asserts that "the language of the Rule does not contain any indication that the census tract must be entirely within the incorporated area of the city." Per §11.9(c)(6):

Underserved Area. (§§2306.6725(b)(2); 2306.127, 42(m)(1)(C)(ii)) An Application may qualify to receive up to five (5) points if the Development Site is located in one of the areas described in subparagraphs (A) - (E) of this paragraph, and the Application contains evidence substantiating qualification for the points. If an Application qualifies for points under paragraph §11.9(c)(4) of this subsection then the Application is not eligible for points under subparagraphs (A) and (B) of this paragraph.

(A) The Development Site is located wholly or partially within the boundaries of a colonia as such boundaries are determined by the Office of the Attorney General and within 150 miles of the Rio Grande River border. For purposes of this scoring item, the colonia must lack water, wastewater, or electricity provided to all residents of the colonia at a level commensurate with the quality and quantity expected of a municipality and the proposed Development must make available any such missing water, wastewater, and electricity supply infrastructure physically within the borders of the colonia in a manner that would enable the current dwellings within the colonia to connect to such infrastructure (2 points);

(B) An Economically Distressed Area (1 point);



(C) A census tract within the boundaries of an incorporated area that has not received a competitive tax credit allocation or a 4 percent non-competitive tax credit allocation for a Development within the past 15 years and continues to appear on the Department's inventory (3 points);

Note than item (A) contains the language "wholly or partially within the boundaries" when describing the area that would qualify for points. Note, as well, that such language does not appear in item (C), indicating that partial inclusion of the census tract within the boundaries of an incorporated area would not satisfy this subsection.

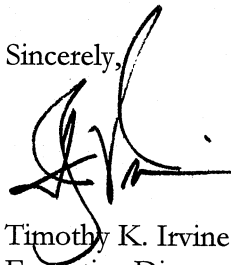
The appeal asserts that the Applicant should have been allowed to change its scoring selection under this item via the Administrative Deficiency process. The Application requested three points under this scoring item, indicating on the Application form that the Development Site is located in a census tract that is within the boundaries of an incorporated area. Review of the Application showed that the census tract extends beyond the incorporated area; therefore the Application does not meet the requirement for the three points. Pursuant to 10 TAC §10.201(7) Administrative Deficiency Process:

The purpose of the Administrative Deficiency process is to allow an Applicant to provide clarification, correction, or non-material missing information to resolve inconsistencies in the original Application or to assist staff in evaluating the Application. Staff will request such information via a deficiency notice.

That the census tract extends beyond the incorporated area is not an issue requiring clarification or correction, nor is it an inconsistency in the Application. Therefore, staff was unable to discern a basis for handling this as an Administrative Deficiency beyond giving the Applicant an opportunity to explain how the Application qualifies for points under the scoring item. The Application requested points for which it is not eligible, and staff will not request a change to the Application self-score.

I do not find that the points raised in your appeal clearly demonstrate that the Application is eligible for the points requested or that the requested treatment, allowing a change, is within my authority to grant, and accordingly I must deny the appeal. You have indicated that you wish to appeal this decision directly to the Governing Board. Therefore, this appeal has been placed on the agenda for the next meeting scheduled for May 25, 2017. Should you have any questions, please contact Sharon Gamble, Competitive Tax Credit Program Administrator, at sharon.gamble@tdhca.state.tx.us or by phone at 512-936-7834.

Sincerely,



Timothy K. Irvine
Executive Director

17708

Applicant Appeal
to Board



STATE OF TEXAS
HOUSE OF REPRESENTATIVES

ERNEST BAILES

District 18

May 18, 2017

Mr. Tim Irvine
Executive Director
Texas Department of Housing and Community Affairs
221 West 11th Street
Austin, TX 78701

Re: #17708 – Cedar Ridge Apartments
Underserved Area Scoring

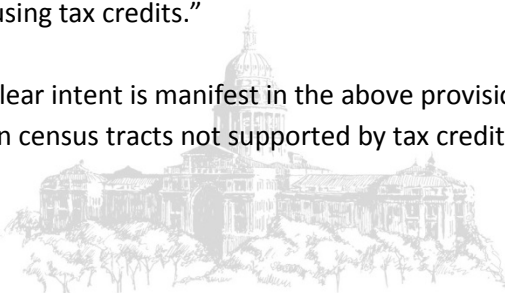
Dear Mr. Irvine:

I have the honor of representing the good people from House District No. 18. There is an acute need for quality affordable housing for the hardworking families I serve who live in small towns and rural areas. I greatly appreciate the fact that the Texas Department of Housing and Community Affairs (TDHCA) has worked with the Texas legislature to find innovative ways to serve rural areas and small towns.

Texas Government Code §2306.6725(a) requires that “in allocating low income housing tax credits, the department shall score each application using a point system based on criteria adopted by the department that are consistent with the department’s housing goals, including addressing the ability of the proposed project to . . . serve traditionally underserved areas.”

Additionally, Texas Government Code §2306.6725(b) requires that “the department shall provide appropriate incentives as determined through the qualified allocation plan to reward applicants who agree to . . . locate the development in a census tract in which there are no other existing developments supported by housing tax credits.”

The Texas legislature’s clear intent is manifest in the above provisions—support should be provided to underserved areas in census tracts not supported by tax credits.





STATE OF TEXAS
HOUSE OF REPRESENTATIVES

ERNEST BAILES

District 18

The above referenced application is for a development proposed for the City of Dayton, within Liberty County, Texas. The proposed site is within a census tract that has not received credits previously. Therefore, it falls squarely within the statutory provisions cited above. However, it has come to my attention that the department has denied points to this application because the underserved census tract is not entirely within the City of Dayton.

The department should endeavor to find solutions for serving underserved areas, not look for reasons to deny resources for areas such as District 18. If only census tracts that are entirely within cities may be utilized as a vehicle to serve small towns in rural areas, then every city in Liberty County would be ineligible for the points/incentives the Texas Government Code clearly intended to focus on these areas.

It is my sincere hope that the TDHCA will work to find ways to expand, rather than limit housing opportunities for families in rural areas. To that end, I urge you to support the Cedar Ridge application.

Respectfully,

A handwritten signature in black ink that reads "Ernest J. Bailes, IV".

Representative Ernest Bailes



BOARD ACTION ITEM
MULTIFAMILY FINANCE DIVISION
MAY 25, 2017

Presentation, discussion, and possible action on timely filed scoring appeals under 10 TAC §10.901 et seq. of the Department's Multifamily Program Rules (Subchapter G) related to Fee Schedule, Appeals and other Provisions.

RECOMMENDED ACTION

WHEREAS, a 9% Housing Tax Credit Application #17724, for Liv Senior at Johnson Ranch was submitted to the Department by the Full Application Delivery Date;

WHEREAS, staff has determined that the Application does not qualify for three (3) points under 10 TAC §11.9(c)(6) of the 2017 Qualified Allocation Plan ("QAP"), related to Underserved Area, because the census tract includes areas that are not within the boundaries of an incorporated area; three points under §11.9(e)(4), related to Leveraging of Private, State, and Federal Resources, because more than 50% of the developer fee is deferred; and the ability to score four points under §11.9(d)(6) related to Input from Community Organizations, because the Development Site is within the boundaries of the Johnson Ranch Master Community Association and is therefore ineligible for points under this item;

WHEREAS, a Competitive HTC scoring notice was provided to the Applicant identifying points that the Applicant elected but did not qualify to receive and a tie-breaker selection that the Applicant selected but did not qualify to receive under 10 TAC §11.9 related to Competitive HTC Selection Criteria;

WHEREAS, the Applicants timely filed an appeal; and

WHEREAS, the Executive Director denied the scoring appeal but granted the appeal as to the tie-breaker issue only;

NOW, therefore, it is hereby

RESOLVED, that the scoring appeal for Application #17724, Liv Senior at Johnson Ranch is hereby denied.

BACKGROUND

10 TAC §11.9 related to Competitive HTC Selection Criteria identifies the scoring criteria used in evaluating and ranking Applications. It includes those items required under Tex. Gov't Code, ch. 2306, §42 of the Internal Revenue Code (the "Code"), and other criteria established in a manner consistent with ch. 2306 and §42 of the Code.

The Liv Senior at Johnson Ranch Application proposes the New Construction of 80 units for the Elderly population in Bulverde.

§11.9(c)(6) Underserved Area

To qualify for three (3) points under §11.9(c)(6) of the 2017 Qualified Allocation Plan (“QAP”) related to Underserved Area, the Application must include evidence that the Development Site is in a census tract that is within the boundaries of an incorporated area. Per §11.9(c)(6). Documents in the Application indicated that portions of the census tract are outside of the incorporated area.

The appeal states:

The language in the QAP does not state that the census tract cannot exceed the incorporated area of a city or required [sic] that the census tract must be within the city boundaries. The QAP indicates that the proposed development must cross the City limits must have jurisdiction within the census tract of the location of the development [sic]. The proposed Liv Senior@ Johnson Ranch resides within a census tract that also contains boundaries of the City of Bulverde.

The appeal further asserts that the Application should be eligible for points under this item because:

Johnson Ranch has an interarea [sic] agreement with the City of Bulverde. The City of Bulverde has oversight over the plan approval and permitting for all construction and development within the Johnson Ranch Community. Because of this agreement, all of Johnson Ranch falls within the boundaries of the incorporated area of the City of Bulverde and as such the development is governed by the rules and regulations of the City of Bulverde.

Per §11.9(c)(6):

Underserved Area. (§§2306.6725(b)(2); 2306.127, 42(m)(1)(C)(ii)) An Application may qualify to receive up to five (5) points if the Development Site is located in one of the areas described in subparagraphs (A) - (E) of this paragraph, and the Application contains evidence substantiating qualification for the points. If an Application qualifies for points under paragraph §11.9(c)(4) of this subsection then the Application is not eligible for points under subparagraphs (A) and (B) of this paragraph.

... (C) A census tract within the boundaries of an incorporated area that has not received a competitive tax credit allocation or a 4 percent non-competitive tax credit allocation for a Development within the past 15 years and continues to appear on the Department's inventory (3 points); (emphasis added)

A plain reading of the word boundary does not support the Applicant’s assertion that an application may be eligible for points under this scoring item if the city has some influence in the area of the Development Site.

§11.9(e)(4) Leveraging of Private, State, and Federal Resources

The appeal does not directly address why the Application should be awarded points under this scoring item. The appeal included revised application documents that were not requested by the Department. Per §10.7(B) of the 2017 Uniform Multifamily Rules related to the Administrative Deficiency Process:

... An Applicant may not change or supplement any part of an Application in any manner after the filing deadline or while the Application is under consideration for an award, and may not add any set-asides, increase the requested credit amount, revise the Unit mix (both income levels and Bedroom mixes), or adjust their self-score except in response to a direct request from the Department to do so as a result of an Administrative Deficiency. (§2306.6708(b); §2306.6708)

The documents included with the appeal response were not requested by the Department and will not be accepted. Accordingly, the points will not be awarded.

§11.9(d)(6) Input from Community Organizations

To qualify for up to four (4) points under §11.9(d)(6) related to Input from Community Organizations, the Development Site must not fall within the boundaries of any qualifying Neighborhood Organization:

Where, at the time of Application, the Development Site does not fall within the boundaries of any qualifying Neighborhood Organization, then, in order to ascertain if there is community support, an Application may receive up to four (4) points for letters that qualify for points under subparagraphs (A), (B), and/or (C) of this paragraph.

The appeal asserts that “Johnson Ranch Master Community, Inc. was not filed as a neighborhood association, homeowner’s association or property owner’s association with the City of Bulverde, County of Comal or the State of Texas under the Texas Statute §2306.6725(a)(2). The board of Johnson Ranch Master Community, Inc. is comprised solely of the developers of the community and no member of the board is a home owner of any property located within the boundary of Johnson Ranch.”; and that “no registration process for associations where the project is located. The Johnson Ranch Master Community, Inc was created for the development and registered with the Texas Secretary of State. It is presently controlled by the developer, and otherwise has no general authority to approve or deny development projects within Johnson Ranch.”

Per Tex. Gov’t Code §2306.004(23-a):

"Neighborhood organization" means an organization that is composed of persons living near one another within the organization's defined boundaries for the neighborhood and that has a primary purpose of working to maintain or improve the general welfare of the neighborhood. A neighborhood organization includes a homeowners' association or a property owners' association.

Per §11.9(d)(4) related to Quantifiable Community Participation:

(C) Point Values for Quantifiable Community Participation. An Application may receive points based on the values in clauses (i) - (vi) of this subparagraph. Points will not be cumulative. Where more than one written statement is received for an Application, the average of all statements received in accordance with this subparagraph will be assessed and awarded.

... (v) four (4) points for areas where no Neighborhood Organization is in existence, equating to neutrality or lack of objection, or where the Neighborhood Organization did not meet the explicit requirements of this section;

Review of the Articles of Incorporation recorded with the Texas Secretary of State shows the Johnson Ranch Master Community, Inc. is clearly registered and clearly meets the Tex. Gov't Code definition of a Neighborhood Organization. Further, the organization was identified as such in the Pre-application submitted for this same Development. The organization did not meet the requirements of §11.9(d)(4) related to Quantifiable Community Participation and the Application was therefore awarded four points under item (C)(v) of that subsection. Because the Development Site is within the boundaries of a Neighborhood Organization, the Application is not eligible for points under §11.9(d)(6) related to Input from Community Organizations

Staff recommends that the Board deny the appeal.

17724

Scoring Notice and
Documentation



MULTIFAMILY FINANCE PRODUCTION DIVISION
Housing Tax Credit Program - 2017 Application Round
Scoring Notice - Competitive Housing Tax Credit Application

Joel Pollack

Phone #: (210) 354-3705

Email: joel@210dg.com

Second Email: holly@210dg.com

Date: May 01, 2017

**THIS NOTICE WILL ONLY BE
TRANSMITTED VIA EMAIL**

**RE: 2017 Competitive Housing Tax Credit (HTC) Application for Liv Senior @ Johnson Ranch, TDHCA
Number: 17724**

The Texas Department of Housing and Community Affairs has completed its program review of the Application referenced above as further described in the 2017 Qualified Allocation Plan ("QAP"). This scoring notice provides a summary of staff's assessment of the application's score. The notice is divided into several sections.

Section 1 of the scoring notice provides a summary of the score requested by the Applicant followed by the score staff has assessed based on the Application submitted. You should note that four scoring items are not reflected in this scoring comparison but are addressed separately.

Section 2 of the scoring notice includes each of the five scoring criteria for which points could not be requested by the Applicant in the application self-score form and include: §11.9(d)(1) Local Government Support, §11.9(d)(4) Quantifiable Community Participation, §11.9(d)(5) Community Support from State Representative, §11.9(d)(6) Input from Community Organizations, and §11.9(d)(7) Concerted Revitalization Plan.

Section 3 provides information related to any point deductions assessed under §11.9(f) of the QAP or §10.201(7)(A) of the Uniform Multifamily Rules.

Section 4 provides the final cumulative score in bold.

Section 5 includes an explanation of any differences between the requested and awarded score and tie-breakers as well as any penalty points assessed.

The scores provided herein are merely informational at this point in the process and may be subject to change. For example, points awarded under §11.9(e)(4) "Leveraging of Private, State, and Federal Resources", 11.9(b)(1)(A) "Unit Sizes", 11.9(b)(1)(B) "Unit and Development Features", 11.9(c)(1) "Income Levels of Tenants", 11.9(c)(2) "Rent Levels of Tenants", 11.9(e)(1) "Financial Feasibility", 11.9(e)(3) "Pre-Application Participation", and may be adjusted should the underwriting review result in changes to the Application that would affect these scores. If a scoring adjustment is necessary, staff will provide the Applicant a revised scoring notice.

Be further advised that if the Applicant failed to properly disclose information in the Application that could have a material impact on the scoring information provided herein, the score included in this notice may require adjustment and/or the Applicant may be subject to other penalties as provided for in the Department's rules.

This preliminary scoring notice is provided by staff at this time to ensure that an Applicant has sufficient notice to exercise any appeal process provided under §10.902 of the Uniform Multifamily Rules. All information in this scoring notice is further subject to modification, acceptance, and/or approval by the Department's Governing Board.



MULTIFAMILY FINANCE PRODUCTION DIVISION
 Housing Tax Credit Program - 2017 Application Round
 Scoring Notice - Competitive Housing Tax Credit Application

Page 2 of Final Scoring Notice: 17724, Liv Senior @ Johnson Ranch

Section 1:

Score Requested by Applicant (Does not include points for §11.9(d)(1), (4), (5), or (6) of the 2017 QAP):	122
Score Awarded by Department staff (Does not include points for §11.9(d)(1), (4), (5), or (6) of the 2017 QAP):	116
Difference between Requested and Awarded:	6

Section 2:

Points Awarded for §11.9(d)(1) Local Government Support:	17
Points Awarded for §11.9(d)(4) Quantifiable Community Participation:	4
Points Awarded for §11.9(d)(5) Community Support from State Representative:	8
Points Awarded for §11.9(d)(6) Input from Community Organizations:	0
Points Awarded for §11.9(d)(7) Concerted Revitalization Plan:	0

Section 3:

Points Deducted for §11.9(f) of the QAP or §10.201(7)(A) of the Uniform Multifamily Rules:	0
--	---

Section 4:

Final Score Awarded to Application by Department staff:	145
--	------------

Section 5:

Explanation for difference between points requested and points awarded by the Department as well as penalties assessed:

- §11.9(c)(6) Underserved Area. The Application requested three points but the census tract includes areas that are not within the boundaries of an incorporated area . (Requested 3, Awarded 0)
- §11.9(e)(4) Leveraging of Private, State, and Federal Resources. The Application requested 3 points but is not eligible for points because more than 50% of the developer fee is deferred. (Requested 3, Awarded 0)
- §11.9(d)(6) Input from Community Organizations. The Development Site is within the boundaries of the Johnson Ranch Master Community Association and is therefore ineligible for points under this item. (Possible points 4, Awarded 0)

Explanation for difference between requested tie-breakers and tie-breakers qualified by the Department:

- §11.7 Tie-break Factors. Bulverde Community Park is used as both a public park and an outdoor recreation facility but no evidence of why it should be considered both was provided. (Items Selected 12, Items Qualified 11)

Restrictions and requirements relating to the filing of an appeal can be found in §10.902 of the Uniform Multifamily Rules. If you wish to appeal this scoring notice, you must file your appeal with the Department no later than 5:00 p.m. Austin local time, Monday, May 8, 2017. If an appeal is denied by the Executive Director, an Applicant may appeal to the Department's Board.

In an effort to increase the likelihood that Board appeals related to scoring are heard at the Board meeting, the Department has provided an Appeal Election Form for all appeals submitted to the Executive Director. In the event an appeal is denied by the Executive Director, the Applicant is able to request that the appeal automatically be added to the Board agenda.

If you have any concerns regarding potential miscalculations or errors made by the Department, please contact Sharon Gamble at (512) 936-7834 or by email at <mailto:sharon.gamble@tdhca.state.tx.us>.

Sincerely,



MULTIFAMILY FINANCE PRODUCTION DIVISION
Housing Tax Credit Program - 2017 Application Round
Scoring Notice - Competitive Housing Tax Credit Application

Sharon Gamble

Sharon Gamble

9% Competitive HTC Program Administrator

Development is Rural and Development Site is within the required distance of eligible amenities and/or services pursuant to §11.9(c)(4)(B)(ii) of the QAP. A map showing the Development Site, scale showing radius, location of the amenities, and other evidence as applicable is included behind this tab.

- | | |
|--|---|
| full service grocery store or pharmacy (4 miles) | university or community college (15 miles) |
| health-related facility (4 miles) | census tract with ≥27% associate degrees adults aged ≥25 |
| licensed center serving children (4 miles) | museum (4 miles) |
| census tract with crime rate of ≤26 per 1k persons | indoor recreation facility available to public (3 miles) |
| public library (4 miles) | outdoor recreation facility available to public (3 miles) |
| public park (4 miles) | community, civic or service organization (3 miles) |

Application is seeking points for Opportunity Index. Total Points Claimed: 7

If necessary, provide a brief summary of how the Development Site is justifying the points selected:

3. §11.9(c)(8) - Proximity to the Urban Core (Competitive HTC Applications Only)

- Development Site is located in a City with a population over 300,000 and is *not* in At-Risk Set-Aside.
- AND**
- Population of City is 300,000-500,000 and Development is located w/in 2 miles of City Hall facility.
- OR**
- Population of City is more than 500,000 and Development is located w/in 4 miles of City Hall facility.

Application is seeking points for Proximity to the Urban Core. Total Points Claimed:

4. §11.9(c)(6) - Underserved Area (Competitive HTC and Direct Loan Applications Only)

Applications may qualify for up to five (5) points for proposed Developments located in one of the following areas:

- Colonia (*Note: Not eligible if application qualifies for Opportunity Index points*) ;
- Economically Distressed Area (*Note: Not eligible if application qualifies for Opportunity Index points*) ;
- Yes** A census tract within the boundaries of an incorporated area that has not received a competitive tax credit allocation or a 4% non-competitive tax credit allocation for a Development within the last 15 years; and continues to appear on Department's inventory
- If not the previous item, a census tract that does not have a Development subject to an active tax credit LURA, (or has received a tax credit award but not yet reached the point where its LURA must be recorded);
- A census tract within the boundaries of an incorporated area and all contiguous census tracts for which neither the census tract within which the Development is located nor the contiguous census tracts have received an award or HTC allocation within the last 15 years and continues to appear on the Department's inventory (**only applies in cities with a population of ≥300,000 and will not apply in At-Risk**).

Contiguous Census Tract #	<input type="text"/>	Contiguous Census Tract #	<input type="text"/>
Contiguous Census Tract #	<input type="text"/>	Contiguous Census Tract #	<input type="text"/>
Contiguous Census Tract #	<input type="text"/>	Contiguous Census Tract #	<input type="text"/>

Application is seeking points for Underserved Area. Total Points Claimed: 3

5. **§11.9(d)(7) - Concerted Revitalization Plan (Competitive HTC Applications Only)**

Region:

- Development is in an Urban Area.
- Concerted Revitalization Plan has been adopted by the municipality or county and resolution or certification is attached behind this tab.
- Letter from appropriate local official , Target Area map, and supporting documentation are provided behind this tab.
- Development is explicitly identified by the city or county as contributing more than any other to the concerted revitalization efforts of the city or county; resolution stating such is provided behind this tab.
- No points were claimed for Opportunity Index, but location would qualify for at least 4 points:

<input type="text"/>	<input type="text"/>
<input type="text"/>	<input type="text"/>

OR

Development is in a Rural Area. Rehabilitation Demolition/Reconstruction

Development is currently leased at 85% or more by low income households, and was constructed prior to 1985 as either public housing or as affordable housing with support from USDA, HUD, HOME, or CDBG.

AND

Demolition and relocation of units has been determined locally to be necessary to comply with Affirmatively Furthering Fair Housing Rule or to create acceptable distance from Undesirable Neighborhood Characteristics, or such characteristics are disclosed and found to be acceptable.


OR

Rehabilitation of units and the proposed location requires no disclosure of Undesirable Neighborhood Characteristics, or such characteristics are disclosed and found to be acceptable.

Development is explicitly identified by the city or county as contributing more than any other to the concerted revitalization efforts of the city or county; letter from Governing Body stating such is provided behind this tab.

No points were claimed for Opportunity Index, but location would qualify for at least 4 points under §11.9(c)(4)(B):

<input type="text"/>	<input type="text"/>
<input type="text"/>	<input type="text"/>

Application is seeking points for Concerted Revitalization. Total Points Claimed: 

6. **§11.9(d)(3) - Declared Disaster Area Scoring (Competitive HTC Applications ONLY)**

Development is located in an area that qualifies as a Declared Disaster Area as defined in §11.9(d)(3).

Application is seeking points for Declared Disaster Area. Total Points Claimed:



Select Geographies Close X
Use the options on the left (topics, geographies, ...) to narrow your search results

List	Name	Address	Map
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Find address or place

Select Geographies Close X

Select From

most requested geography types

more geography types

Select

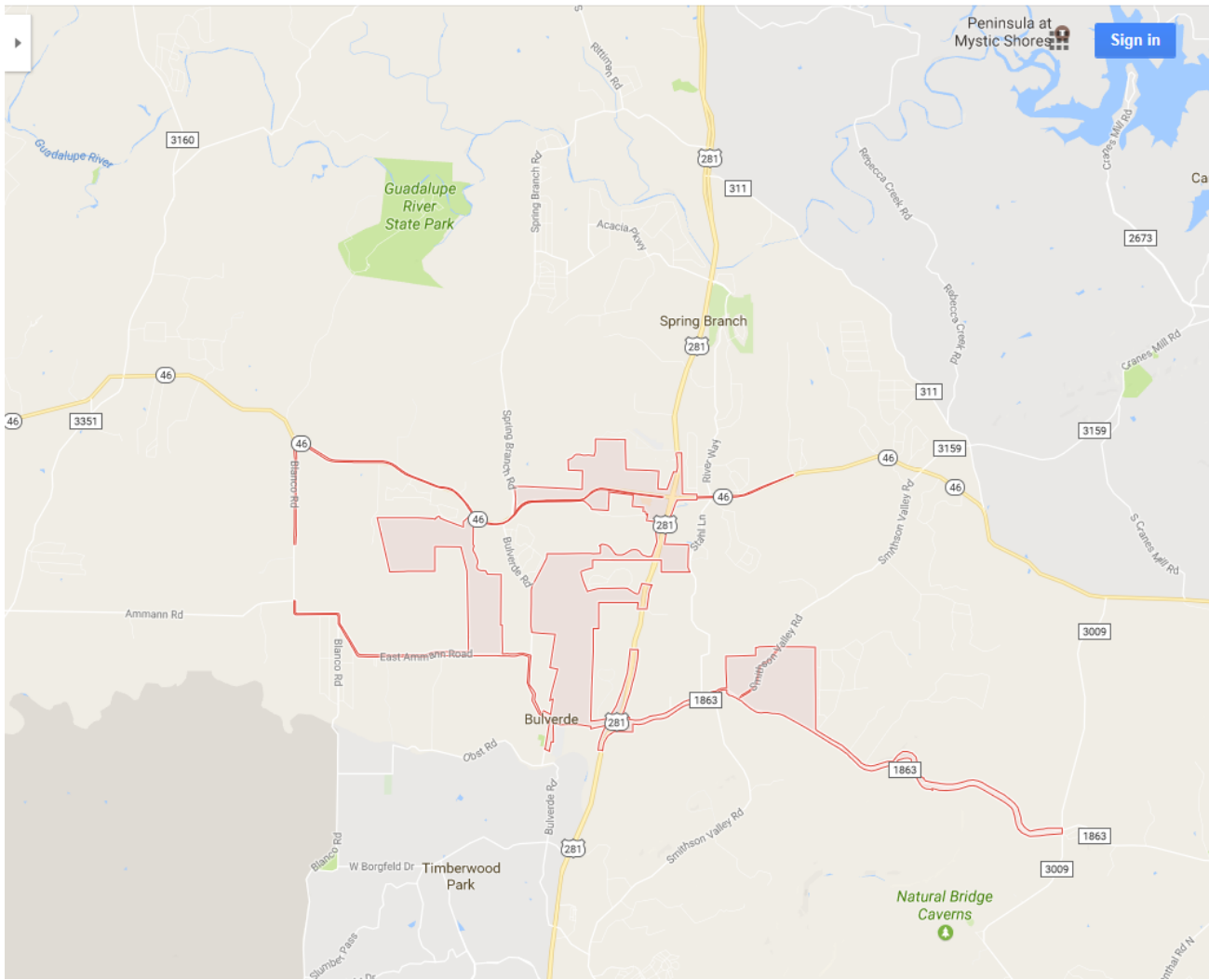
-- select a geographic type --

from the map using one of the following selection tools:



Get Google Chrome
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NO THANKS YES



Finance Scoring (for Competitive HTC Applications ONLY)

Self Score Total: 122

1. Commitment of Development Funding by Local Political Subdivision (§11.9(d)(2))

Name of the Local Political Subdivision providing the funding: City of Bulverde

A letter from an official of the political subdivision stating that the political subdivision will provide a loan, grant, reduced fees or contribution of other value is in the application.

The letter includes the dollar value of the contribution and the terms under which it will be provided.

The commitment of development funding is reflected in the Application as a financial benefit to the Development, i.e. reported as a source of funds on the Sources and Uses Form and/or reflected in a lower cost in the Development Cost Schedule, such as notation of a reduction in building permits and related costs.

Total Points Claimed: 1

2. Financial Feasibility (§11.9(e)(1))

Eligible Pro-Forma and letter stating the Development is financially feasible. 0

Eligible Pro-Forma and letter stating Development ***and*** Principals are acceptable. 18

Total Points Claimed: 18

3. Leveraging of Private, State, and Federal Resources (§2306.6725(a)(3); §11.9(e)(4))

Percent of Units restricted to serve households at or below 30% of AMGI 6.25%

HTC funding request as a percent of Total Housing Development Cost 4.42%

eligible for points:

Development Leverages CDBG Disaster Recovery, HOPE VI, RAD or Choice Neighborhood Funding 0

Housing Tax Credit Request 8% of Total Housing Development Cost 3

Housing Tax Credit Request 9% of Total Housing Development Cost 2

Housing Tax Credit Request 10% of Total Housing Development Cost 1

* **Be sure no more than 50% of Developer fees are deferred.**

Total Points Claimed: 3

Development Cost Schedule

Self Score Total: 12

This Development Cost Schedule must be consistent with the Summary Sources and Uses of Funds Statement. All Applications must complete the total development cost column and the Tax Payer Identification column. Only HTC applications must complete the Eligible Basis columns and the Requested Credit calculation below:

TOTAL DEVELOPMENT SUMMARY			Scratch Paper/Notes
Total	Eligible Basis (If Applicable)		
Cost	Acquisition	New/Rehab.	
ACQUISITION			
Site acquisition cost	1,400,000		
Existing building acquisition cost			
Closing costs & acq. legal fees			
Other (specify) - see footnote 1			
Other (specify) - see footnote 1			
Subtotal Acquisition Cost	\$1,400,000	\$0	\$0
OFF-SITES²			
Off-site concrete			
Storm drains & devices			
Water & fire hydrants			
Off-site utilities			
Sewer lateral(s)			
Off-site paving			
Off-site electrical			
Other (specify) - see footnote 1			
Other (specify) - see footnote 1			
Subtotal Off-Sites Cost	\$0	\$0	\$0
SITE WORK³			
Demolition			
Asbestos Abatement (Demolition Only)			
Detention	298,000		298,000
Rough grading	100,000		100,000
Fine grading	50,000		50,000
On-site concrete	50,000		50,000
On-site electrical	50,000		50,000
On-site paving	198,000		198,000
On-site utilities	320,000		320,000
Decorative masonry			
Bumper stops, striping & signs	20,000		20,000
Other (specify) - see footnote 1			
Subtotal Site Work Cost	\$1,086,000	\$0	\$1,086,000
SITE AMENITIES			
Landscaping	125,000		125,000
Pool and decking			
Athletic court(s), playground(s)			
Fencing	35,000		35,000
Other (specify) - see footnote 1			
Subtotal Site Amenities Cost	\$160,000	\$0	\$160,000

BUILDING COSTS*:

Concrete	552,000		552,000
Masonry	100,000		100,000
Metals	25,000		25,000
Woods and Plastics	1,009,000		1,009,000
Thermal and Moisture Protection	25,000		25,000
Roof Covering	160,000		160,000
Doors and Windows	240,000		240,000
Finishes	120,000		120,000
Specialties			
Equipment			
Furnishings	960,000		960,000
Special Construction			
Conveying Systems (Elevators)			
Mechanical (HVAC; Plumbing)	600,000		600,000
Electrical	520,000		520,000

Individually itemize costs below:

Detached Community Facilities/Building	250,000		250,000
Carpports and/or Garages			
Lead-Based Paint Abatement			
Asbestos Abatement (Rehabilitation Only)			
Structured Parking			
Commercial Space Costs			
Other (specify) - see footnote 1			
Subtotal Building Costs Before 11.9(e)(2)	\$4,561,000	\$0	\$4,561,000

Voluntary Eligible Building Costs (After 11.9(e)(2))
Enter amount to be used to achieve desired score.

\$66.10 psf

\$4,561,000

*Enter score for Building **OR** Hard Costs at end of form**TOTAL BUILDING COSTS & SITE WORK
(including site amenities)**

\$5,807,000 \$0 \$5,807,000

Contingency	5.02%	\$291,399		291,399
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TOTAL HARD COSTS

\$6,098,399 \$0 \$6,098,399

OTHER CONSTRUCTION COSTS

	%THC				%EHC
General requirements (<6%)	5.99%	365,500		365,500	5.99%
Field supervision (within GR limit)					
Contractor overhead (<2%)	2.00%	122,000		122,000	2.00%
G & A Field (within overhead limit)					
Contractor profit (<6%)	5.99%	365,500		365,500	5.99%

TOTAL CONTRACTOR FEES

\$853,000 \$0 \$853,000

TOTAL CONSTRUCTION CONTRACT

\$6,951,399 \$0 \$6,951,399

Voluntary Eligible "Hard Costs" (After 11.9(e)(2))
Enter amount to be used to achieve desired score.

\$100.74 psf

\$6,951,399

*Enter score for Building **OR** Hard Costs at end of form

OTHER FINANCING COSTS³

Tax credit fees	25,750		
Tax and/or bond counsel	100,000		100,000
Payment bonds			
Performance bonds	45,000		45,000
Credit enhancement fees			
Mortgage insurance premiums			
Cost of underwriting & issuance			
Syndication organizational cost			
Tax opinion			
Due Diligence	25,000		25,000
Other (specify) - see footnote 1			
Subtotal Financing Cost	\$692,324	\$0	\$639,353

DEVELOPER FEES³

Housing consultant fees ⁴	122,400		122,400
General & administrative			
Profit or fee	1,102,500		1,102,500
Subtotal Developer Fees 15.00%	\$1,224,900	\$0	\$1,224,900 15.00%

RESERVES

Rent-up			
Operating	219,579		
Replacement			
Escrows	250,909		
Subtotal Reserves	\$470,488	\$0	\$0

TOTAL HOUSING DEVELOPMENT COSTS⁵

\$11,315,111	\$0	\$9,391,652
--------------	-----	-------------

The following calculations are for HTC Applications only.

Deduct From Basis:

Federal grants used to finance costs in Eligible Basis		
Non-qualified non-recourse financing		
Non-qualified portion of higher quality units §42(d)(5)		
Historic Credits (residential portion only)		
Total Eligible Basis	\$0	\$9,391,652
**High Cost Area Adjustment (100% or 130%)		130%
Total Adjusted Basis	\$0	\$12,209,147
Applicable Fraction		70%
Total Qualified Basis	\$8,546,403	\$8,546,403
Applicable Percentage ⁶		9.00%
Credits Supported by Eligible Basis	\$769,176	\$769,176

(May be greater than actual request)

*11.9(c)(2) Cost Per Square Foot: DO NOT ROUND! Applicants are advised to ensure that figure is not rounding down to the maximum dollar figure to support the elected points.

Requested Score for 11.9(e)(2)

12

Name of contact for Cost Estimate: Amstar - Fernando Flores

Phone Number for Contact: (210) 927-5705

Financing Narrative and Summary of Sources and Uses

Describe all sources of funds. Information must be consistent with the information provided throughout the Application (i.e. Financing Narrative, Term Sheets and Development Cost Schedule).

Financing Participants	Funding Description	Construction Period		Lien Position	Permanent Period					Lien Position
		Loan/Equity Amount	Interest Rate (%)		Loan/Equity Amount	Interest Rate (%)	Amort - ization	Term (Yrs)	Syndication Rate	
Debt										
TDHCA	Multifamily Direct Loan (Repayable)	\$0	0.00%		\$ -	0.00%	30	0		
TDHCA	Multifamily Direct Loan (Soft Repayment)	\$0	0.00%		\$ -	0.00%	0	0		
TDHCA	Mortgage Revenue Bond	\$0	0.00%		\$ -	0.00%	0	0		
Berkadia	Conventional/FHA	\$6,198,098	4.15%	1	\$ 6,198,098	4.15%	40	40		1
Third Party Equity										
Alliance	HTC \$ 500,000	\$ 3,917,884			\$ 4,499,100				0.9	
Grant										
City of Bulverde	Local Government Grant	\$ 250			\$ 250					
Deferred Developer Fee										
Mission DG, LLC	Deferred Dev Fee	\$ 979,200			\$ 617,563		Cashflow			2
Other										
	Direct Loan Match									
Liv Johnson Ranch GP, LLC	GP Contribution	\$ 100			\$ 100					
Total Sources of Funds		\$ 11,095,532			\$ 11,315,111					
Total Uses of Funds					\$ 11,315,111					

Community Input Scoring Items

TDHCA#: 17724

1. Local Government Support - §11.9(d)(1)

- Resolution(s) of either no objection or support is included behind this tab.**
** Note that resolutions are due March 1, 2017

2. Community Support from State Representative - §11.9(d)(5)

- Letter of either support or opposition is included behind this tab.**
** Note that letters are due March 1, 2017

3. Input from Community Organizations - §11.9(d)(6)

- Applicant has included one or more letters of support or opposition behind this tab.

List information for each of the letters below:

A. Bulverde Spring Branch Activity Center

Name of Community Organization

Laurie Wilson

Contact Name

Support
 Opposition

B. Johnson Ranch Master Community Association, Inc

Name of Community Organization

Charlie Hill

Contact Name

Support
 Opposition

C. Kid's Day Daycare Center

Name of Community Organization

Michelle Patteson

Contact Name

Support
 Opposition

D. Provisions: A 25:35 Outreach

Name of Community Organization

Weslea Miller

Contact Name

Support
 Opposition

E. The HOPE Center

Name of Community Organization

Michele Woodman

Contact Name

Support
 Opposition

F. Acacia Medical Mission

Name of Community Organization

Cheryl Johnson

Contact Name

Support
 Opposition

Johnson Ranch

February 21, 2017

Mr. Tim Irvine
Executive Director
Texas Department of Housing and Community Affairs
P. O. Box 13941
Austin, Texas 78711-3941

Dear Mr. Irvine,

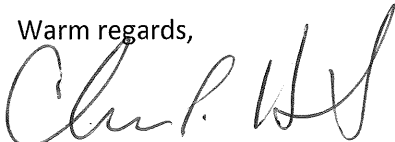
TDHCA #17724, the proposed LIV Senior Ltd. to be located at 30475 Johnson Way, Johnson Ranch Master Planned Community, Bulverde ETJ, Comal County, Texas. The site of the LIV Senior Ltd. rental housing falls within the boundaries of the Johnson Ranch Master Community Association, Inc.

The Board of Directors of the Johnson Ranch Master Community Association met today, February 21, 2017, and unanimously voted to support the proposed LIV Senior Ltd., TDHCA # 17724.

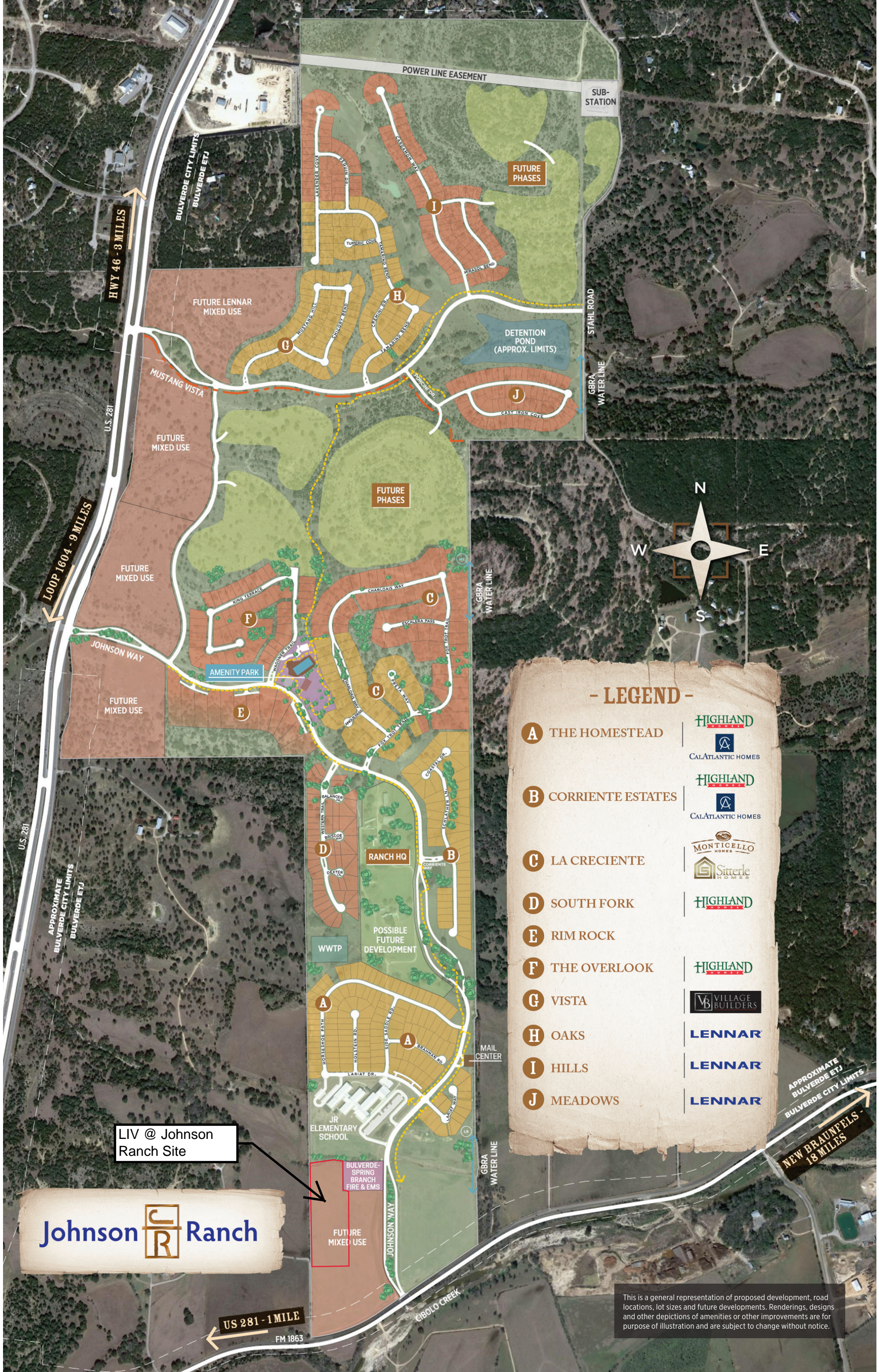
As required, a copy of the map of the Johnson Ranch Master Community Association, Inc. is enclosed and the site for the proposed LIV Senior apartments is marked on the map.

Please do not hesitate to call on me should you or others have any questions.

Warm regards,



Charles P. Hill
Vice President
Johnson Ranch Master Community Association, Inc.



LIV @ Johnson Ranch Site



- LEGEND -

<p>A THE HOMESTEAD</p> <p>B CORRIENTE ESTATES</p> <p>C LA CRECIENTE</p> <p>D SOUTH FORK</p> <p>E RIM ROCK</p> <p>F THE OVERLOOK</p> <p>G VISTA</p> <p>H OAKS</p> <p>I HILLS</p> <p>J MEADOWS</p>	<p> CALATLANTIC HOMES</p> <p> CALATLANTIC HOMES</p> <p> Sitterle HOMES</p> <p></p> <p></p> <p></p> <p>LENNAR</p> <p>LENNAR</p> <p>LENNAR</p>
--	---

This is a general representation of proposed development, road locations, lot sizes and future developments. Renderings, designs and other depictions of amenities or other improvements are for purpose of illustration and are subject to change without notice.

17724

Applicant Appeal to
Executive Director



MULTIFAMILY FINANCE PRODUCTION DIVISION
Housing Tax Credit Program - 2017 Application Round
Scoring Notice - Competitive Housing Tax Credit Application

Appeal Election Form: 17724, Liv Senior @ Johnson Ranch

Note: If you do not wish to appeal this notice, do not submit this form.

I am in receipt of my 2017 scoring notice and am filing a formal appeal to the Executive Director on or before Monday, May 8, 2017.

If my appeal is denied by the Executive Director:

I do wish to appeal to the Board of Directors and request that my application be added to the Department Board of Directors meeting agenda. My appeal documentation, which identifies my specific grounds for appeal, is attached. If no additional documentation is submitted, the appeal documentation to the Executive Director will be utilized.

I do not wish to appeal to the Board of Directors.

Signed



Title President & Managing Partner

Date 05/08/2017

Please email to Sharon Gamble:
<mailto:sharon.gamble@tdhca.state.tx.us>



MULTIFAMILY FINANCE PRODUCTION DIVISION
Housing Tax Credit Program - 2017 Application Round
Scoring Notice - Competitive Housing Tax Credit Application

Joel Pollack

Phone #: (210) 354-3705

Email: joel@210dg.com

Second Email: holly@210dg.com

Date: May 01, 2017

**THIS NOTICE WILL ONLY BE
TRANSMITTED VIA EMAIL**

**RE: 2017 Competitive Housing Tax Credit (HTC) Application for Liv Senior @ Johnson Ranch, TDHCA
Number: 17724**

The Texas Department of Housing and Community Affairs has completed its program review of the Application referenced above as further described in the 2017 Qualified Allocation Plan ("QAP"). This scoring notice provides a summary of staff's assessment of the application's score. The notice is divided into several sections.

Section 1 of the scoring notice provides a summary of the score requested by the Applicant followed by the score staff has assessed based on the Application submitted. You should note that four scoring items are not reflected in this scoring comparison but are addressed separately.

Section 2 of the scoring notice includes each of the five scoring criteria for which points could not be requested by the Applicant in the application self-score form and include: §11.9(d)(1) Local Government Support, §11.9(d)(4) Quantifiable Community Participation, §11.9(d)(5) Community Support from State Representative, §11.9(d)(6) Input from Community Organizations, and §11.9(d)(7) Concerted Revitalization Plan.

Section 3 provides information related to any point deductions assessed under §11.9(f) of the QAP or §10.201(7)(A) of the Uniform Multifamily Rules.

Section 4 provides the final cumulative score in bold.

Section 5 includes an explanation of any differences between the requested and awarded score and tie-breakers as well as any penalty points assessed.

The scores provided herein are merely informational at this point in the process and may be subject to change. For example, points awarded under §11.9(e)(4) "Leveraging of Private, State, and Federal Resources", 11.9(b)(1)(A) "Unit Sizes", 11.9(b)(1)(B) "Unit and Development Features", 11.9(c)(1) "Income Levels of Tenants", 11.9(c)(2) "Rent Levels of Tenants", 11.9(e)(1) "Financial Feasibility", 11.9(e)(3) "Pre-Application Participation", and may be adjusted should the underwriting review result in changes to the Application that would affect these scores. If a scoring adjustment is necessary, staff will provide the Applicant a revised scoring notice.

Be further advised that if the Applicant failed to properly disclose information in the Application that could have a material impact on the scoring information provided herein, the score included in this notice may require adjustment and/or the Applicant may be subject to other penalties as provided for in the Department's rules.

This preliminary scoring notice is provided by staff at this time to ensure that an Applicant has sufficient notice to exercise any appeal process provided under §10.902 of the Uniform Multifamily Rules. All information in this scoring notice is further subject to modification, acceptance, and/or approval by the Department's Governing Board.



MULTIFAMILY FINANCE PRODUCTION DIVISION
Housing Tax Credit Program - 2017 Application Round
Scoring Notice - Competitive Housing Tax Credit Application

Page 2 of Final Scoring Notice: 17724, Liv Senior @ Johnson Ranch

Section 1:

Score Requested by Applicant (Does not include points for §11.9(d)(1), (4), (5), or (6) of the 2017 QAP):	122
Score Awarded by Department staff (Does not include points for §11.9(d)(1), (4), (5), or (6) of the 2017 QAP):	116
Difference between Requested and Awarded:	6

Section 2:

Points Awarded for §11.9(d)(1) Local Government Support:	17
Points Awarded for §11.9(d)(4) Quantifiable Community Participation:	4
Points Awarded for §11.9(d)(5) Community Support from State Representative:	8
Points Awarded for §11.9(d)(6) Input from Community Organizations:	0
Points Awarded for §11.9(d)(7) Concerted Revitalization Plan:	0

Section 3:

Points Deducted for §11.9(f) of the QAP or §10.201(7)(A) of the Uniform Multifamily Rules:	0
--	---

Section 4:

Final Score Awarded to Application by Department staff:	145
--	------------

Section 5:

Explanation for difference between points requested and points awarded by the Department as well as penalties assessed:

- §11.9(c)(6) Underserved Area. The Application requested three points but the census tract includes areas that are not within the boundaries of an incorporated area . (Requested 3, Awarded 0)
- §11.9(e)(4) Leveraging of Private, State, and Federal Resources. The Application requested 3 points but is not eligible for points because more than 50% of the developer fee is deferred. (Requested 3, Awarded 0)
- §11.9(d)(6) Input from Community Organizations. The Development Site is within the boundaries of the Johnson Ranch Master Community Association and is therefore ineligible for points under this item. (Possible points 4, Awarded 0)

Explanation for difference between requested tie-breakers and tie-breakers qualified by the Department:

- §11.7 Tie-break Factors. Bulverde Community Park is used as both a public park and an outdoor recreation facility but no evidence of why it should be considered both was provided. (Items Selected 12, Items Qualified 11)

Restrictions and requirements relating to the filing of an appeal can be found in §10.902 of the Uniform Multifamily Rules. If you wish to appeal this scoring notice, you must file your appeal with the Department no later than 5:00 p.m. Austin local time, Monday, May 8, 2017. If an appeal is denied by the Executive Director, an Applicant may appeal to the Department's Board.

In an effort to increase the likelihood that Board appeals related to scoring are heard at the Board meeting, the Department has provided an Appeal Election Form for all appeals submitted to the Executive Director. In the event an appeal is denied by the Executive Director, the Applicant is able to request that the appeal automatically be added to the Board agenda.

If you have any concerns regarding potential miscalculations or errors made by the Department, please contact Sharon Gamble at (512) 936-7834 or by email at <mailto:sharon.gamble@tdhca.state.tx.us>.

Sincerely,



MULTIFAMILY FINANCE PRODUCTION DIVISION
Housing Tax Credit Program - 2017 Application Round
Scoring Notice - Competitive Housing Tax Credit Application

Sharon Gamble

Sharon Gamble

9% Competitive HTC Program Administrator

Underserved Area Response:

QAP Section 11.9(c.)(6) for underserved area subsection C:

(C.) A Census tract within the boundaries of an incorporated area that has not received a competitive tax credit allocation or a 4 percent non-competitive tax credit allocation for a development within the past 15 years and continues to appear on the Department's inventory.

The City of Bulverde encompasses two separate census tracts; one of which, Liv Senior @ Johnson Ranch is proposing to be developed. The proposed development is within a census tract that has never received an allocation of tax credits; 4% or 9%. The language in the QAP does not state that the census tract cannot exceed the incorporated area of a city or required that the census tract must be within the city boundaries. The QAP indicates that the proposed development must cross the City limits must have jurisdiction within the census tract of the location of the development. The proposed Liv Senior @ Johnson Ranch resides within a census tract that also contains boundaries of the City of Bulverde.

Although the Development is located in the ETJ of the City of Bulverde, Johnson Ranch has an interarea agreement with the City of Bulverde. The City of Bulverde has oversight over the plan approval and permitting for all construction and development within the Johnson Ranch Community. Because of this agreement, all of Johnson Ranch falls within the boundaries of the incorporated area of the City of Bulverde and as such the development is governed by the rules and regulations of the City of Bulverde.

City of Bulverde

PLANNING & DEVELOPMENT SERVICES

30360 Cougar Bend
Bulverde, TX 78163
Office (830) 438-3612
Fax (830) 438-4339

February 21, 2017

Chris Crim, PE
Senior Project Manager
HMT Engineering
8200 IH-10, Ste. 810
Boerne, Texas 78006



RE: Johnson Ranch Development

Dear Mr. Crim,

Please accept this letter as the verification that the property within the Johnson Ranch Development abutting the 30475 Johnson Way is located within the City of Bulverde ETJ and is not subject to any City zoning requirements. The Development is however subject to requirements of an approved Development Agreement and Master Plan. However, the approved agreement and Master Plan do not specify any prohibitions to a multi-family development. Section 2.03 of the Development Agreement and Item 4 of the Master Plan Submittal Notes provide for flexibility in land-use allocation. That Development Agreement and Master Plan are attached for your convenience.

Thank you again for reaching out to the City with your inquires and please let me know if I can be of further assistance.

Respectfully,

Brandon Melland, AICP
City Planner
City of Bulverde, Planning & Development Services



February 28, 2017

Texas Department of Housing and Community Affairs
ATTN: Marni Holloway
221 East 11th Street
Austin, Texas 78701-2410

RE: Confirmation of Zoning

Dear Mrs. Holloway:

As the owner/developer of the Johnson Ranch Master Plan, please accept this letter as confirmation that the proposed 80-unit Independent Living project known as LIV Johnson Ranch conforms to the permitted land use and density of the master plan, as established at our sole discretion in accordance with local regulations and agreements.

Sincerely,

A handwritten signature in blue ink, appearing to read "Charles P. Hill". The signature is fluid and cursive, with the first name "Charles" being the most prominent.

Charles P. Hill
President, DHJB Development LLC

DHJB Development, LLC

102-A Cordillera Ridge, Boerne, TX 78006 • 830-336-2518 • JohnsonRanch-TX.com

February 28, 2017

Texas Department of Housing and Community Affairs
ATTN: Marni Holloway
221 East 11th Street
Austin, Texas 78701-2410

RE: Confirmation of Zoning

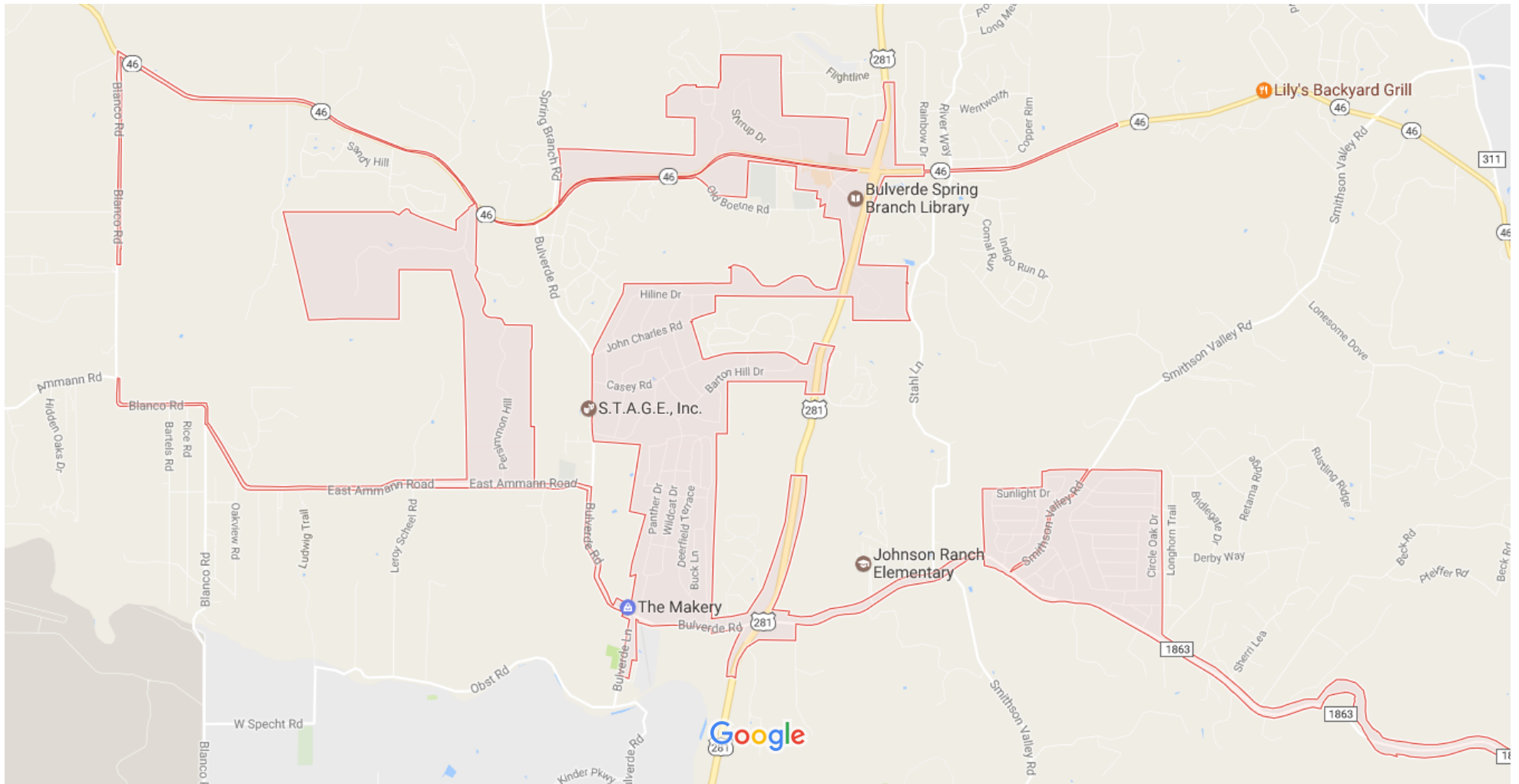
Dear Mrs. Holloway:

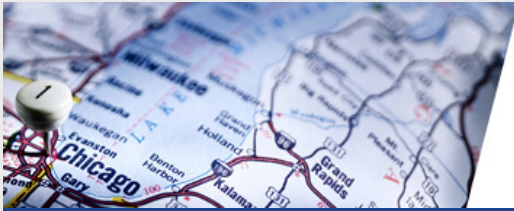
Please accept this letter as confirmation that the proposed 80-unit Independent Living project known LIV Johnson Ranch is located in the Johnson Ranch Master Plan, outside of the city limits of the City of Bulverde but within the Bulverde Extraterritorial Jurisdiction (ETJ) in Comal County, Texas. Due to the property's location within the ETJ outside of city limits, there is no designated zoning for the property. There is a Development Agreement in effect with the owner/developer of the Johnson Ranch Master Plan that regulates some uses and densities within the master plan; however, there is no prohibition to the proposed multifamily use. Therefore, the proposed project conforms to local zoning regulations and agreements, as applicable.

Sincerely,

A handwritten signature in blue ink that reads "Danny S. Batts II". The signature is written in a cursive style with a double underline under the name.

Danny Batts
City Manager





2016 and 2017 Small DDAs and QCTs

Bulverde Texas Select a State Select a County

Map Options : [Clear](#) | [Reset](#) | [Full Screen](#)

- QCT Legend:**
- Tract Outline
 - LIHTC Project
 - 2017 Qualified Census Tracts
- SADDA Legend (%):**
- FMR Boundary
 - SADDA Boundary
 - 2017 Small DDA (Entire ZIP code)
 - 2017 Small DDA (Part of ZIP code)
 - Non-Metro Area

[Hide the overview of SADDA](#)

The 2017 Qualified Census Tracts (QCTs) and Difficult Development Areas (DDAs) are effective January 1, 2017. The 2017 designations use data from the 2010 Decennial census and three releases of 5-year tabulations from the American Community Survey (ACS): 2008-2012; 2009-2013; and 2010-2014. The designation methodology is explained in the federal Register notice published October 17, 2016 (https://www.huduser.gov/portal/Datasets/QCT/QCTDDA2017_Notice.pdf).

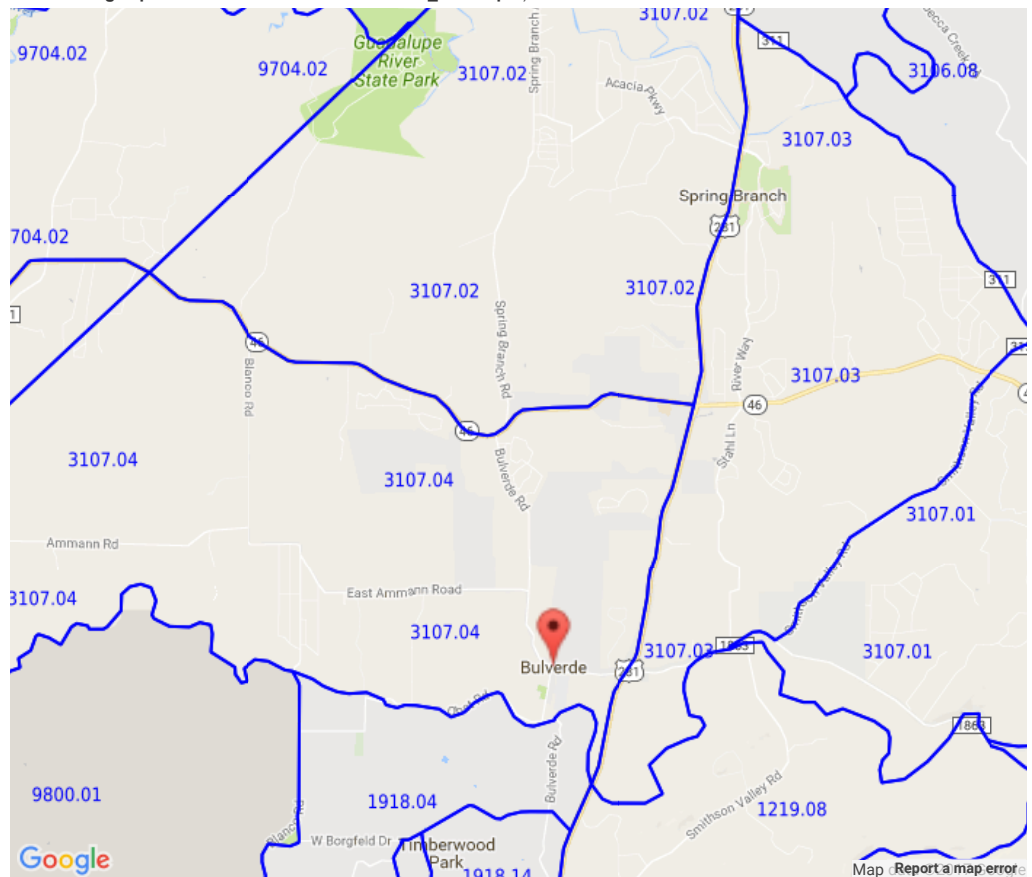
Map Options

- 12 Current Zoom Level
- Show SADDA Outlines (Zoom 10+)
 - Color QCT Qualified Tracts (Zoom 7+)
 - Show Tracts Outline (Zoom 11+)
 - Show FMR Outlines (Zoom 4+)
 - Show LIHTC Projects (Zoom 11+)

[Click here for full screen map](#)

Select Year

- 2017
- 2016



Map [Report a map error](#)



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- HUD at 50

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USA.gov



HUD USER

P.O. Box 23268, Washington, DC 20026-3268

Toll Free: 1-800-245-2691 TDD: 1-800-927-7589

Local: 1-202-708-3178 Fax: 1-202-708-9981

BUILDING COSTS*:

Concrete	552,000		552,000
Masonry	100,000		100,000
Metals	25,000		25,000
Woods and Plastics	1,009,000		1,009,000
Thermal and Moisture Protection	25,000		25,000
Roof Covering	160,000		160,000
Doors and Windows	240,000		240,000
Finishes	120,000		120,000
Specialties			
Equipment			
Furnishings	960,000		960,000
Special Construction			
Conveying Systems (Elevators)			
Mechanical (HVAC; Plumbing)	600,000		600,000
Electrical	520,000		520,000

Individually itemize costs below:

Detached Community Facilities/Building	250,000		250,000
Carpports and/or Garages			
Lead-Based Paint Abatement			
Asbestos Abatement (Rehabilitation Only)			
Structured Parking			
Commercial Space Costs			
Other (specify) - see footnote 1			
Subtotal Building Costs Before 11.9(e)(2)	\$4,561,000	\$0	\$4,561,000

Voluntary Eligible Building Costs (After 11.9(e)(2)) Enter amount to be used to achieve desired score.	\$66.10 psf	\$4,561,000
--	-------------	-------------

*Enter score for Building **OR** Hard Costs at end of form

TOTAL BUILDING COSTS & SITE WORK (including site amenities)	\$5,807,000	\$0	\$5,807,000
---	-------------	-----	-------------

Contingency	5.02%	\$291,399		291,399
-------------	-------	-----------	--	---------

TOTAL HARD COSTS	\$6,098,399	\$0	\$6,098,399
-------------------------	-------------	-----	-------------

OTHER CONSTRUCTION COSTS	%THC			%EHC	
General requirements (<6%)	5.99%	365,500		365,500	5.99%
Field supervision (within GR limit)					
Contractor overhead (<2%)	2.00%	122,000		122,000	2.00%
G & A Field (within overhead limit)					
Contractor profit (<6%)	5.99%	365,500		365,500	5.99%

TOTAL CONTRACTOR FEES	\$853,000	\$0	\$853,000
------------------------------	-----------	-----	-----------

TOTAL CONSTRUCTION CONTRACT	\$6,951,399	\$0	\$6,951,399
------------------------------------	-------------	-----	-------------

Voluntary Eligible "Hard Costs" (After 11.9(e)(2)) Enter amount to be used to achieve desired score.	\$100.74 psf	\$6,951,399
--	--------------	-------------

*Enter score for Building **OR** Hard Costs at end of form

OTHER FINANCING COSTS³

Tax credit fees	25,750		
Tax and/or bond counsel	100,000		100,000
Payment bonds			
Performance bonds	45,000		45,000
Credit enhancement fees			
Mortgage insurance premiums			
Cost of underwriting & issuance			
Syndication organizational cost			
Tax opinion			
Due Diligence	25,000		25,000
Other (specify) - see footnote 1			
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DEVELOPER FEES³

Housing consultant fees ⁴	122,400		122,400
General & administrative			
Profit or fee	1,102,500		1,102,500
Subtotal Developer Fees 15.00%	\$1,224,900	\$0	\$1,224,900

RESERVES

Rent-up			
Operating	219,579		
Replacement			
Escrows	244,909		
Subtotal Reserves	\$464,488	\$0	\$0

TOTAL HOUSING DEVELOPMENT COSTS⁵

\$11,309,111	\$0	\$9,391,652
--------------	-----	-------------

The following calculations are for HTC Applications only.

Deduct From Basis:

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Non-qualified non-recourse financing		
Non-qualified portion of higher quality units §42(d)(5)		
Historic Credits (residential portion only)		
Total Eligible Basis	\$0	\$9,391,652
**High Cost Area Adjustment (100% or 130%)		130%
Total Adjusted Basis	\$0	\$12,209,147
Applicable Fraction		70%
Total Qualified Basis	\$8,546,403	\$8,546,403
Applicable Percentage ⁶		9.00%
Credits Supported by Eligible Basis	\$769,176	\$769,176

(May be greater than actual request)

*11.9(c)(2) Cost Per Square Foot: DO NOT ROUND! Applicants are advised to ensure that figure is not rounding down to the maximum dollar figure to support the elected points.

Requested Score for 11.9(e)(2)

12

Name of contact for Cost Estimate: **Amstar - Fernando Flores**

Phone Number for Contact: **(210) 927-5705**

Footnotes:

¹ An itemized description of all "other" costs must be included at the end of this exhibit.

² All Off-Site costs must be justified by a Third Party engineer in accordance with the Department's format provided in the Offsite Cost Breakdown form.

³ (HTC Only) Site Work expenses, indirect construction costs, developer fees, construction loan financing and other financing costs may or may not be included in Eligible Basis. Site Work costs must be justified by a Third Party engineer in accordance with the Department's format provided in the Site Work Cost Breakdown form.

⁴ (HTC Only) Only fees paid to a consultant for duties which are not ordinarily the responsibility of the developer, can be included in Eligible Basis. Otherwise, consulting fees are included in the calculation of maximum developer fees.

⁵ (HTC Only) Provide all costs & Eligible Basis associated with the Development.

⁶ (HTC Only) Use the appropriate Applicable Percentages as defined in §10.3 of the Uniform Mutifamily Rules.

Financing Narrative and Summary of Sources and Uses

Describe all sources of funds. Information must be consistent with the information provided throughout the Application (i.e. Financing Narrative, Term Sheets and Development Cost Schedule).

Financing Participants	Funding Description	Construction Period		Lien Position	Permanent Period					Lien Position
		Loan/Equity Amount	Interest Rate (%)		Loan/Equity Amount	Interest Rate (%)	Amort - ization	Term (Yrs)	Syndication Rate	
Debt										
TDHCA	Multifamily Direct Loan (Repayable)	\$0	0.00%		\$ -	0.00%	30	0		
TDHCA	Multifamily Direct Loan (Soft Repayment)	\$0	0.00%		\$ -	0.00%	0	0		
TDHCA	Mortgage Revenue Bond	\$0	0.00%		\$ -	0.00%	0	0		
HUD - 221 d4 Insured Mortgage	Conventional/FHA	\$6,198,098	4.15%	1						
HUD - 221 d4 Insured Mortgage	Conventional/FHA				\$ 6,198,098	4.15%	40	40		1
Third Party Equity										
Equity Fund	HTC \$ 500,000	\$ 3,911,884			\$ 4,499,100				0.9	
Grant										
Deferred Developer Fee										
Mission DG	Deferred during Construc	\$ 979,200	AFR	2						
Mission DG	Developer Fee				\$ 611,563	AFR	cash flow	15		2
Other										
	Direct Loan Match									
Reserves not used at Closing		\$ 219,579								
LIV Johnson Ranch GP, LLC	GP contribution	\$ 100			\$ 100					
City of Bulverde	City contribution	\$ 250			\$ 250					
Total Sources of Funds		\$ 11,309,110			\$ 11,309,110					
Total Uses of Funds					\$ 11,309,110					

INSTRUCTIONS: Describe the sources of funds that will finance Development. The description must include construction, permanent and bridge loans, and all other types of funds to be used for development. The information must be consistent with all other documentation in this section. Provide sufficient detail to identify the source and explain the use (in terms of the timing and any specific uses) of each type of funds to be contributed. In addition, describe/explain replacement reserves. Finally, describe/explain operating items. The narrative must include rents, operating subsidies, project based assistance, and all other sources of funds for operations. In the foregoing discussion of both development and operating funds, specify the status (dates and deadlines) for applications, approvals and closings, etc., associated with the commitments.

Describe the sources and uses of funds (specify the status (dates and deadlines) for applications, approvals and closings, etc., associated with the commitments):

CONSTRUCTION PERIOD FINANCING: Construction Debt will be in the form of a HUD FHA insured mortgage through the 221d4 program anticipated to be \$6,198,098; interest only at 4.15% for a period of 16 months. The developer has received an invitation to firm from HUD Fort Worth. The HUD approval process will track the TDHCA LIHTC award timing. We anticipate receiving a commitment from HUD by July 2017. Equity during construction will be provided to the development per the investment schedule in the Limited Partnership agreement and is anticipated to be \$3,911,884. The City of Bulverde has committed to provide \$250 to the development in a form of a contribution. Eighty percent of the developer fee, \$979,200, will be deferred during construction. The FHA required Operating Reserve will not be funded during construction. The General Partner will make an investment of \$100. **PERMANENT PERIOD LOAN:** At conversion the permanent loan will be

Describe the replacement reserves:

The replacement reserve is set at \$250 per unit and will be used on approved items listed in the proposed Limited Partnership Agreement with the equity provider. These uses will also be approved by the FHA lender.

Describe the operating items (rents, operating subsidies, project based assistance, etc., and specify the status (dates and deadlines) for applications, approvals and closings, etc., associated with the commitments.:

Rents: 70% of the units (56 units) will be rent and income restricted to families at 30%, 50% and 60% of AMFI. 30% of the units (24 units) will be at "market rate" unrestricted to rent and income. The "market rate" used is the market rate identified in the market study, enclosed, discounted by 10%. There are no project based assisted units or any other form of subsidy for the rent of the units.

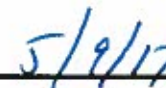
By signing below I acknowledge that the amounts and terms of all anticipated sources of funds as stated above are consistent with the assumptions of my institution as one of the providers of funds.



Signature, Authorized Representative, Construction or Permanent Lender



Printed Name



Date

Telephone: 214-360-3874

Email address: Chad.Bedwell@Berkadia.com

15 Year Rental Housing Operating Pro Forma (All Programs)

The pro forma should be based on the operating income and expense information for the base year (first year of stabilized occupancy using today's best estimates of market rents, restricted rents, rental income and expenses), and principal and interest debt service. The Department uses an annual growth rate of 2% for income and 3% for expenses. Written explanation for any deviations from these growth rates or for assumptions other than straight-line growth made during the proforma period should be attached to this exhibit.

INCOME	YEAR 1	YEAR 2	YEAR 3	YEAR 4	YEAR 5	YEAR 10	YEAR 15
POTENTIAL GROSS ANNUAL RENTAL INCOME	\$769,062	\$784,443	\$800,132	\$816,135	\$832,457	\$919,100	\$1,014,761
Secondary Income	\$ 19,176	\$ 19,560	\$ 19,951	\$ 20,350	\$ 20,757	\$ 22,917	\$ 25,302
POTENTIAL GROSS ANNUAL INCOME	\$788,238	\$804,003	\$820,083	\$836,484	\$853,214	\$942,017	\$1,040,063
Provision for Vacancy & Collection Loss	(\$59,118)	(\$60,300)	(\$61,506)	(\$62,736)	(\$63,991)	(\$70,651)	(\$78,005)
Rental Concessions	\$0						
EFFECTIVE GROSS ANNUAL INCOME	\$729,120	\$743,703	\$758,577	\$773,748	\$789,223	\$871,366	\$962,059
EXPENSES							
General & Administrative Expenses	\$15,300	\$15,759	\$16,232	\$16,719	\$17,220	\$19,963	\$23,143
Management Fee	\$ 29,165	\$ 29,748	\$ 30,343	\$ 30,950	\$ 31,569	\$ 34,855	\$ 38,482
Payroll, Payroll Tax & Employee Benefits	\$ 95,600	\$ 98,468	\$ 101,422	\$ 104,465	\$ 107,599	\$ 124,736	\$ 144,604
Repairs & Maintenance	\$ 41,880	\$ 43,136	\$ 44,430	\$ 45,763	\$ 47,136	\$ 54,644	\$ 63,347
Electric & Gas Utilities	\$ 7,000	\$ 7,210	\$ 7,426	\$ 7,649	\$ 7,879	\$ 9,133	\$ 10,588
Water, Sewer & Trash Utilities	\$ 54,420	\$ 56,053	\$ 57,734	\$ 59,466	\$ 61,250	\$ 71,006	\$ 82,315
Annual Property Insurance Premiums	\$ 30,000	\$ 30,900	\$ 31,827	\$ 32,782	\$ 33,765	\$ 39,143	\$ 45,378
Property Tax	\$ 34,000	\$ 35,020	\$ 36,071	\$ 37,153	\$ 38,267	\$ 44,362	\$ 51,428
Reserve for Replacements	\$ 20,000	\$ 20,600	\$ 21,218	\$ 21,855	\$ 22,510	\$ 26,095	\$ 30,252
Other Expenses	\$ 12,800	\$ 13,184	\$ 13,580	\$ 13,987	\$ 14,407	\$ 16,701	\$ 19,361
TOTAL ANNUAL EXPENSES	\$340,165	\$350,078	\$360,283	\$370,788	\$381,602	\$440,639	\$508,898
NET OPERATING INCOME	\$388,955	\$393,624	\$398,294	\$402,960	\$407,621	\$430,727	\$453,161
DEBT SERVICE							
First Deed of Trust Annual Loan Payment	\$333,825	\$333,825	\$333,825	\$333,825	\$333,825	\$333,825	\$333,825
Second Deed of Trust Annual Loan Payment							
Third Deed of Trust Annual Loan Payment							
Other Annual Required Payment	0	0	0	0	0	0	0
Other Annual Required Payment							
ANNUAL NET CASH FLOW	\$55,130	\$59,799	\$64,468	\$69,135	\$73,796	\$96,902	\$119,335
CUMULATIVE NET CASH FLOW	\$55,130	\$114,929	\$179,397	\$248,532	\$322,328	\$749,071	\$1,289,663
Debt Coverage Ratio	1.17	1.18	1.19	1.21	1.22	1.29	1.36
Other (Describe)							
Other (Describe)							

By signing below I (we) are certifying that the above 15 Year pro forma, is consistent with the unit rental rate assumptions, total operating expenses, net operating income, and debt service coverage based on the bank's current underwriting parameters and consistent with the loan terms indicated in the term sheet and preliminarily considered feasible pending further diligence review. The debt service for each year maintains no less than a 1.15 debt coverage ratio. (Signature only required if using this pro forma for points under \$11.9(e)(1) relating to Financial Feasibility)

Phone:

Email:

214-360-3874

Chad.Budwell@Berkadia.com

5/9/17

Date



Signature, Authorized Representative, Construction or Permanent Lender

Chad Budwell

Printed Name

Printed Name

Signature, Authorized Representative, Syndicator

Date

Dear Ms. Gamble,

Johnson Ranch Master Community, Inc. was not filed as a neighborhood association, homeowner's association or property owner's association with the City of Bulverde, County of Comal or the State of Texas under the Texas Statute §2306.6725(a)(2). The board of Johnson Ranch Master Community, Inc. is comprised solely of the developers of the community and no member of the board is a home owner of any property located within the boundary of Johnson Ranch.

As a master planned community with residential, commercial and public uses, Johnson Ranch Master Community, Inc. was established as a non-profit organization to manage the community.

It is also to be noted that there is no registration process for associations where the project is located. The Johnson Ranch Master Community, Inc was created for the development and registered with the Texas Secretary of State. It is presently controlled by the developer, and otherwise has no general authority to approve or deny development projects within Johnson Ranch.

Should you have any further questions, please feel free to contact us.

Joel Pollack (Applicant Consultant):

210-643-1700

Joel@210dg.com

Amy Schoemaker (with Johnson Ranch Master Community Inc.):

830-336-2518

aschoemaker@dhinv.com

Thank you kindly,

Tie Breaker:

Tie-break Factors. Bulverde Community Park is used as both a public park and an outdoor recreation facility but no evidence of why it should be considered both was provided. (Items Selected 12, Items Qualified 11)

Kleck Park was identified as the Public Park and Bulverde Community Park was identified as the Outdoor Recreational Facility. Information for both parks as well as maps showing the distance of the parks from the proposed development site were provided in the application. Exactly what was provided in the application has been provided here. You will find the information and identification for Kleck Park as a public park on pages 157-159 of the application. Kleck Park is open to the public and has over a mile of hiking trails for visitors to enjoy. Bulverde Community Park is located just over 2 miles from the proposed site and features play areas, picnic pavilions as well as ball parks. You will find this information on pages 203-207 of the application as well as attached here. As there is no clear definition for how a public park and an outdoor recreational facility differ from each other, it appears that both parks could potentially qualify as either a public park or an outdoor recreational facility. there are two items on the list for community assets and two were identified in the application that meet the requirements of the point items.

Kleck Park is an outdoor recreational park with Hiking and biking trails and is located approximately 1.4 Miles from the proposed site of Liv Senior @ Johnson Ranch.

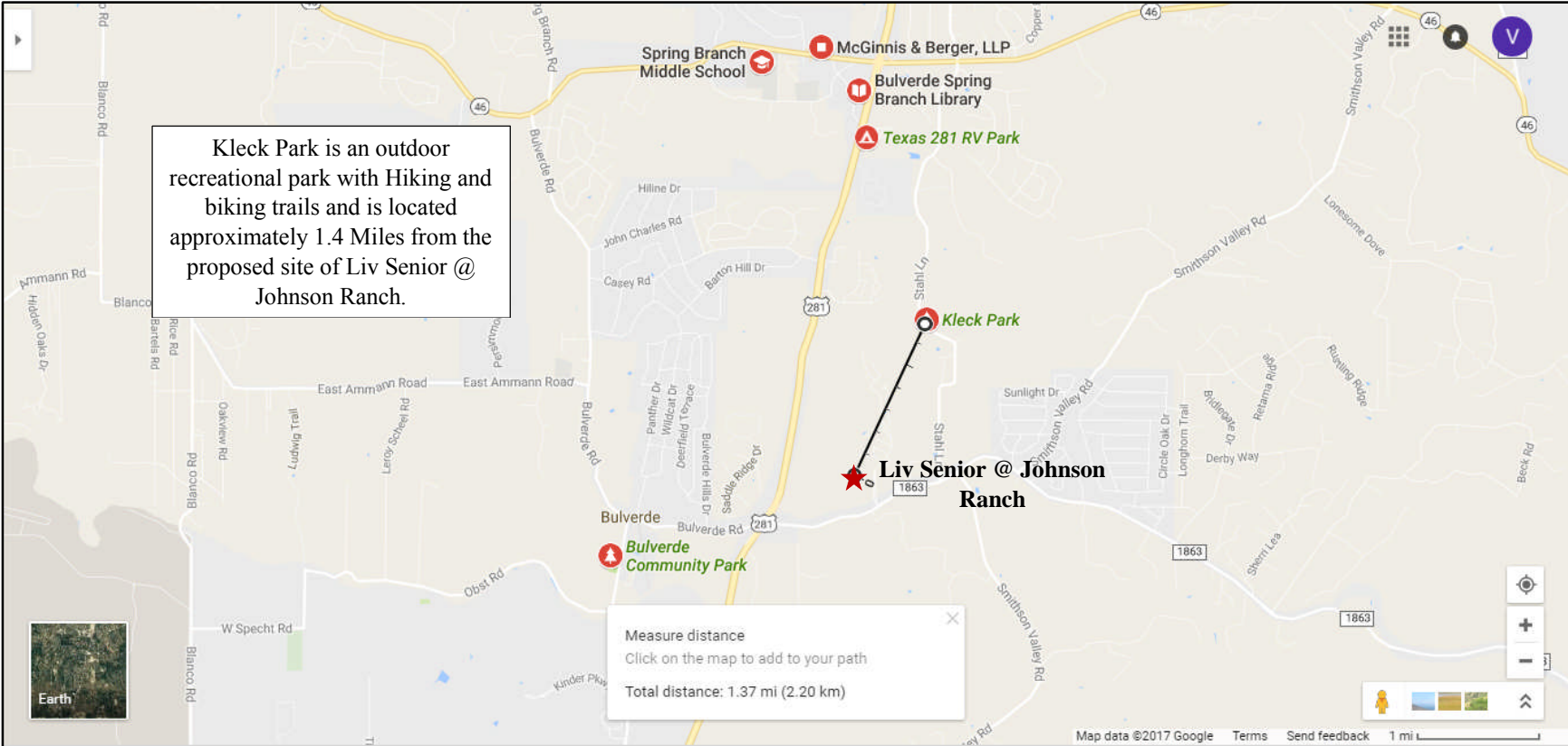
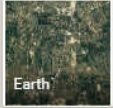
Liv Senior @ Johnson Ranch

Kleck Park

Bulverde Community Park

Spring Branch Middle School
McGinnis & Berger, LLP
Bulverde Spring Branch Library
Texas 281 RV Park

Measure distance
Click on the map to add to your path
Total distance: 1.37 mi (2.20 km)



From: [le is](#)
To: [le is](#)
Subject: m l ess ele se le k k e e li
Date: i em e 1 2 1 12

COMAL COUNTY, TEXAS

PUBLIC INFORMATION OFFICE

Contact:

Robert Boyd, Parks Manager
830.608.2090
boydro@co.comal.tx.us

New Bulverde-area Kleck Park open to public

FOR IMMEDIATE RELEASE, NOVEMBER 13, 2015:

NEW BRAUNFELS — Comal County’s newest park, featuring 1.2 miles of hiking trails through more than 40 acres of densely wooded ranchland near Bulverde, is now open to the public

Kleck Park, built on land donated by the Helen Kleck Vivian Living Trust in 2014, is open for hiking and biking on Stahl Lane, about 1.5 miles north of FM 1863 east of U.S. Highway 281.

“Kleck is a terrific addition to our system of county parks and recreation sites,” said Robert Boyd, county parks manager. “We’re excited for Bulverde-area residents to get to enjoy this beautiful park.”

Kleck joins the Canyon Lake-area Curry Nature Center and Hidden Valley Sports Park, as well as the Bulverde/Spring Branch-area Jumbo Evans Sports Center as county-owned and -maintained parks and recreation sites.

Over the summer, crews created Kleck Park’s trails, lining them with the resulting cedar mulch. The park also includes 16 marked and numbered birdhouses.

###

Comal County Public Information Office
Paul Anthony, Public Information Officer
830.221.1110
paul.anthony@co.comal.tx.us
www.mycomalcounty.com



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New Bulverde-area Kleck Park open to public

All News Releases

November 13, 2015

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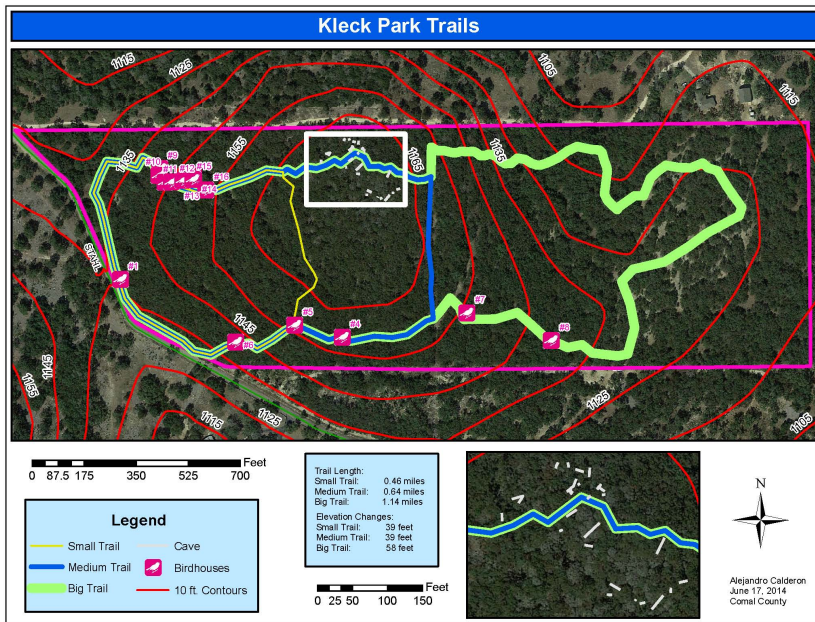
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Contact:
 Robert Boyd, Parks Manager
 boydro@co.comal.tx.us, (830) 608-2090

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 (830) 438-3828 BULVERDE/SPRING BRANCH, TX

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- Jun 10 [Be Fab Market Days of Bulverde](#)
- Jun 12 [SV Alumni Golf Tournament](#)
- Jun 15 [Ribbon Cutting for Derksen Portable Buildings - Bulverde](#)
- Apr 5 [50% Off One Hour Facial at Skin Rejuvenation Clinique](#)
- May 5 [Leadercast 2017](#)
- May 6 [Bracken Bargain Blessing Resale Shop](#)
- May 6 [18th Annual Run for the Hills](#)
- May 10 [Lunch & Learn - Estate Planning](#)
- May 12 [2nd Annual Operation Freedom Under the Stars at Tejas Rodeo Company](#)
- May 12 [2017 Movies in the Park - Star Wars](#)
- May 13 [What is Model Railroadng](#)

Ad Space Available

268 x 155

Contact the Chamber Office for
details at (830) 438-4285.



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Community Guide




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Get in Touch

**Bulverde Spring Branch Area
Chamber of Commerce**
121 Bulverde Crossing
Suite 115
Bulverde, TX 78163

Phone: (830) 438-4285

Fax: (830) 438-8572

For More Information:

office@bsbchamber.com

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Secure https://www.google.com/maps/search/public+park/@29.7479102,-98.4435512,13z

Bulverde Community Park is located just over 2 Miles from the Proposed site of Liv Senior @ Johnson Ranch and has walking trails, pavilions, picnic tables, a playground and ball fields all open to the public.

Liv Senior @ Johnson Ranch

Bulverde Community Park

Texas 281 RV Park

Kleck Park

Bulverde Boat & RV Storage Inc

Measure distance
Click on the map to add to your path
Total distance: 2.07 mi (3.34 km)

Map data ©2017 Google Terms Send feedback 1 mi

FM48091C0385F.pdf 48091C0385F.zip Show all

Bulverde Community Park



The Bulverde Community Park, located at 29815 Bulverde Lane ([map](#)), entered service to the residents of the Bulverde area in February of 2014. The Park encompasses 13 acres of land and boasts the following amenities:

- Walking Trails ([click for map and distances](#))
- 2 Covered Pavilions w/ Picnic Tables (Reservations Available)
- 1 Large Gazebo (Reservations Available)
- 2 playground areas
- 1 Combination baseball/soccer practice field (Reservations Available)
- 1 Basketball Court (Reservations Available)
- Several large open spaces for pet related activities.

The Park is open daily from 6 a.m. to 11:00 p.m. All park amenities are available on a first come, first served basis, unless a reservation has been made.

RESERVATIONS

Gatherings and events consisting of fewer than 50 persons may reserved certain park amenities for a fee. Reservations for one of the Park Pavilions, the Gazebo, the Basketball Court, or the Athletic Fields can be made online; click the icon labeled "Reserve Park Facilities." Each amenity is listed individually and has an associated calendar. If you wish to reserve multiple amenities, you will need to reserve each one individually.

PARKS RULES

The general rules governing the use of the City Park can be viewed by [clicking here](#).

SPECIAL EVENTS

For events or gatherings consisting of 50 or more persons, event organizers must apply for and receive a Special Use Permit from the City Council. Applications should be submitted to the City Secretary's Office at least 60 days prior to the event. The form, and the rules governing the issuance of Special Use Permits, are available at the links below:

- [Parks Special Use Permit Rules](#)
- [Parks Special Use Permit Application](#)



Contact Us



17724

Executive Director's
Response



TEXAS DEPARTMENT OF HOUSING AND COMMUNITY AFFAIRS

www.tdhca.state.tx.us

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May 16, 2017

Writer's direct dial: 512.475.3296
Email: tim.irvine@tdhca.state.tx.us

Mr. Michael Wilbracht
President and Managing Partner
JR Mission, LTD
454 Soledad, Ste 200
San Antonio, TX 78205

RE: APPEAL OF SCORING NOTICE: 17724 LIV SENIOR AT JOHNSON RANCH, BULVERDE, TEXAS

Dear Mr. Wilbracht:

The Texas Department of Housing and Community Affairs (the "Department") is in receipt of your appeal of the scoring notice for the above referenced Application. This Application was denied three points under 10 TAC §11.9(c)(6) of the 2017 Qualified Allocation Plan ("QAP"), related to Underserved Area, because the census tract includes areas that are not within the boundaries of an incorporated area; three points under §11.9(e)(4), related to Leveraging of Private, State, and Federal Resources, because more than 50% of the developer fee is deferred; and the ability to score four points under §11.9(d)(6) related to Input from Community Organizations, because the Development Site is within the boundaries of the Johnson Ranch Master Community Association and is, therefore, ineligible for points under this item.

Regarding §11.9(c)(6), related to Underserved Area, the appeal states:

The language in the QAP does not state that the census tract cannot exceed the incorporated area of a city or required [sic] that the census tract must be within the city boundaries. The QAP indicates that the proposed development must cross the City limits must have jurisdiction within the census tract of the location of the development [sic]. The proposed Liv Senior@ Johnson Ranch resides within a census tract that also contains boundaries of the City of Bulverde.

The appeal further asserts that the Application should be eligible for points under this item because:

Johnson Ranch has an interarea [sic] agreement with the City of Bulverde. The City of Bulverde has oversight over the plan approval and permitting for all construction and development within the Johnson Ranch Community. Because of this agreement, all of Johnson Ranch falls within the boundaries of the incorporated area of the City of Bulverde and as such the development is governed by the rules and regulations of the City of Bulverde.



Per §11.9(c)(6):

Underserved Area. (§§2306.6725(b)(2); 2306.127, 42(m)(1)(C)(ii)) An Application may qualify to receive up to five (5) points if the Development Site is located in one of the areas described in subparagraphs (A) - (E) of this paragraph, and the Application contains evidence substantiating qualification for the points. If an Application qualifies for points under paragraph §11.9(c)(4) of this subsection then the Application is not eligible for points under subparagraphs (A) and (B) of this paragraph.

... (C) A census tract within the boundaries of an incorporated area that has not received a competitive tax credit allocation or a 4 percent non-competitive tax credit allocation for a Development within the past 15 years and continues to appear on the Department's inventory (3 points); (emphasis added)

A plain reading of the QAP language does not support your assertion that an application is eligible for points under this scoring item if the city has jurisdiction over the Development Site alone, regardless of whether the census tract is contained within the boundaries of the incorporated area.

Regarding §11.9(e)(4), related to Leveraging of Private, State, and Federal Resources, the appeal does not directly address why the Application should be awarded the points. The appeal includes revised application documents that were not requested by the Department. Per §10.7(B) of the 2017 Uniform Multifamily Rules related to the Administrative Deficiency Process:

... An Applicant may not change or supplement any part of an Application in any manner after the filing deadline or while the Application is under consideration for an award, and may not add any set-asides, increase the requested credit amount, revise the Unit mix (both income levels and Bedroom mixes), or adjust their self-score except in response to a direct request from the Department to do so as a result of an Administrative Deficiency. (§2306.6708(b); §2306.6708)

The documents included with the appeal response were not requested by the Department and, therefore, cannot be accepted. Accordingly, the points will not be awarded.

Regarding §11.9(d)(6) related to Input from Community Organizations, the appeal asserts that "Johnson Ranch Master Community, Inc. was not filed as a neighborhood association, homeowner's association or property owner's association with the City of Bulverde, County of Comal or the State of Texas under the Texas Statute §2306.6725(a)(2). The board of Johnson Ranch Master Community, Inc. is comprised solely of the developers of the community and no member of the board is a home owner of any property located within the boundary of Johnson Ranch."; and that "no registration process for associations where the project is located. The Johnson Ranch Master Community, Inc was created for the development and registered with the Texas Secretary of State. It is presently controlled by the developer, and otherwise has no general authority to approve or deny development projects within Johnson Ranch.

Per Tex. Gov't Code §2306.004(23-a):

"Neighborhood organization" means an organization that is composed of persons living near one another within the organization's defined boundaries for the neighborhood and that has a primary purpose of working to maintain or improve the general welfare of the neighborhood. A neighborhood organization includes a homeowners' association or a property owners' association.

Per §11.9(d)(4) related to Quantifiable Community Participation:

(C) Point Values for Quantifiable Community Participation. An Application may receive points based on the values in clauses (i) - (vi) of this subparagraph. Points will not be cumulative. Where more than one written statement is received for an Application, the average of all statements received in accordance with this subparagraph will be assessed and awarded.

... (v) four (4) points for areas where no Neighborhood Organization is in existence, equating to neutrality or lack of objection, or where the Neighborhood Organization did not meet the explicit requirements of this section;

Review of the Articles of Incorporation recorded with the Texas Secretary of State shows the Johnson Ranch Master Community, Inc., is registered and meets the Tex. Gov't Code definition of a Neighborhood Organization. Further, the organization was identified as such in the Pre-application submitted for this same Development. The organization did not meet the requirements of §11.9(d)(4) related to Quantifiable Community Participation and was, therefore, awarded four points under item (C)(v) of that subsection. Because the Development Site is within the boundaries of a Neighborhood Organization, the Application is not eligible for points under §11.9(d)(6) related to Input from Community Organizations:

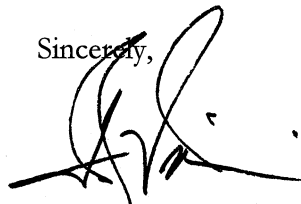
Where, at the time of Application, the Development Site does not fall within the boundaries of any qualifying Neighborhood Organization, then, in order to ascertain if there is community support, an Application may receive up to four (4) points for letters that qualify for points under subparagraphs (A), (B), and/or (C) of this paragraph.

Regarding the use of Bulverde Community Park as a tie-breaker, I accept your explanation that Kleck Park and Bulverde Community Park can qualify as a public park and an outdoor recreation center, respectively.

I do not find that the points raised in your appeal clearly demonstrate that the Application is eligible for the points requested but does qualify for the tie-breaker items selected, and accordingly am granting the tie-breaker but I must deny the appeal for points. You have indicated that you wish to appeal this decision directly to the Governing Board. Therefore, this appeal has been placed on the agenda for the next meeting scheduled for May 25, 2017.

Should you have any questions, please contact Sharon Gamble, Competitive Tax Credit Program Administrator, at sharon.gamble@tdhca.state.tx.us or by phone at 512-936-7834.

Sincerely,



Timothy K. Irvine
Executive Director

BOARD ACTION ITEM
MULTIFAMILY FINANCE DIVISION
MAY 25, 2017

Presentation, discussion, and possible action on timely filed scoring appeals under 10 TAC §10.901 et seq. of the Department's Multifamily Program Rules (Subchapter G) related to Fee Schedule, Appeals and other Provisions.

RECOMMENDED ACTION

WHEREAS, a 9% Housing Tax Credit Application # 17736, for Providence at Ted Trout Drive was submitted to the Department by the Full Application Delivery Date;

WHEREAS, staff has determined that the Application does not qualify for three (3) points under 10 TAC §11.9(c)(6) of the 2017 Qualified Allocation Plan ("QAP"), related to Underserved Area, because the census tract includes areas that are not within the boundaries of an incorporated area;

WHEREAS, a Competitive HTC scoring notice was provided to the Applicant identifying points that the Applicant elected but did not qualify to receive under 10 TAC §11.9 related to Competitive HTC Selection Criteria;

WHEREAS, the Applicants timely filed an appeal; and

WHEREAS, the Executive Director denied the appeal;

NOW, therefore, it is hereby

RESOLVED, that the scoring appeal for Application #17736, Providence at Ted Trout Drive is hereby denied.

BACKGROUND

10 TAC §11.9 related to Competitive HTC Selection Criteria identifies the scoring criteria used in evaluating and ranking Applications. It includes those items required under Tex. Gov't Code, ch. 2306, §42 of the Internal Revenue Code (the "Code"), and other criteria established in a manner consistent with ch. 2306 and §42 of the Code.

The Providence at Ted Trout Drive Application proposes the New Construction of 76 units for the Elderly population in Hudson.

§11.9(c)(6) Underserved Area

To qualify for three (3) points under §11.9(c)(6) of the 2017 Qualified Allocation Plan (“QAP”) related to Underserved Area, the Application must include evidence that the Development Site is in a census tract that is within the boundaries of an incorporated area. Per §11.9(c)(6). Documents in the Application indicated that portions of the census tract are outside of the incorporated area. The Application requested three points under this scoring item, indicating on the Application form that the Development Site is located in a census tract that is within the boundaries of an incorporated area. Review of the Application showed that the census tract extends beyond the incorporated area; therefore the Application does not meet the requirement for the three points. The Applicant states that the appeal is based on “historical precedent related both to the use of the Administrative Deficiency process and scoring adjustments, and based on inconsistency with a nearly identical situation related to the same scoring item for another 2017 application.

The appeal asserts that the Applicant should have been allowed to change its scoring selection under this item via the Administrative Deficiency process. Pursuant to 10 TAC §10.201(7) Administrative Deficiency Process:

The purpose of the Administrative Deficiency process is to allow an Applicant to provide clarification, correction, or non-material missing information to resolve inconsistencies in the original Application or to assist staff in evaluating the Application. Staff will request such information via a deficiency notice.

That the census tract extends beyond the incorporated area is that an issue requiring clarification or correction, nor is it an inconsistency in the Application. Therefore, there is no reason for staff to issue an Administrative Deficiency beyond giving the Applicant an opportunity to explain how the Application qualifies for points under the scoring item. Such a notice was issued by the Department on March 22, 2017. In response, the Applicant confirmed that the Application does not qualify for three points under this point item.

The appeal mentions the treatment of application #17148 Shady Shores regarding this same scoring item. That Application requested three points, checked the box for the two-point item on the application exhibit, and provided evidence to prove that the Application qualified for two points. The request for three points and the indications for two points are clearly inconsistent and clearly meet the standard for an Administrative Deficiency contemplated in §10.201(7). This situation is dissimilar to the situation of this Application in that this Application requested three points, selected the three-point scoring item, and did not qualify for three points. The appeal requests that the Applicant be treated the same as #17148. Pursuant to 10 TAC §10.201(7)(B) of the 2017 Uniform Multifamily Rules related to the Administrative Deficiency Process:

... An Applicant may not change or supplement any part of an Application in any manner after the filing deadline or while the Application is under consideration for an award, and may not add any set-asides, increase the requested credit amount, revise the Unit mix (both income levels and Bedroom mixes), *or adjust their self-score except in response to a direct request from the Department to do so as a result of an Administrative Deficiency.* (emphasis added)

The Application requested points for which it is not eligible, and staff will not request a change to the Application self-score.

Staff recommends that the Board deny the appeal.

17736

Scoring Notice and
Documentation



MULTIFAMILY FINANCE PRODUCTION DIVISION
Housing Tax Credit Program - 2017 Application Round
Scoring Notice - Competitive Housing Tax Credit Application

Miranda Sprague

Phone #: (409) 853-3681

Email: apps@itexgrp.com

Second Email: tdula@coatsrose.com

Date: May 01, 2017

**THIS NOTICE WILL ONLY BE
TRANSMITTED VIA EMAIL**

**RE: 2017 Competitive Housing Tax Credit (HTC) Application for Providence at Ted Trout Drive, TDHCA
Number: 17736**

The Texas Department of Housing and Community Affairs has completed its program review of the Application referenced above as further described in the 2017 Qualified Allocation Plan ("QAP"). This scoring notice provides a summary of staff's assessment of the application's score. The notice is divided into several sections.

Section 1 of the scoring notice provides a summary of the score requested by the Applicant followed by the score staff has assessed based on the Application submitted. You should note that four scoring items are not reflected in this scoring comparison but are addressed separately.

Section 2 of the scoring notice includes each of the five scoring criteria for which points could not be requested by the Applicant in the application self-score form and include: §11.9(d)(1) Local Government Support, §11.9(d)(4) Quantifiable Community Participation, §11.9(d)(5) Community Support from State Representative, §11.9(d)(6) Input from Community Organizations, and §11.9(d)(7) Concerted Revitalization Plan.

Section 3 provides information related to any point deductions assessed under §11.9(f) of the QAP or §10.201(7)(A) of the Uniform Multifamily Rules.

Section 4 provides the final cumulative score in bold.

Section 5 includes an explanation of any differences between the requested and awarded score and tie-breakers as well as any penalty points assessed.

The scores provided herein are merely informational at this point in the process and may be subject to change. For example, points awarded under §11.9(e)(4) "Leveraging of Private, State, and Federal Resources", 11.9(b)(1)(A) "Unit Sizes", 11.9(b)(1)(B) "Unit and Development Features", 11.9(c)(1) "Income Levels of Tenants", 11.9(c)(2) "Rent Levels of Tenants", 11.9(e)(1) "Financial Feasibility", 11.9(e)(3) "Pre-Application Participation", and may be adjusted should the underwriting review result in changes to the Application that would affect these scores. If a scoring adjustment is necessary, staff will provide the Applicant a revised scoring notice.

Be further advised that if the Applicant failed to properly disclose information in the Application that could have a material impact on the scoring information provided herein, the score included in this notice may require adjustment and/or the Applicant may be subject to other penalties as provided for in the Department's rules.

This preliminary scoring notice is provided by staff at this time to ensure that an Applicant has sufficient notice to exercise any appeal process provided under §10.902 of the Uniform Multifamily Rules. All information in this scoring notice is further subject to modification, acceptance, and/or approval by the Department's Governing Board.



MULTIFAMILY FINANCE PRODUCTION DIVISION
 Housing Tax Credit Program - 2017 Application Round
 Scoring Notice - Competitive Housing Tax Credit Application

Page 2 of Final Scoring Notice: 17736, Providence at Ted Trout Drive

Section 1:

Score Requested by Applicant (Does not include points for §11.9(d)(1), (4), (5), or (6) of the 2017 QAP):	122
Score Awarded by Department staff (Does not include points for §11.9(d)(1), (4), (5), or (6) of the 2017 QAP):	119
Difference between Requested and Awarded:	3

Section 2:

Points Awarded for §11.9(d)(1) Local Government Support:	17
Points Awarded for §11.9(d)(4) Quantifiable Community Participation:	4
Points Awarded for §11.9(d)(5) Community Support from State Representative:	8
Points Awarded for §11.9(d)(6) Input from Community Organizations:	4
Points Awarded for §11.9(d)(7) Concerted Revitalization Plan:	0

Section 3:

Points Deducted for §11.9(f) of the QAP or §10.201(7)(A) of the Uniform Multifamily Rules:	0
--	---

Section 4:

Final Score Awarded to Application by Department staff:	152
--	------------

Section 5:

Explanation for difference between points requested and points awarded by the Department as well as penalties assessed:

§11.9(c)(6) Underserved Area. The Application requested three points but the census tract includes areas that are not within the boundaries of an incorporated area . (Requested 3, Awarded 0)

Explanation for difference between requested tie-breakers and tie-breakers qualified by the Department:

NA

Restrictions and requirements relating to the filing of an appeal can be found in §10.902 of the Uniform Multifamily Rules. If you wish to appeal this scoring notice, you must file your appeal with the Department no later than 5:00 p.m. Austin local time, Monday, May 8, 2017. If an appeal is denied by the Executive Director, an Applicant may appeal to the Department's Board.

In an effort to increase the likelihood that Board appeals related to scoring are heard at the Board meeting, the Department has provided an Appeal Election Form for all appeals submitted to the Executive Director. In the event an appeal is denied by the Executive Director, the Applicant is able to request that the appeal automatically be added to the Board agenda.

If you have any concerns regarding potential miscalculations or errors made by the Department, please contact Sharon Gamble at (512) 936-7834 or by email at <mailto:sharon.gamble@tdhca.state.tx.us>.

Sincerely,

Sharon Gamble

Sharon Gamble
 9% Competitive HTC Program Administrator

Development is Rural and Development Site is within the required distance of eligible amenities and/or services pursuant to §11.9(c)(4)(B)(ii) of the QAP. A map showing the Development Site, scale showing radius, location of the amenities, and other evidence as applicable is included behind this tab.

full service grocery store or pharmacy (4 miles)	university or community college (15 miles)
health-related facility (4 miles)	museum (4 miles)
licensed center serving children (4 miles)	indoor recreation facility available to public (3 miles)
census tract with crime rate of ≤26 per 1k persons	outdoor recreation facility available to public (3 miles)
public library (4 miles)	community, civic or service organization (3 miles)
public park (4 miles)	

Application is seeking points for Opportunity Index. Total Points Claimed: 7

If necessary, provide a brief summary of how the Development Site is justifying the points selected:
 Site is in a first quartile census tract (2 points), and development qualifies for 5 points based on amenities and census tract characteristics. Additionally, the site qualifies for 6 additional points that will apply in a tie breaker.

3. §11.9(c)(8) - Proximity to the Urban Core (Competitive HTC Applications Only)

- N/A Development Site is located in a City with a population over 300,000 and is *not* in At-Risk Set-Aside.
- AND**
- N/A Population of City is 300,000-500,000 and Development is located w/in 2 miles of City Hall facility.
- OR**
- N/A Population of City is more than 500,000 and Development is located w/in 4 miles of City Hall facility.

Application is seeking points for Proximity to the Urban Core. Total Points Claimed: 0

4. §11.9(c)(6) - Underserved Area (Competitive HTC and Direct Loan Applications Only)

Applications may qualify for up to five (5) points for proposed Developments located in one of the following areas:

- No Colonia (Note: Not eligible if application qualifies for Opportunity Index points);
- No Economically Distressed Area (Note: Not eligible if application qualifies for Opportunity Index points);
- Yes A census tract within the boundaries of an incorporated area that has not received a competitive tax credit allocation or a 4% non-competitive tax credit allocation for a Development within the last 15 years; and continues to appear on Department's inventory
- No If not the previous item, a census tract that does not have a Development subject to an active tax credit LURA, (or has received a tax credit award but not yet reached the point where its LURA must be recorded);
- No A census tract within the boundaries of an incorporated area and all contiguous census tracts for which neither the census tract within which the Development is located nor the contiguous census tracts have received an award or HTC allocation within the last 15 years and continues to appear on the Department's inventory (**only applies in cities with a population of ≥300,000 and will not apply in At-Risk**).

Contiguous Census Tract #	<input type="text"/>	Contiguous Census Tract #	<input type="text"/>
Contiguous Census Tract #	<input type="text"/>	Contiguous Census Tract #	<input type="text"/>
Contiguous Census Tract #	<input type="text"/>	Contiguous Census Tract #	<input type="text"/>

Application is seeking points for Underserved Area. Total Points Claimed: 3

5. **§11.9(d)(7) - Concerted Revitalization Plan (Competitive HTC Applications Only)**

Region:

- Development is in an Urban Area.
- Concerted Revitalization Plan has been adopted by the Municipality of County, and resolution of certification is attached behind this tab.
- Letter from appropriate local official, Target Area map, and supporting documentation are provided behind this tab.
- Development is explicitly identified by the city or county as contributing more than any other to the concerted revitalization efforts of the city or county; resolution stating such is provided behind this tab.
- No points were claimed for Opportunity Index, but location would qualify for at least 4 points:

<input type="text"/>	<input type="text"/>
<input type="text"/>	<input type="text"/>

OR

- Development is in a Rural Area. Rehabilitation Demolition/Reconstruction
- Development is currently leased at 85% or more by low income households, and was constructed prior to 1985 as either public housing or as affordable housing with support from USDA, HUD, HOME, or CDBG.


AND

- Demolition and relocation of units has been determined locally to be necessary to comply with Affirmatively Furthering Fair Housing Rule or to create acceptable distance from Undesirable Neighborhood Characteristics, or such characteristics are disclosed and found to be acceptable.

OR

- Rehabilitation of units and the proposed location requires no disclosure of Undesirable Neighborhood Characteristics, or such characteristics are disclosed and found to be acceptable.
- Development is explicitly identified by the city or county as contributing more than any other to the concerted revitalization efforts of the city or county; letter from Governing Body stating such is provided behind this tab.
- No points were claimed for Opportunity Index, but location would qualify for at least 4 points under §11.9(c)(4)(B):

<input type="text"/>	<input type="text"/>
<input type="text"/>	<input type="text"/>

Application is seeking points for Concerted Revitalization. Total Points Claimed: 

6. **§11.9(d)(3) - Declared Disaster Area Scoring (Competitive HTC Applications ONLY)**

- Development is located in an area that qualifies as a Declared Disaster Area as defined in §11.9(d)(3).

Application is seeking points for Declared Disaster Area. Total Points Claimed:

Select Geographies Use the options on the left (topics, geographies, ...) to narrow your search results

List	Name	Address	Map
------	------	---------	-----

Find address or place

Select Geographies

Select From

- most requested geography types
- more geography types

Select

-- select a geographic type --

from the map using one of the following selection tools:

- Point
- Polygon
- Rectangle
- Circle

Lufkin

Zoom Level: 13

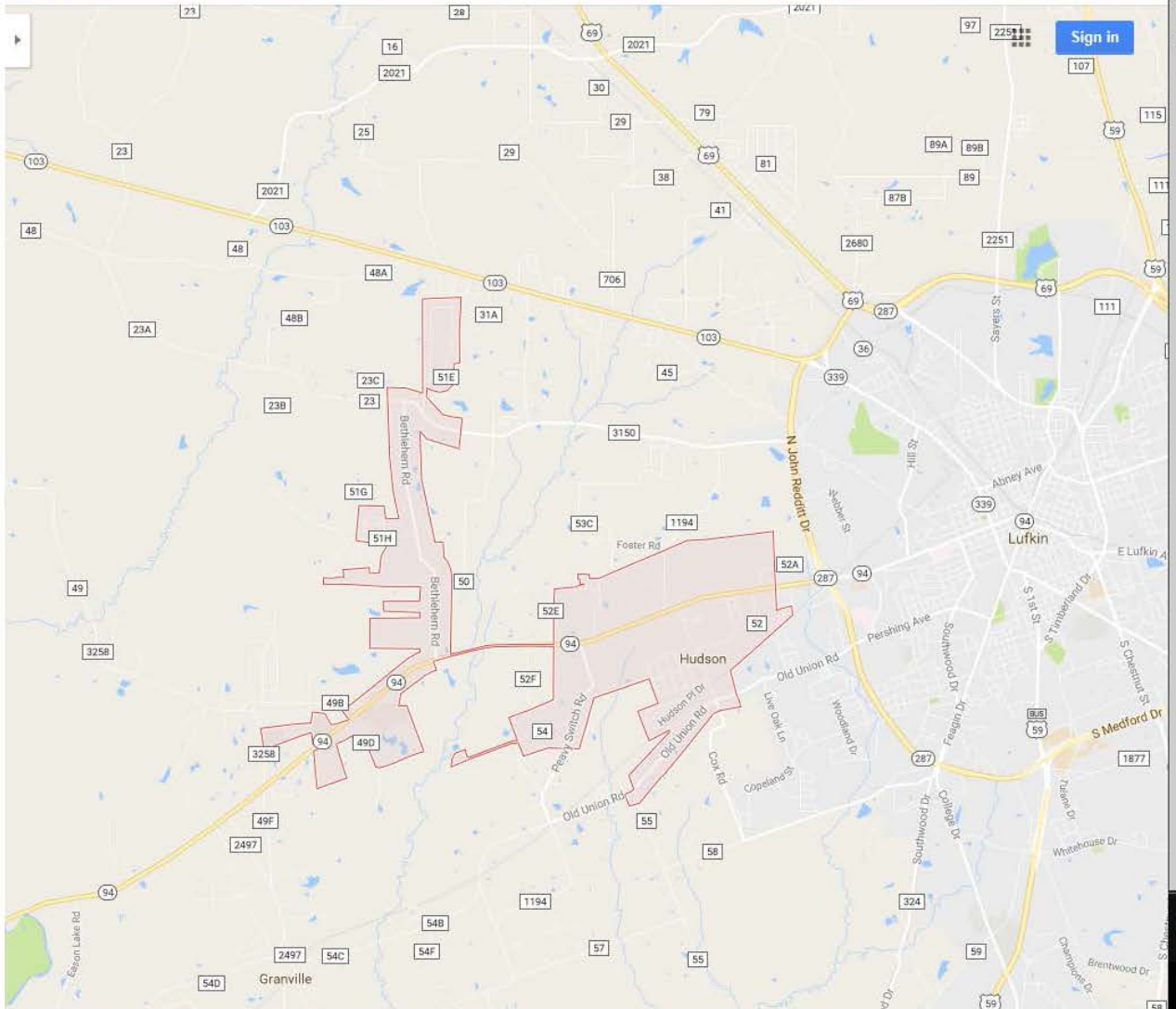


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NO THANKS

YES



17736

Applicant Appeal to
Executive Director



MULTIFAMILY FINANCE PRODUCTION DIVISION
Housing Tax Credit Program - 2017 Application Round
Scoring Notice - Competitive Housing Tax Credit Application

Appeal Election Form: 17736, Providence at Ted Trout Drive

Note: If you do not wish to appeal this notice, do not submit this form.

I am in receipt of my 2017 scoring notice and am filing a formal appeal to the Executive Director on or before Monday, May 8, 2017.

If my appeal is denied by the Executive Director:

I do wish to appeal to the Board of Directors and request that my application be added to the Department Board of Directors meeting agenda. My appeal documentation, which identifies my specific grounds for appeal, is attached. If no additional documentation is submitted, the appeal documentation to the Executive Director will be utilized.

I do not wish to appeal to the Board of Directors.

Signed Donald R. Balf
Executive Director of Nautical Affordable Housing, Inc.,
Title Sole Member of General Partner
Date 5/1/17

Please email to Sharon Gamble:
<mailto:sharon.gamble@tdhca.state.tx.us>

Providence Ted Trout Drive, LP
3735 Honeywood Court
Port Arthur, Texas 77642

May 8, 2017

Mr. Tim Irvine
Executive Director
Texas Department of Housing and Community Affairs
221 E. 11th Street
Austin, Texas 78701
Email: tim.irvine@tdhca.state.tx.us

Re: Appeal of Scoring Notice – TDHCA Application #17736 Providence at Ted Trout Drive

Dear Mr. Irvine,

Please accept this letter as a formal appeal of the 2017 Scoring Notice issued on May 1, 2017 for application #17736 Providence at Ted Trout Drive. The applicant team disagrees with staff's determination to deduct three (3) points for Underserved Area based on historical precedent related both to the use of the Administrative Deficiency process and scoring adjustments, and based on inconsistency with a nearly identical situation related to the same scoring item for another 2017 application. We request the issuance of a revised 2017 Scoring Notice indicating an award of two (2) points for Underserved Area based on the undisputed location of the development and thus its documented eligibility for an award of two (2) points for Underserved Area.

In the staff-issued 2017 Scoring Notice, three (3) points were deducted from the applicant's requested score under §11.9(c)(6) of the 2017 Qualified Allocation Plan ("QAP"), Underserved Area. This scoring item and application exhibit related to this scoring item allow and *instruct* applicants to choose only one (1) option out of five (5) options which have different point values. The applicant for Providence at Ted Trout determined based on the plain reading of the Qualified Allocation Plan that the development site was eligible for points under both §11.9(c)(6)(C) and (D); however pursuant to instructions within the application the applicant checked only one box and indicated a request for points under §11.9(c)(6)(C). Because staff has interpreted paragraph (C) to require that the *entire* census tract must be in an incorporated area to qualify, it was determined that the development did not qualify for the three (3) points requested, and thus the box checked by the applicant in Tab 10 of the application, Site Information Form Part II exhibit was incorrect. However, documentation originally provided in the application clearly shows that the census tract has never received a tax credit award and that the development qualifies for two (2) points under paragraph (D). Rather than allow for a correction of the check box within the application, a correction clearly contemplated and allowed for under the Administrative Deficiency Process, staff allowed no changes as part of the Administrative Deficiency Process and deducted all three (3) points when two (2) points are clearly justified based on the documentation submitted in the original application submission. This is inconsistent with staff

actions related to another 2017 application, in which staff allowed the applicant to correct the check box and awarded the two (2) points the application qualifies for rather than the three (3) points the application requested. Additionally, staff's treatment of application 17736 Providence at Ted Trout Drive is counter to a long-standing practice of awarding the points for which the development qualifies when that is fewer points than requested.

The 2017 Uniform Multifamily Rules (the "Rules") provide for an Administrative Deficiency Process designed exactly for the type of situation encountered for application 17736 Providence at Ted Trout Drive. Section 10.201(7) states "The purpose of the Administrative Deficiency process is to allow an Applicant to provide **clarification, correction**, or non-material missing information to resolve inconsistencies in the original Application or to assist staff in evaluating the Application." [emphasis added]. In a case where two nearly identical options exist as sub-categories of a scoring item, as is true for §11.9(c)(6)(C) and (D) of the QAP, it is logical that a clarification and correction related to those sub-paragraphs is exactly the type of circumstance the Administrative Deficiency Process describes. However, inexplicably in 2017 staff has interpreted the Administrative Deficiency Process in an entirely new way related to application 17736 Providence at Ted Trout Drive, such that corrections to application exhibits were not accepted. There has been no rule change to support this new interpretation, which undermines the spirit and plain language of the Rules related to the Administrative Deficiency Process. Further, as described below, staff has allowed other 2017 applicants to make corrections to the exact same application exhibit that staff rejected revisions to for application 17736 Providence at Ted Trout Drive.

Moreover, TDHCA staff has a consistent historical practice of adjusting scores downward without deducting all points under a scoring item, under identical or nearly identical rules to 2017 related to self-score adjustments. This staff interpretation and Board affirmed practice for the proper handling of such scoring adjustments has been consistent over several years as demonstrated by the examples below. Providence at Ted Trout Drive has been treated inconsistently with this long-standing precedent, without a corresponding rule change to support such a departure from precedent. We respectfully request equitable treatment with established precedent, and request that two (2) points for Underserved Area be awarded to the application.

2017 EXAMPLE

Application: 17148 Shady Shores

Summary: For Underserved Area, Applicant requested three (3) points within the application, was determined by staff to be eligible for two (2) points. The applicant was allowed to correct Tab 9 Site Information Form II exhibit indicating the sub-category of Underserved Area points the application was eligible for, and the application was awarded two (2) points. This is a nearly identical example to 17736 Providence at Ted Trout Drive, and yet without a meaningful difference in circumstances application 17148 was treated in a more favorable fashion than application 17736.

Fact Pattern: In Tab 6 Competitive Housing Tax Credit Selection Self-Score exhibit the applicant selected three (3) points for Underserved Area (as was done for application 17736 Providence at Ted Trout Drive). In Tab 9 Site Information Form Part II the applicant checked boxes corresponding to both §11.9(c)(6)(C) and (D), despite instructions to select only one option. Staff

issued an Administrative Deficiency Notice and allowed the applicant to change the Tab 9 Site Information Form Part II exhibit to change the selections under the Underserved Area of the exhibit (this was not allowed for 17736 Providence at Ted Trout Drive). After accepting a clarified and corrected form, staff awarded two (2) points to the application.

Analysis: This is a glaring inconsistency in the treatment of two nearly identical situations related to the same scoring item. The only difference in fact pattern is that the applicant for 17148 selected two boxes for Underserved Area despite application instructions requesting one selection. This is an immaterial difference and does not justify completely different treatment of the two applications. Based on this example alone, staff should issue a revised Scoring Notice to 17736 Providence at Ted Trout Drive indicating an award of two (2) points for Underserved Area. Please see additional historical examples supporting this same conclusion.

HISTORICAL EXAMPLES

Please see the following **7 examples** from 2012, 2013, 2015, and 2016 of staff's established procedures related to scoring adjustments. These examples evidence five (5) different scoring items including those that include an aggregation of a menu of point items, as well as scoring items in which a single choice must be made from mutually-exclusive options. These examples show that applications were consistently awarded partial points under identical rules (2013-2016) or nearly identical rules (2012) to current 2017 rule language. It should be noted that the applicant for Providence at Ted Trout Drive submitted all documentation necessary to support an award of two (2) points under the scoring item in question.

2016

Application: 16029 Baxter Lofts

Summary: Staff rescored 3 separate scoring items and awarded some level of points less than the points requested. For none of the scoring items did staff deduct all points under a scoring item. 2017 and 2016 rules are identical related to adjustments to self-score.

Scoring Items:

1. Educational Excellence (now called Educational Quality), QAP §11.9(c)(5)
2. Concerted Revitalization Plan, QAP §11.9(d)(7)
3. Historic Preservation, QAP §11.9(e)(6)

Fact Pattern:

1. Educational Excellence: Applicant requested five points for having three schools meeting Qualified Allocation Plan ("QAP") requirements for school quality. Staff determined that two of three schools met QAP requirements, qualifying the application for the lesser point value of three (3) points. Despite the applicant's request for 5 points in the Self Score exhibit (Tab 6) and the Site Information Form Part II exhibit (Tab 9), staff awarded the three (3) points that the application qualified for, and for which there was documentation submitted within the application. Staff did not deduct all points for the scoring item, as was done for Providence at Ted Trout Drive.
2. Concerted Revitalization Plan: Applicant requested six (6) points for having a qualified concerted revitalization plan (worth 4 points) plus a city resolution designating the development as most contributing to the concerted revitalization plan (worth an additional 2 points). A resolution from the city was not ultimately submitted. Despite the

applicant's request for six (6) points in the Self Score exhibit (Tab 6) and the Site Information Form Part II exhibit (Tab 9), staff awarded the four (4) points that the application qualified for, and for which there was documentation submitted within the application. Staff did not deduct all points for the scoring item, as was done for Providence at Ted Trout Drive.

3. Historic Preservation: Applicant requested five (5) points because application did not request one (1) or three (3) points under Educational Excellence. After staff determined the application did qualify for one (1) or three (3) Educational Excellence points, which caused the application to qualify for three (3) Historic Preservation points instead of the five (5) points requested, staff awarded three (3) points. Deficiency notice issued to applicant stated, "If it is determined that the Applicant qualifies for 1 point or 3 points under Educational Excellence, **the score for Historic Preservation will be adjusted as required.**" [emphasis added]. Despite the applicant's request for five (5) points in the Self Score exhibit (Tab 6) and the Development Activities exhibit (Tab 19), staff awarded the three (3) points that the application qualified for, and for which there was documentation submitted within the application. Staff did not deduct all points for the scoring item, as was done for Providence at Ted Trout Drive.

4. Multifamily Rules Related to Administrative Deficiencies – **2016 language regarding adjustments to self-score is identical to 2017 rules:**

2016 Multifamily Rules §10.201(7)(A)

"An Applicant may not change or supplement any part of an Application in any manner after the filing deadline or while the Application is under consideration for an award, and may not add any set-asides, increase the requested credit amount, revise the Unit mix (both income levels and Bedroom mixes), or adjust their self-score except in response to a direct request from the Department to do so as a result of an Administrative Deficiency. (§2306.6708(b); §2306.6708)"

Application: 16168 Stonebridge of Whitehouse

Summary: Staff rescored Cost of Development Per Square Foot scoring item and awarded a level of points less than the points requested. Staff did not deduct all points under the scoring item. 2017 and 2016 rules are identical related to adjustments to self-score.

Scoring Item: Cost of Development Per Square Foot, QAP §11.9(e)(2)

Fact Pattern:

1. Cost of Development per Square Foot: Applicant requested twelve (12) points for Building Cost per square foot less than \$70 per square foot. Staff determined that the development's cost per square foot was \$70.12, exceeding the limit to qualify for twelve (12) points, but under the limit to qualify for eleven (11) points (\$75 per square foot). Despite the applicant's request for twelve (12) points in the Self Score exhibit (Tab 6), staff awarded the eleven (11) points that the application qualified for, and for which there was documentation submitted within the application. Staff did not deduct all points for the scoring item, as was done for Providence at Ted Trout Drive.
2. Multifamily Rules Related to Administrative Deficiencies – **2016 language regarding adjustments to self-score is identical to 2017 rules:**

2016 Multifamily Rules §10.201(7)(A)

“An Applicant may not change or supplement any part of an Application in any manner after the filing deadline or while the Application is under consideration for an award, and may not add any set-asides, increase the requested credit amount, revise the Unit mix (both income levels and Bedroom mixes), or adjust their self-score except in response to a direct request from the Department to do so as a result of an Administrative Deficiency. (§2306.6708(b); §2306.6708)”

2015

Application: 15121 The Glades of Gregory-Portland

Summary: Staff rescored Cost of Development Per Square Foot scoring item and awarded a level of points less than the points requested. Staff did not deduct all points under the scoring item. 2017 and 2015 rules are identical related to adjustments to self-score.

Scoring Item: Cost of Development Per Square Foot, QAP §11.9(e)(2)

Fact Pattern:

1. Cost of Development per Square Foot: Applicant requested twelve (12) points for Building Cost per square foot less than \$70 per square foot. Staff determined that the development’s cost per square foot was \$70.17, exceeding the limit to qualify for twelve (12) points, but under the limit to qualify for eleven (11) points (\$75 per square foot). Despite the applicant’s request for twelve (12) points in the Self Score exhibit (Tab 6), staff awarded the eleven (11) points that the application qualified for, and for which there was documentation submitted within the application. Staff did not deduct all points for the scoring item, as was done for Providence at Ted Trout Drive.
2. Multifamily Rules Related to Administrative Deficiencies – **2015 language regarding adjustments to self-score is identical to 2017 rules:**

2015 Multifamily Rules §10.201(7)(A)

“An Applicant may not change or supplement any part of an Application in any manner after the filing deadline or while the Application is under consideration for an award, and may not add any set-asides, increase the requested credit amount, revise the Unit mix (both income levels and Bedroom mixes), or adjust their self-score except in response to a direct request from the Department to do so as a result of an Administrative Deficiency. (§2306.6708(b); §2306.6708)”

2013

Application: 13046 La Esperanza Del Rio

Summary: Staff evaluated the Leveraging of Private, State, and Federal Resources scoring item and awarded a level of points less than the points requested. Staff did not deduct all points under the scoring item. 2017 and 2013 rules are identical related to adjustments to self-score.

Scoring Item: Community Revitalization Plan, QAP §11.9(d)(6)

Fact Pattern:

1. Community Revitalization Plan: Application requested six (6) points for having two qualified infrastructure projects within a certain radius of the site. Staff determined that there was only one qualified infrastructure projects and awarded four (4) points. Despite the applicant’s request for six (6) points in the Self Score exhibit (Tab 6) and the Site Information Form Part I exhibit (Tab 7), staff awarded the four (4) points that the

application qualified for, and for which there was documentation submitted within the application. Staff did not deduct all points for the scoring item, as was done for Providence at Ted Trout Drive.

2. Multifamily Rules Related to Administrative Deficiencies – **2013 language regarding adjustments to self-score is identical to 2017 rules:**

2013 Multifamily Rules §10.201(7)(A)

“An Applicant may not change or supplement any part of an Application in any manner after the filing deadline or while the Application is under consideration for an award, and may not add any set-asides, increase the requested credit amount, revise the Unit mix (both income levels and Bedroom mixes), or adjust their self-score except in response to a direct request from the Department to do so as a result of an Administrative Deficiency. (§2306.6708(b); §2306.6708)”

2012

Application: 12062 Cadillac Apartments

Summary: Staff evaluated the Leveraging of Private, State, and Federal Resources scoring item and awarded a level of points less than the points requested. Staff did not deduct all points under the scoring item. 2017 and 2012 rules related to adjustments to self-score are nearly identical.

Scoring Item: Leveraging of Private, State, and Federal Resources, QAP §50.9(b)(12)

Fact Pattern:

1. Leveraging of Private, State, and Federal Resources: Applicant requested seven (7) points for meeting requirements of the scoring item and not being located within a Qualified Census Tract (“QCT”). In 2012 sites located outside a QCT qualified for seven (7) points and sites located inside a QCT qualified for six (6) points. Staff determined that the development site was located in a QCT but did not meet other requirements of the scoring item. Despite the applicant’s request for seven (7) points, staff awarded the six (6) points that the application qualified for, based on the location of the development as shown in documentation submitted within the application. Staff did not deduct all points for the scoring item, as was done for Providence at Ted Trout Drive. **This is a nearly identical example to Providence at Ted Trout Drive as it relates to location characteristics of a site.**
2. Multifamily Rules Related to Administrative Deficiencies – **2012 language regarding adjustments to self-score is nearly identical to 2017 rules:**

2012 QAP §50.7(b)(2)(A)

“An Applicant may not change or supplement any part of an Application in any manner after the filing deadline, and may not add any Set-Asides, increase the requested credit amount, revise the Unit mix (both income levels and bedroom mixes), or adjust their self-score except in response to a direct request from the Department to do so as a result of an Administrative Deficiency or by approved amendment of an Application after a commitment or allocation of tax credits as further described in §50.13(b) of this chapter (relating to Application Reevaluation). (§2306.6708(b); §2306.6708)”

TDHCA staff has a consistent, documented, historical practice of adjusting scores downward without deducting all points under a scoring item. In 2017, there was no change to TDHCA rules related to self-score adjustments that support any different treatment of developments from the historical practice documented in this letter, nor was there any change in guidance concerning this issue. Moreover, all of the documentation necessary to support staff's award of two (2) points to the applicant was contained in the original application submitted in accordance with applicable rules and requirements. Furthermore, staff allowed another 2017 applicant to make corrections to a form that staff did not allow the applicant for Providence at Ted Trout Drive to make. Staff's actions in deducting three (3) points for Underserved Area is inconsistent with treatment of other 2017 applications, and is inconsistent with a long-established and reasonable interpretation of the applicable rules. In several of the above examples, the Board considered appeals surrounding the awarding of points by staff for these particular scoring items and the Board, too, upheld the awarding of a portion of the requested points in instances in which the documentation to support those points was available in the application. Therefore, I respectfully request that Providence at Ted Trout Drive be treated equitably with other 2017 applications and with historical practices under identical rules to 2017, and awarded two (2) points for Underserved Area based on documentation provided in the original application submission.

If you have any questions, please feel free to reach me directly at (409) 988-1851 or via email at dball1@gt.rr.com.

Sincerely,



Donald R. Ball

Executive Director of Nautical Affordable Housing, Inc., the Sole Member of the General Partner

enclosure

cc: Marni Holloway, TDHCA
Sharon Gamble, TDHCA
Christopher Akbari, The ITEX Group
Barry Palmer, Coats | Rose
Tamea Dula, Coats | Rose
Audrey Martin, Purple Martin Real Estate

Supporting Documentation
17736 Providence at Ted Trout Drive

**Excerpt from Original Application Submission - 17736
Providence at Ted Trout Drive**

Development is Rural and Development Site is within the required distance of eligible amenities and/or services pursuant to §11.9(c)(4)(B)(ii) of the QAP. A map showing the Development Site, scale showing radius, location of the amenities, and other evidence as applicable is included behind this tab.

full service grocery store or pharmacy (4 miles)	university or community college (15 miles)
health-related facility (4 miles)	museum (4 miles)
licensed center serving children (4 miles)	indoor recreation facility available to public (3 miles)
census tract with crime rate of ≤26 per 1k persons	outdoor recreation facility available to public (3 miles)
public library (4 miles)	community, civic or service organization (3 miles)
public park (4 miles)	

Application is seeking points for Opportunity Index. Total Points Claimed:  7

If necessary, provide a brief summary of how the Development Site is justifying the points selected:
Site is in a first quartile census tract (2 points), and development qualifies for 5 points based on amenities and census tract characteristics. Additionally, the site qualifies for 6 additional points that will apply in a tie breaker.

3. §11.9(c)(8) - Proximity to the Urban Core (Competitive HTC Applications Only)

- Development Site is located in a City with a population over 300,000 and is *not* in At-Risk Set-Aside.
- AND**
- Population of City is 300,000-500,000 and Development is located w/in 2 miles of City Hall facility.
- OR**
- Population of City is more than 500,000 and Development is located w/in 4 miles of City Hall facility.


Application is seeking points for Proximity to the Urban Core. Total Points Claimed:  0

4. §11.9(c)(6) - Underserved Area (Competitive HTC and Direct Loan Applications Only)

Applications may qualify for up to five (5) points for proposed Developments located in one of the following areas:

- Colonia (*Note: Not eligible if application qualifies for Opportunity Index points*);
- Economically Distressed Area (*Note: Not eligible if application qualifies for Opportunity Index points*);
- A census tract within the boundaries of an incorporated area that has not received a competitive tax credit allocation or a 4% non-competitive tax credit allocation for a Development within the last 15 years; and continues to appear on Department's inventory
- If not the previous item, a census tract that does not have a Development subject to an active tax credit LURA, (or has received a tax credit award but not yet reached the point where its LURA must be recorded);
- A census tract within the boundaries of an incorporated area and all contiguous census tracts for which neither the census tract within which the Development is located nor the contiguous census tracts have received an award or HTC allocation within the last 15 years and continues to appear on the Department's inventory (**only applies in cities with a population of ≥300,000 and will not apply in At-Risk**).

Contiguous Census Tract #	<input type="text"/>	Contiguous Census Tract #	<input type="text"/>
Contiguous Census Tract #	<input type="text"/>	Contiguous Census Tract #	<input type="text"/>
Contiguous Census Tract #	<input type="text"/>	Contiguous Census Tract #	<input type="text"/>

Application is seeking points for Underserved Area. Total Points Claimed:  3

Development is Rural and Development Site is within the required distance of eligible amenities and/or services pursuant to §11.9(c)(4)(B)(ii) of the QAP. A map showing the Development Site, scale showing radius, location of the amenities, and other evidence as applicable is included behind this tab.

- full service grocery store or pharmacy (4 miles)
- health-related facility (4 miles)
- licensed center serving children (4 miles)
- census tract with crime rate of ≤26 per 1k persons
- public library (4 miles)
- public park (4 miles)

- university or community college (15 miles)
- museum (4 miles)
- indoor recreation facility available to public (3 miles)
- outdoor recreation facility available to public (3 miles)
- community, civic or service organization (3 miles)
-

Application is seeking points for Opportunity Index. Total Points Claimed: 7

If necessary, provide a brief summary of how the Development Site is justifying the points selected:
Site is in a first quartile census tract (2 points), and development qualifies for 5 points based on amenities and census tract characteristics. Additionally, the site qualifies for 6 additional points that will apply in a tie breaker.

3. §11.9(c)(8) - Proximity to the Urban Core (Competitive HTC Applications Only)

- N/A Development Site is located in a City with a population over 300,000 and is not in At-Risk Set-Aside.
- AND**
- N/A Population of City is 300,000-500,000 and Development is located w/in 2 miles of City
- OR**
- N/A Population of City is more than 500,000 and Development is located w/in 4 miles of City

Note made by TDHCA staff. Rejection of corrected form is in direct conflict with acceptance of corrected form for application 17148 Shady Shores.

Application is seeking points for Proximity to the Urban Core. Total Points Claimed:

4. §11.9(c)(6) - Underserved Area (Competitive HTC and Direct Loan Applications Only)

Applications may qualify for up to five (5) points for proposed Developments located in one of the following areas:

- No Colonia (Note: Not eligible if application qualifies for Opportunity Index points);
- No Economically Distressed Area (Note: Not eligible if application qualifies for Opportunity Index points);
- No A census tract within the boundaries of an incorporated area that has not received a competitive tax credit allocation or a 4% non-competitive tax credit allocation for a Development within the last 15 years; and continues to appear on Department's inventory
- Yes If not the previous item, a census tract that does not have a Development subject to an active tax credit LURA, (or has received a tax credit award but not yet reached the point where its LURA must be recorded);
- No A census tract within the boundaries of an incorporated area and all contiguous census tracts for which neither the census tract within which the Development is located nor the contiguous census tracts have received an award or HTC allocation within the last 15 years and continues to appear on the Department's inventory (only applies in cities with a population of >300,000 and will not apply in At-Risk).

Contiguous Census Tract #	<input type="text"/>	Contiguous Census Tract #	<input type="text"/>
Contiguous Census Tract #	<input type="text"/>	Contiguous Census Tract #	<input type="text"/>
Contiguous Census Tract #	<input type="text"/>	Contiguous Census Tract #	<input type="text"/>

Application is seeking points for Underserved Area. Total Points Claimed: 2

Supporting Documentation
17148 Shady Shores

Competitive Housing Tax Credit Selection Self-Score

This form will self-populate based on scoring selections made throughout the Application. Applicant should refer to this form to ensure that scoring selections are accurate prior to submitting the Application. Corrections must be made in the applicable section(s) of the Application. Highlighted rows indicate scoring items for both 9% HTC and Direct Loan applications. Additional scoring for Direct Loan applications can be found at 10 TAC §13.6.

Criteria Promoting Development of High Quality Housing

Point Item Description	QAP Reference	Points Selected
Unit Sizes	§11.9(b)(1)(A)	8
Unit and Development Features	§11.9(b)(1)(B)	7
Sponsor Characteristics	§11.9(b)(2)	1
High Quality Housing Total		16

Criteria to Serve and Support Texans Most In Need

Point Item Description	QAP Reference	Points Selected
Income Levels of Tenants	§11.9(c)(1)	16
Rent Levels of Tenants	§11.9(c)(2)	11
Tenant Services	§11.9(c)(3)	10
Opportunity Index	§11.9(c)(4)	7
Educational Quality	§11.9(c)(5)	3
Underserved Area	§11.9(c)(6)	3
Tenant Populations with Special Needs	§11.9(c)(7)	2
Proximity to the Urban Core	§11.9(c)(8)	0
Serve and Support Texans Most in Need Total		52

Criteria Promoting Community Support and Engagement

Point Item Description	QAP Reference	Points Selected
Local Government Support	§11.9(d)(1)	
Commitment of Development Funding by Local Political Subdivision	§11.9(d)(2)	1
Declared Disaster Area	§11.9(d)(3)	10
Quantifiable Community Participation	§11.9(d)(4)	
Community Support from State Representative	§11.9(d)(5)	
Input from Community Organizations	§11.9(d)(6)	
Concerted Revitalization Plan	§11.9(d)(7)	
Community Support and Engagement Total		11

Criteria Promoting the Efficient Use of Limited Resources and Applicant Accountability

Point Item Description	QAP Reference	Points Selected
Financial Feasibility	§11.9(e)(1)	18
Cost of Development per Square Foot	§11.9(e)(2)	12
Pre-application Participation	§11.9(e)(3)	6
Leveraging of Private, State, and Federal Resources	§11.9(e)(4)	3
Extended Affordability	§11.9(e)(5)	2
Historic Preservation	§11.9(e)(6)	0
Right of First Refusal	§11.9(e)(7)	1
Funding Request Amount	§11.9(e)(8)	1
Efficient Use of Limited Resources and Applicant Accountability Total		43

Point Deductions	§11.9(f)	
Total Application Self Score		122

3 points requested for Underserved Area. Site is qualified for 2 points, and was awarded 2 points by staff. This is an appropriate determination, and is completely inconsistent with the treatment of application 17736 Providence at Ted Trout Drive.

Site Information Form Part II

1. §11.9(c)(5) - Educational Quality (Competitive HTC Applications Only)

Residents of the proposed development will attend:

School Name	Grades X through X			Accountability Rating	Index 1 Score (e.g. 78)		Overall Rating
Lake Dallas Elem	EE	through	5	Met Standard	83	Statewide	Index 1=1st Q Statewide
		through					Elementary
Lake Dallas Middle School	6	through	8	Met Standard	83	Statewide	Index 1>=ESC/State score
		through					Middle School
Lake Dallas High School	9	through	12	Met Standard	82	Statewide	Index 1>=ESC/State score
							High School

School district has no attendance zones and the closest schools are listed.
 District Rating (if TEA never rated school):
 Education Service Center Region Score (if applicable):

Additional Scoring Item

Elementary Met Standard and earned Distinction

Application is seeking points for Educational Quality. Total Points Claimed:

If necessary, provide a brief summary of how the Development Site is justifying the points selected:
 The Development site is located in a census tract with income in the 1st quartile of medium household income for the county of MSA as applicable, and the development site is in the attendance zone of Lake Dallas Elem, which has a Met Standard Rating and has

2. §11.9(c)(4) - Opportunity Index (Competitive HTC and Direct Loan Applications Only)

Development Site is located in a census tract that has a poverty rate that is less than 20% or that is less than the median poverty rate for the region, whichever is higher.

AND

Development Site is located in a census tract with an income rate in the two highest quartiles within the region.

OR

Development Site is located in a census tract with income in the third quartile within the region, and is contiguous to a census tract in the first or second quartile, without physical barriers such as highways or rivers between, and the Development Site is no more than 2 miles from the boundary between the census tracts. A map showing the Development Site, location of the border, scale showing distance, and other evidence as applicable is included behind this tab.

Census Tract # Contiguous Census Tract #

Development is Urban and Development Site is within the required radius of eligible amenities and/or services, pursuant to §11.9(c)(4)(B)(i) of the QAP. A map showing the Development Site, scale showing radius, location of the amenities, and other evidence as applicable is included behind this tab.

- | | |
|--|--|
| full service grocery store or pharmacy (1 mile) | community, civic or service organization (1 mile) |
| public library (1 mile) | census tract with crime rate of ≤26 per 1k persons |
| licensed center serving children (2 miles) | university or community college (5 miles) |
| health-related facility (3 miles) | |
| census tract with ≥27% associate degrees adults aged ≥25 | |
| indoor recreation facility available to public (1 mile) | |
| outdoor recreation facility available to public (1 mile) | |

Application Excerpt - 17148 Shady Shores - Original Application Exhibit, Crossed Out by TDHCA Review Staff

Development is Rural and Development Site is within the required distance of eligible amenities and/or services pursuant to §11.9(c)(4)(B)(ii) of the QAP. A map showing the Development Site, scale showing radius, location of the amenities, and other evidence as applicable is included behind this tab.

Two boxes were checked and staff allowed the applicant to submit a new form. The same application form correction was rejected for 17736 Providence at Ted Trout Drive.

Application is seeking points for Opportunity Index. Total Points Claimed: 7

If necessary, provide a brief summary of how the Development Site is justifying the points selected.

3. §11.9(c)(8) - Proximity to the Urban Core (Competitive HTC Applications Only)

- Development Site is located in a City with a population over 300,000 and is *not* in At-Risk Set-Aside.
- AND**
- Population of City is 300,000-500,000 and Development is located w/in 2 miles of City Hall facility.
- OR**
- Population of City is more than 500,000 and Development is located w/in 4 miles of City Hall facility.

Application is seeking points for Proximity to the Urban Core. Total Points Claimed: 0

4. §11.9(c)(6) - Underserved Area (Competitive HTC and Direct Loan Applications Only)

Applications may qualify for up to five (5) points for proposed Developments located in one of the following areas:

- Colonia (Note: Not eligible if application qualifies for Opportunity Index points);
- Economically Distressed Area (Note: Not eligible if application qualifies for Opportunity Index points);
- ~~Yes~~ A census tract within the boundaries of an incorporated area that has not received a competitive tax credit allocation or a 4% non-competitive tax credit allocation for a Development within the last 15 years; and continues to appear on Department's inventory
- ~~Yes~~ If not the previous item, a census tract that does not have a Development subject to an active tax credit LURA, (or has received a tax credit award but not yet reached the point where its LURA must be recorded);
- A census tract within the boundaries of an incorporated area and all contiguous census tracts for which neither the census tract within which the Development is located nor the contiguous census tracts have received an award or HTC allocation within the last 15 years and continues to appear on the Department's inventory (**only applies in cities with a population of ≥300,000 and will not apply in At-Risk**).

Contiguous Census Tract #	<input type="text"/>	Contiguous Census Tract #	<input type="text"/>
Contiguous Census Tract #	<input type="text"/>	Contiguous Census Tract #	<input type="text"/>
Contiguous Census Tract #	<input type="text"/>	Contiguous Census Tract #	<input type="text"/>

Application is seeking points for Underserved Area. Total Points Claimed: 3

should state "2" - bps

This note was made by TDHCA staff

Application Excerpt - 17148 Shady Shores - Revised Application Exhibit, Crossed Out by TDHCA Review Staff

Development is Rural and Development Site is within the required distance of eligible amenities and/or services pursuant to §11.9(c)(4)(B)(ii) of the QAP. A map showing the Development Site, scale showing radius, location of the amenities, and other evidence as applicable is included behind this tab.

Two columns of empty rectangular boxes for providing evidence or maps.

Application is seeking points for Opportunity Index. Total Points Claimed: 7

If necessary, provide a brief summary of how the Development Site is justifying the points selected:

3. §11.9(c)(8) - Proximity to the Urban Core (Competitive HTC Applications Only)

- Development Site is located in a City with a population over 300,000 and is not in At-Risk Set-Aside. AND Population of City is 300,000-500,000 and Development is located w/in 2 miles of City Hall facility. OR Population of City is more than 500,000 and Development is located w/in 4 miles of City Hall facility.

Application is seeking points for Proximity to the Urban Core. Total Points Claimed: 0

4. §11.9(c)(6) - Underserved Area (Competitive HTC and Direct Loan Applications Only)

Applications may qualify for up to five (5) points for proposed Developments located in one of the following areas:

- No Colonia (Note: Not eligible if application qualifies for Opportunity Index points);
No Economically Distressed Area (Note: Not eligible if application qualifies for Opportunity Index points);
No A census tract within the boundaries of an incorporated area that has not received a competitive tax credit allocation or a 4% non-competitive tax credit allocation for a Development within the last 15 years; and continues to appear on Department's inventory
Yes If not the previous item, a census tract that does not have a Development subject to an active tax credit LURA, (or has received a tax credit award but not yet reached the point where its LURA must be recorded);
No A census tract within the boundaries of an incorporated area and all contiguous census tracts for which neither the census tract within which the Development is located nor the contiguous census tracts have received an award or HTC allocation within the last 15 years and continues to appear on the Department's inventory (only applies in cities with a population of ≥300,000 and will not apply in At-Risk).

Table with 2 columns and 3 rows for Contiguous Census Tract #.

Application is seeking points for Underserved Area. Total Points Claimed: 2

Staff allowed the applicant to change the check box selections in this exhibit. The applicant for 17736 Providence at Ted Trout Drive similarly submitted a corrected exhibit, and that exhibit was rejected by staff, in direct conflict with staff actions related to application 17148.

Supporting Documentation
16029 Baxter Lofts

Staff rescored 3 separate scoring items in a single application. In no circumstance did staff deduct all points under a scoring item.

1. Educational Excellence - Staff rescored application and awarded 3 points.
2. Concerted Revitalization Plan - Staff rescored application and awarded 4 points.
3. Historic Preservation - Staff rescored application and awarded 3 points.

BOARD ACTION ITEM
MULTIFAMILY FINANCE DIVISION
JUNE 16, 2016

Presentation, Discussion, and Possible Action on Timely Filed Scoring Notice Appeals under the Department's Multifamily Program Rules

RECOMMENDED ACTION

WHEREAS, a 9% Housing Tax Credit Application for Baxter Lofts was submitted to the Department by the Full Application Delivery Date;

WHEREAS, at the May, 29, 2016, meeting of the Executive Board, staff presented its determination that the Application was eligible for three (3) points under Educational Excellence instead of the five (5) points requested, and that a resolution from the Local Governing Body identifying the Development Site as contributing most significantly to the concerted revitalization efforts was not received, leaving the Application eligible for four (4) points instead of the six (6) points requested;

WHEREAS, staff has re-scored the Application and determined that pursuant to §11.9(e)(6) Historic Preservation, the Application scored 3 points under Educational Excellence and is therefore eligible for only three (3) points under this item, resulting in a loss of two (2) points;

WHEREAS, at the May, 29, 2016, meeting of the Executive Board, the Board tabled the appeal, requesting further information from the Applicant regarding the ability of students who will reside at Baxter Lofts to attend Early College High School in Harlingen;

NOW, therefore, it is hereby

RESOLVED, that the scoring appeal for Application 16029, Baxter Lofts is denied.

BACKGROUND

10 TAC §11.9 related to Competitive HTC Selection Criteria identifies the scoring criteria used in evaluating and ranking Applications. It includes those items required under Texas Government Code, Chapter 2306, §42 of the Internal Revenue Code ("the Code"), and other criteria established in a manner consistent with Chapter 2306 and §42 of the Code.

Pursuant to §10.201(7) Administrative Deficiency Process, staff sends the deficiency notice via e-mail to the Applicant requesting the Applicant provide clarification, correction, or non-material missing information to resolve inconsistencies in the original Application or to assist staff in evaluating the Application. After the Applicants response to the Administrative Deficiency is received and evaluated by staff, a scoring notice is issued to the Applicant. Applicants have the option of appealing the scoring notice if they believe staff has deducted points from an Application

without basis in Rule, Statute or Code. The Executive Director evaluates the merits of appeals timely received, and has the option to grant or deny the appeal, based on the information presented. If the Executive Director denies the appeal of the scoring notice, the Applicant has the option to present their appeal to the Governing Board. The Applicant is appealing the scoring result.

At the May, 29, 2016, meeting of the Executive Board, the appeal was tabled as the Board requested that the Applicant provide information from the Harlingen Consolidated Independent School District (“HCISD”) regarding the right of students that will reside in the proposed Development to attend the Early College High School in Harlingen, as opposed to the Harlingen High School, for which staff contends the proposed Development Site is zoned. Board members questioned the necessity of the resolution from the Local Government governing body identifying the Development as contributing most significantly to the revitalization effort versus having a letter from a city official stating the same.

Based on the findings of the Board at the May, 29, 2016, meeting, staff re-scored the Application and determined that it is not eligible to receive the points claimed under three categories; §11.9(c)(5) Educational Excellence, §11.9(d)(7)(A) Concerted Revitalization Plan, and §11.9(e)(6) Historic Preservation.

§11.9(c)(5) Educational Excellence

For points under §11.9(c)(5) of the 2016 Qualified Allocation Plan (“QAP”), Educational Excellence, the Applicant originally claimed points in the pre-application and in the self-score of the full Application using the very highly ranked Early College High School in Harlingen, a magnet school with an application process for enrollment. Students may not attend this high school by right.

A Third Party Request for Administrative Deficiency received by the Department addressed the schools listed this Application, including a map of the high school attendance zones for the HCISD. The map indicates that the proposed Development Site is located within the attendance zone of Harlingen High School. Harlingen High School has an "Improvement Required" rating from the Texas Education Agency.

The Applicant's appeal of this scoring item includes a letter from the HCISD Superintendent indicating that “residents of Baxter Lofts would ordinarily attend Harlingen High School”, but that since this school has an “Improvement Required” rating “a student assigned to that campus is eligible to attend any other school in the district.” While the HCISD has a policy allowing students zoned to Harlingen High School the option to attend another school, this does not negate the fact that the district does have attendance zones, and that residents of Baxter Lofts are zoned to attend Harlingen High School. The Applicant claims that due to this policy, it is appropriate to use the higher accountability rating for the application-only magnet high school.

Pursuant to §11.9(c)(5) [emphasis added]:

“Except for Supportive Housing Developments, an Application may qualify to receive up to five (5) points **for a Development Site located within the attendance zones of public schools** meeting the criteria as described in subparagraphs (A) - (C) of this paragraph, as determined by the Texas Education Agency. A Supportive Housing Development may qualify to receive no more than two (2) points for a Development Site located within the attendance zones of public schools meeting the criteria as described in subparagraphs (A) and (B) of this paragraph, as determined by the Texas

Education Agency. **An attendance zone does not include schools with district-wide possibility of enrollment or no defined attendance zones, sometimes known as magnet schools.** However, **in districts with district-wide enrollment** an Applicant may use the rating of the closest elementary, middle, or high schools, respectively, which may possibly be attended by the tenants. The applicable school rating will be the 2015 accountability rating assigned by the Texas Education Agency.”

It is staff’s interpretation that if a Development Site is located in a school district that has attendance zones, the schools to which the site is zoned must be used. Only in districts with district-wide enrollment could another school be identified as the school which may possibly be attended by the tenants.

Staff notes that per §10.101(a)(4) Undesirable Neighborhood Characteristics, if the Development Site has certain characteristics, the Applicant must disclose the presence of such characteristics to the Department at the time the Application is submitted to the Department. Per item (iv) of this subsection, if the Development Site is located within the attendance zones of an elementary school, a middle school and a high school that does not have a Met Standard rating by the Texas Education Agency, an Applicant **shall** (emphasis added) use the rating of the closest elementary, middle and high school, respectively, which may possibly be attended by the tenants in determining whether or not disclosure is required. That the Application did not provide such a disclosure will be discussed in a future item to be presented to this Board.

§11.9(d)(7)(A) Concerted Revitalization Plan

The Community Revitalization scoring item at §11.9(d)(7)(A) includes differentiation by providing two points for a resolution from the Local Government governing body identifying the Development as contributing most significantly to the revitalization effort. In this way, the local government is able to provide input to the Application scoring process, supporting the development that they believe best supports their revitalization efforts. The Rule does not require that the development be named in the original plan, allowing necessary flexibility as opportunities arise during the revitalization process.

The Applicant states in their appeal that they have followed the requirement for the two points by providing a copy of the original Resolution by the Harlingen City Commission, adopting the Downtown Improvement District ("DID"). Adoption of the DID plan is actually a threshold requirement found at §11.9(d)(7)(A)(i)(I) for Concerted Revitalization Plans, so that the resolution provided simply allows the DID plan to be considered under this category.

Section §11.9(d)(7)(A)(ii)(II) describes the requirements for a resolution specific to the development for the Application to receive 2 points

(II) Applications may receive (2) points in addition to those under subclause (I) of this clause **if the Development is explicitly identified by the city or county as contributing most significantly to the concerted revitalization efforts of the city or county (as applicable).** [emphasis added] A city or county may only identify one single Development during each Application Round for the additional points under this subclause. **A resolution from the Governing Body of the city or county that approved the plan is required to be submitted in the Application (this resolution is not required at pre-application).** [emphasis added] If multiple Applications submit resolutions under this subclause from the same Governing Body, none of the Applications shall be eligible for the additional points. A city or

county may, but is not required, to identify a particular Application as contributing most significantly to concerted revitalization efforts.

The Applicant's statement in their appeal that the original resolution adopting the plan would not have anticipated a certain future development is mitigated by the opportunity for an applicant to approach the governing body for a current resolution naming the application, as required in the rules. Ten active applications requested points for this part of the scoring item, and of those, only two failed to provide such a resolution. The Applicant failed to provide the resolution required to receive the two additional points under (II).

At this time, the Application qualifies for four (4) points under Concerted Revitalization Plan

§11.9(e)(3) Pre-application Participation

At this time, based on the Pre-application self score, the Application qualifies to receive six (6) points under this item as the Application final score (inclusive of only scoring items reflected on the form) does not vary by more than six (6) points from the pre-application self score.

§11.9(e)(6) Historic Preservation

Pursuant to §11.9(e)(6)[emphasis added]:

“Except for Developments that qualify for one (1) or three (3) points under Educational Excellence §11.9 (c)(5), an Application that has received a letter from the Texas Historical Commission determining preliminary eligibility for historic (rehabilitation) tax credits and is proposing the use of historic (rehabilitation) tax credits (whether federal or state credits) may qualify to receive five (5) points. **Developments that qualify for one (1) or three (3) points under Educational Excellence §11.9 (c)(5) that has received a letter from the Texas Historical Commission determining preliminary eligibility for historic (rehabilitation) tax credits and is proposing the use of historic (rehabilitation) tax credits (whether federal or state credits) may qualify to receive three (3) points.**”

At this time, the Application qualifies for three (3) points under Educational Excellence, and is only eligible for three (3) points under Historic preservation.

Administrative Deficiency - 16029 Baxter Lofts

In the course of the Department's Housing Tax Credit **Eligibility/Selection/Threshold** and/or Direct Loan review of the above referenced application, a possible Administrative Deficiency as defined in §10.3(a)(2) and described in §10.201(7)(A) and/or §10.201(7)(B) of the 2016 Uniform Multifamily Rules was identified. By this notice, the Department is requesting documentation to correct the following deficiency or deficiencies. Any issue initially identified as an Administrative Deficiency may ultimately be determined to be beyond the scope of an Administrative Deficiency, and the distinction between material and non-material missing information is reserved for the Director of Multifamily Finance, Executive Director, and Board.

The Department has received a Third Party Request for Administrative Deficiency regarding HTC Application #16029, Baxter Lofts. The request includes information that was not previously provided to the Department, and, pursuant to §11.10 of the QAP, staff believes that the administrative deficiency should be issued even though this issue was previously raised in an administrative deficiency notice.

1. The requester questions whether Early College High School should be listed as the high school that residents of the proposed Development will attend on the Site Information Form II, Section 1 Educational Excellence. The provided information appears to indicate that:
 - a. The Harlingen ISD does have district boundaries, and those boundaries name Harlingen High School as the high school that residents of the proposed Development will attend.
 - b. Early College High School is what §11.9(c)(5) of the QAP describes as "schools with district-wide possibility of enrollment or no defined attendance zones, sometimes known as magnet schools". The QAP further states that an attendance zone does not include such schools, and in districts with district-wide enrollment an Applicant may use the rating of the closest elementary, middle, or high schools, respectively, which may possibly be attended by the tenants.

The item offers two options for responding:

- If the development site is located within the attendance zone of qualifying public schools, then the application may qualify to receive up to 5 points...

or

- If the development site is not located within the attendance zone of qualifying public schools, then the application may use the closest school that may be possibly attended...

There is no provision in the rules that gives the Applicant any other option; the form must either list the school in the attendance zone or the closest school.

The Department notes that the original selection was made based on a letter provided by the Superintendent of Schools stating that the students "have an opportunity to attend" Early College High School. **To preserve the 5 points requested for this item, provide evidence from the Superintendent of Schools that the district boundary map provided by the requester is not in effect, and that Early College High School is not what the QAP describes as a magnet school.**

The Department further notes that the requester states that "The applicant claimed 5 points for Educational Excellence under §11.9(c)(5)(A) but only qualifies (sic) for 3 points under §11.9(c)(5) (B)". If it is determined that Harlingen High School is the school that should be listed as the high school residents of the proposed Development will attend, the Application will not qualify for 3 points under §11.9(c)(5) (B) as the school does not have a Met Standard rating.

Administrative Deficiency - 16029 Baxter Lofts

2. The requester questions whether the Application qualifies for the 5 points requested under §11.9(e)(6) Historic Preservation. If it is determined that the Applicant qualifies for 1 point or 3 points under Educational Excellence, the score for Historic Preservation will be adjusted as required.

The above list may not include all Administrative Deficiencies such as those that may be identified upon a supervisory review of the application. Notice of additional Administrative Deficiencies may appear in a separate notification.

All deficiencies must be corrected or otherwise resolved by 5 pm CST on the fifth business day following the date of this deficiency notice. Deficiencies resolved after 5 pm on the fifth business day will have 5 points deducted from the final score. For each additional day beyond the fifth day that any deficiency remains unresolved, the application will be treated in accordance with §10.201(7)(A) of the 2016 Uniform Multifamily Rules.

All deficiencies related to the Direct Loan portion of the Application must be corrected or clarified by 5pm CST on the fifth business day following the date of this deficiency notice. Deficiencies resolved after 5pm CST on the fifth business day will be subject to a \$500 fee for each business day that the deficiency remains unresolved. Applications with unresolved deficiencies after 5pm CST on the tenth day may be terminated.

Unless the person that issued this deficiency notice, named below, specifies otherwise, submit all documentation at the same time and in only one file using the Department's Serv-U HTTPs System. Once the documents are submitted to the Serv-U HTTPs system, please email the staff member issuing this notice. If you have questions regarding the Serv-U HTTPs submission process, contact Liz Cline at liz.cline@tdhca.state.tx.us or by phone at (512)475-3227. You may also contact Jason Burr at jason.burr@tdhca.state.tx.us or by phone at (512)475-3986.

All applicants should review §§11.1(b) and 10.2(b) of the 2016 QAP and Uniform Multifamily Rules as they apply to due diligence, applicant responsibility, and the competitive nature of the program for which they are applying.

****All deficiencies must be corrected or clarified by 5 pm on , 2016. Please respond to this email as confirmation of receipt.****

Tab 6 - Self-Score
16029 Baxter Lofts

Applicant requested 5 points, staff determined applicant did not qualify for 5 points but did qualify for 3 points. 3 points were awarded.

Competitive Housing Tax Credit Selection Self-Score		
Criteria Promoting Development of High Quality Housing		
Point Item Description	QAP Reference	Points Selected
Unit Sizes	§11.9(b)(1)(A)	8
Unit Features	§11.9(b)(1)(B)	7
Sponsor Characteristics	§11.9(b)(2)	1
High Quality Housing Total		16
Criteria to Serve and Support Texans Most In Need		
Point Item Description	QAP Reference	Points Selected
Income Levels of Tenants	§11.9(c)(1)	16
Rent Levels of Tenants	§11.9(c)(2)	11
Tenant Services	§11.9(c)(3)	10
Opportunity Index	§11.9(c)(4)	0
Educational Excellence	§11.9(c)(5)	5
Underserved Area	§11.9(c)(6)	1
Tenant Populations with Special Needs	§11.9(c)(7)	2
Proximity to Important Services	§11.9(c)(8)	2
Serve and Support Texans Most in Need Total		47
Criteria Promoting Community Support and Engagement		
Point Item Description	QAP Reference	Points Selected
Local Government Support	§11.9(d)(1)	
Commitment of Development Funding by Local Political Subdivision	§11.9(d)(2)	1
Declared Disaster Area	§11.9(d)(3)	10
Quantifiable Community Participation	§11.9(d)(4)	
Community Support from State Representative	§11.9(d)(5)	
Input from Community Organizations	§11.9(d)(6)	
Concerted Revitalization Plan	§11.9(d)(7)	6
Community Support and Engagement Total		17
Criteria Promoting the Efficient Use of Limited Resources and Applicant Accountability		
Point Item Description	QAP Reference	Points Selected
Financial Feasibility	§11.9(e)(1)	18
Cost of Development per Square Foot	§11.9(e)(2)	12
Pre-application Participation	§11.9(e)(3)	6
Leveraging of Private, State, and Federal Resources	§11.9(e)(4)	3
Extended Affordability	§11.9(e)(5)	2
Historic Preservation	§11.9(e)(6)	5
Right of First Refusal	§11.9(e)(7)	1
Funding Request Amount	§11.9(e)(8)	1
Point Deductions	§11.9(f)	
Efficient Use of Limited Resources and Applicant Accountability Total		48
Total Application Self Score		128

Applicant requested 6 points, staff determined applicant did not qualify for 6 points but did qualify for 4 points. 4 points were awarded.

Applicant requested 5 points, staff determined applicant did not qualify for 5 points but did qualify for 3 points. 3 points were awarded.

Site Information Form Part II

Self Score: 128

1. §11.9(c)(5) - Educational Excellence (Competitive HTC Applications Only)

Residents of

Applicant requested 5 points, staff determined applicant did not qualify for 5 points but did qualify for 3 points. 3 points were awarded.

School Name	Grades X through X			Accountability Rating	Index 1 Score (e.g. 78)	Overall Rating
✓ Zavala ES	K	through	5	Met Standard	83	77+ (Met Standard)
		through				Elementary
✓ Memorial MS	6	through	8	Met Standard	70	70+ (Met Standard) - reg. 11 app
		through				Middle School
Early College HS	9	through	12	Met Standard	94	77+ (Met Standard)
						High School

Harlingen HS is closest for grades 9-12 - bps

District School Rating (if never rated by TEA):

School district has district-wide enrollment and closest school is identified in notes below.

Elementary has earned at least one TEA Distinction Designation. Distinction Earned:

Application is seeking points for Educational Excellence.



Total Points Claimed: 5

[Empty yellow box for notes]

2. §11.9(c)(4) - Opportunity Index (Competitive HTC Applications Only)

Development is Urban and:

Development is located in a census tract that has a poverty rate below 15% for individuals.

OR

Development is located in either Region 11 or 13 and has a poverty rate below 35% for individuals.

Development is Rural and:

Development is located in a census tract that has a poverty rate below 15% for individuals or in regions 11 or 13 and has a poverty rate below 35% for individuals.

OR

Development is located within a census tract with income in the top or 2nd quartile of median household income for the county or MSA as applicable.

OR

Development is located within the attendance zone of an elementary school that has a Met Standard rating and has achieved a 77 or greater on index 1 of the performance index.

AND

The development site is located in an area of open enrollment for grades 9 through 10. Grade 9 has 3 choices: Dr. Abraham P. Cano Freshman Academy, Early College High School, and Harlingen School of Health Professions. Grades 10 – 12 have 3 options: Early College High School, Harlingen School of Health Professions, and Harlingen High School. Harlingen High School does not have a met standard rating.

**Tab 9 - Concerted Revitalization Plan
16029 Baxter Lofts**

5. §11.9(d)(7) - Concerted Revitalization Plan (Competitive HTC Applications Only)

Region: 11 Urban No points were claimed for Opportunity Index.

Mark the box that identifies the type of Concerted Revitalization Plan that will be submitted.

Concerted Revitalization Plan that has been adopted by the municipality or county is attached behind this tab.

Letter from appropriate local official, Target Area map, and supporting documentation are provided behind this tab.

OR

Development is in a Rural Area, and supporting documentation meeting requirements of §11.9(d)(7)(B) is provided behind this tab.

For an additional 2 points under §11.9(d)(7)(A)(ii)(II):

Development is explicitly identified by the city or county as contributing most significantly to the concerted revitalization efforts of the city or county; resolution stating such is provided behind this tab.

Application is seeking Concerted Revitalization Points.



Total Points Claimed:

6. §11.9(d)(3) - Declared Disaster Area Scoring (Competitive HTC Applications ONLY)

Development is located in an area that qualifies as a Declared Disaster Area as defined in §11.9(d)(3).

Total Points Claimed:

Applicant requested 6 points, staff determined applicant did not qualify for 6 points but did qualify for 4 points. 4 points were awarded.

Tab 19 - Historic Preservation, 16029 Baxter Lofts

8. Historic Preservation (Competitive HTC Applications only) [§11.9(e)(6)]

- Application requests points for Historic Preservation.
- Application contains a letter from the Texas Historical Commission (THC) determining preliminary eligibility for federal or state historic (rehabilitation) tax credits.
- Application includes documentation from the Texas Historical Commission that the property is currently a Certified Historic Structure or determining preliminary eligibility for status as a Certified Historic Structure.
- Development will be able to document receipt of historic tax credits by the time Forms 8609 are issued.
- At least 75% of the residential units will be within the Certified Historic Structure.

Attached behind this tab are the THC letter and other documentation described above.

Application not qualifying for one (1) or three (3) points under Educational Excellence §11.9(c)(5) is eligible for five (5) points. **OR**

Application qualifying for one (1) or three (3) points under Educational Excellence is eligible for three (3) points.

 **Points Claimed:**

9. Right of First Refusal (Competitive HTC Applications only) [§11.9(e)(7)]

Development Owner agrees to provide a Right of First Refusal to purchase the Development upon or following the end of the Compliance Period.

10. Funding Request Amount (Competitive HTC Applications only) [§11.9(e)(8)]

Application reflects funding request for no more than 100% of the amount available in the subregion or set-aside as of 12/1/2015.

Applicant requested 5 points, staff determined applicant did not qualify for 5 points but did qualify for 3 points. 3 points were awarded.

Supporting Documentation
16168 Stonebridge of Whitehouse



MULTIFAMILY FINANCE PRODUCTION DIVISION
Housing Tax Credit Program - 2016 Application Round
Scoring Notice - Competitive Housing Tax Credit Application

Chaz Garrett

Phone #: (903) 450-1520

Email: cgarrett@gs-hc.com

Second Email: kgarrett@statestreethousing.com

Date: April 27, 2016

**THIS NOTICE WILL ONLY BE
TRANSMITTED VIA EMAIL**

**RE: 2016 Competitive Housing Tax Credit (HTC) Application for Stonebridge of Whitehouse, TDHCA
Number: 16168**

The Texas Department of Housing and Community Affairs has completed its program review of the Application referenced above as further described in the 2016 Qualified Allocation Plan ("QAP"). This scoring notice provides a summary of staff's assessment of the application's score. The notice is divided into several sections.

Section 1 of the scoring notice provides a summary of the score requested by the Applicant followed by the score staff has assessed based on the Application submitted. You should note that four scoring items are not reflected in this scoring comparison but are addressed separately.

Section 2 of the scoring notice includes each of the four scoring criteria for which points could not be requested by the Applicant in the application self-score form and include: §11.9(d)(1) Local Government Support, §11.9(d)(4) Quantifiable Community Participation, §11.9(d)(5) Community Support from State Representative, and §11.9(d)(6) Input from Community Organizations.

Section 3 provides information related to any point deductions assessed under §11.9(f) of the QAP or §10.201(7)(A) of the Uniform Multifamily Rules.

Section 4 provides the final cumulative score in bold.

Section 5 includes an explanation of any differences between the requested and awarded score as well as any penalty points assessed.

The scores provided herein are merely informational at this point in the process and may be subject to change. For example, points awarded under §11.9(e)(2) "Cost of Development per Square Foot" and §11.9(e)(4) "Leveraging of Private, State, and Federal Resources" may be adjusted should the underwriting review result in changes to the Application that would affect these scores. If a scoring adjustment is necessary, staff will provide the Applicant a revised scoring notice.

Be further advised that if the Applicant failed to properly disclose information in the Application that could have a material impact on the scoring information provided herein, the score included in this notice may require adjustment and/or the Applicant may be subject to other penalties as provided for in the Department's rules.

This preliminary scoring notice is provided by staff at this time to ensure that an Applicant has sufficient notice to exercise any appeal process provided under §10.902 of the Uniform Multifamily Rules. All information in this scoring notice is further subject to modification, acceptance, and/or approval by the Department's Governing Board.



MULTIFAMILY FINANCE PRODUCTION DIVISION
 Housing Tax Credit Program - 2016 Application Round
 Scoring Notice - Competitive Housing Tax Credit Application

Page 2 of Final Scoring Notice: 16168, Stonebridge of Whitehouse

Section 1:

Score Requested by Applicant (Does not include points for §11.9(d)(1), (4), (5), or (6) of the 2016 QAP):	125
Score Awarded by Department staff (Does not include points for §11.9(d)(1), (4), (5), or (6) of the 2016 QAP):	123
Difference between Requested and Awarded:	2

Section 2:

Points Awarded for §11.9(d)(1) Local Government Support:	17
Points Awarded for §11.9(d)(4) Quantifiable Community Participation:	4
Points Awarded for §11.9(d)(5) Community Support from State Representative:	8
Points Awarded for §11.9(d)(6) Input from Community Organizations:	4

Section 3:

Points Deducted for §11.9(f) of the QAP or §10.201(7)(A) of the Uniform Multifamily Rules:	0
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Section 4:

Final Score Awarded to Application by Department staff:	156
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Section 5:

Explanation for Difference between Points Requested and Points Awarded by the Department as well as penalties assessed:

§11.9(d)(2) Commitment of Development Funding by Local Political Subdivision. The letter provided by the City of Whitehouse does not specify a de minimis amount of funding. (Requested 1, Awarded 0)

§11.9(e)(2) Cost of Development per Square Foot. The Application requested 12 points but is only eligible for 11 points for cost per square foot that is less than \$75. (Requested 12, Awarded 11)

Restrictions and requirements relating to the filing of an appeal can be found in §10.902 of the Uniform Multifamily Rules. If you wish to appeal this scoring notice, you must file your appeal with the Department no later than 5:00 p.m. Austin local time, Wednesday, May 4, 2016. If an appeal is denied by the Executive Director, an Applicant may appeal to the Department's Board.

In an effort to increase the likelihood that Board appeals related to scoring are heard at the Board meeting, the Department has provided an Appeal Election Form for all appeals submitted to the Executive Director. In the event an appeal is denied by the Executive Director, the Applicant is able to request that the appeal automatically be added to the Board agenda.

If you have any concerns regarding potential miscalculations or errors made by the Department, please contact Sharon Gamble at (512) 936-7834 or by email at mailto:sharon.gamble@tdhca.state.tx.us.

Sincerely,

Sharon Gamble

Sharon Gamble

9% Competitive HTC Program Administrator

Applicant requested 12 points, staff determined applicant did not qualify for 12 points but did qualify for 11 points. 11 points were awarded.

BOARD ACTION ITEM
MULTIFAMILY FINANCE DIVISION
JUNE 16, 2016

Presentation, Discussion, and Possible Action on Timely Filed Scoring Notice Appeals under the Department's Multifamily Program Rules

RECOMMENDED ACTION

WHEREAS, a 9% Housing Tax Credit Application for Stonebridge of Whitehouse was submitted to the Department by the Full Application Delivery Date;

WHEREAS, the Application requested twelve points under 10 TAC §11.9(e)(1) related to Cost of Development per Square Foot, but staff determined the Application is only eligible for eleven points;

WHEREAS, on April 27, 2016, a scoring notice was provided to the Applicant identifying points that the Applicant elected but did not qualify to receive under 10 TAC §11.9 related to Competitive HTC Selection Criteria;

WHEREAS, on June 3, 2016, a revised scoring notice was provided to the Applicant, at which time the Applicant confirmed with staff that the Applicant timely filed an appeal of the April 27, 2016 scoring notice to the Executive Director;

WHEREAS, the Executive Director denied the appeal;

NOW, therefore, it is hereby

RESOLVED, that the scoring appeal for Application 16168, Stonebridge of Whitehouse is hereby denied.

BACKGROUND

The Stonebridge of Whitehouse Application (#16168) proposes new construction of 80 units to serve the general population in Whitehouse, Texas. Initial review of the Application indicated that the Application was not eligible to receive the full points claimed under two sections of the Qualified Allocation Plan; §11.9(d)(2) Commitment of Funding by Local Political Subdivision and §11.9(e)(2) Cost of Development per Square Foot.

After the initial scoring notice was issued, staff determined it was appropriate to send a Notice of Administrative Deficiency seeking to resolve what appeared to be an inconsistency in the Application. The Applicant's response to the notice was sufficient to support the requested point for §11.9(d)(2), Commitment of Funding by Local Political Subdivision, and a revised deficiency notice was issued.

The May 4, 2016, appeal letter from the Applicant is being applied to the revised scoring notice, which upheld the loss of one point under §11.9(e)(2) Cost of Development per Square Foot, as the outstanding scoring issue remaining. The Executive Director denied the appeal for this Application, and the Applicant is appealing to the Board.

This appeal brings forth two separate but important issues regarding this Application. The first is the scoring item, which is discussed first below. The second issue is the requirement under §10.101(b)(4)(M), Mandatory Development Amenities, which may be impacted by the resolution of the scoring appeal.

§11.9(e)(2) Cost of Development per Square Foot

To qualify for points under §11.9(e)(2) of the 2016 Qualified Allocation Plan (“QAP”), an Application must meet a multi-tiered requirement. Per the rules (emphasis added):

An Application may qualify to receive up to twelve (12) points based on either the Building Cost or the Hard Costs per square foot of the proposed Development, as originally submitted in the Application. For purposes of this paragraph, **Building Costs will exclude structured parking or commercial space that is not included in Eligible Basis**, and Hard Costs will include general contractor overhead, profit, and general requirements. **Structured parking or commercial space costs must be supported by a cost estimate from a Third Party General Contractor or subcontractor with experience in structured parking or commercial construction, as applicable.** The square footage used will be the Net Rentable Area (NRA). The calculations will be based on the cost listed in the Development Cost Schedule and NRA shown in the Rent Schedule. If the proposed Development is a Supportive Housing Development, the NRA will include common area up to 50 square feet per Unit.

In their appeal, the Applicant claims that the garages "...are to be rented and as such [the cost] has been removed from eligible basis. Rented garages are not considered an amenity. They are commercial space to be rented." The Development Cost Schedule submitted with the Application includes a cost of \$50,000 for carports and/or garages, and indicates “none” for structured parking and for commercial space costs. Further, the Application did not include a cost estimate from a Third Party General Contractor or subcontractor with experience in structured parking or commercial construction, as required by the rule quoted above. Staff has used the Development Cost Schedule as presented to review scoring for this item

§11.9(e)(2) Cost of Development per Square Foot provides for scoring based on the cost per square foot, with a graduated approach as costs increase. Applicants may receive twelve points if the costs do not exceed \$70 per square foot, or eleven points if the costs are less than \$75 per square foot. Staff scored the Application as it was presented and the scoring showed that the Application was not eligible for twelve points, as the cost is greater than \$70 per square foot.

The appeal asserts that the difference in calculations is due to the inclusion of the \$50,000.00 for garages that are to be rented and as such must be removed from eligible basis. As discussed above, the Application does not support treating the garages as commercial space to be rented; therefore the costs cannot be excluded from the calculation under §11.9(e)(2)(B).

(B) Applications proposing New Construction or Reconstruction will be eligible for twelve (12) points if one of the following conditions is met:

- (i) **The Building Cost per square foot is less than \$70 per square foot;**
- (ii) The Building Cost per square foot is less than \$75 per square foot, and the Development meets the definition of a high cost development;
- (iii) The Hard Cost per square foot is less than \$90 per square foot; or
- (iv) The Hard Cost per square foot is less than \$100 per square foot, and the Development meets the definition of high cost development.

(C) Applications proposing New Construction or Reconstruction will be eligible for eleven (11) points if one of the following conditions is met:

- (i) **The Building Cost per square foot is less than \$75 per square foot;**
- (ii) The Building Cost per square foot is less than \$80 per square foot, and the Development meets the definition of a high cost development;
- (iii) The Hard Cost per square foot is less than \$95 per square foot; or
- (iv) The Hard Cost per square foot is less than \$105 per square foot, and the Development meets the definition of high cost development.

The calculation for determining the cost in this Application has been performed by staff as follows:

Building Cost in DCS is: Subtotal Building Costs - Structured Parking if not in eligible basis - Commercial Space if not in eligible basis = $\$5,225,000 \div \text{Net Rentable Area (from the Rent Schedule)}$ $74,520 = \$70.11$ Cost/SF

The appeal argues that if \$50,000 for structured parking and commercial space were removed from the cost, the cost per square foot based on building cost would be less than \$70.00, and the Application would qualify for twelve points:

Building Cost in DCS is: Subtotal Building Costs - Structured Parking if not in eligible basis - Commercial Space if not in eligible basis = $\$5,175,000 \div \text{Net Rentable Area (from the Rent Schedule)}$ $74,520 = \$69.44$ Cost/SF

The garages are neither Structured Parking because they are not a multi-level garage, or commercial space to be rented, because the parking spaces are required to meet the minimum requirements for Mandatory Development Amenities.

§10.101(b)(4)(M), Mandatory Development Amenities

Pursuant to §11.9(e)(2), rented garages are not considered an amenity. The Rent Schedule, included as Exhibit B, indicates that the garages will be rented. Staff has reviewed the

Application with respect to this issue. Page 8 of the Site Design and Feasibility Study submitted for the Application, included here as Exhibit C, indicates the number of parking spaces required for the Development:

“Regulations require 2 parking spaces per dwelling unit. In addition, the clubhouse will require 1 parking space per 300 square feet. With 80 units planned, they will require 160 parking spaces and the 2,083 square foot clubhouse will require 7 spaces for a total of 167 parking spaces. Plans are to have 167 parking spaces.”

Review of the Development Site Plan, included here as Exhibit D, indicates that the site has 167 total parking spaces, which includes the 10 garage spaces the Applicant proposes to rent as commercial space. §10.101(b)(M), Mandatory Community Amenities, requires “Adequate parking spaces consistent with local code, unless there is no local code, in which case the requirement would be one and a half (1.5) spaces per Unit for non- Elderly Developments and one (1) space per Unit for Elderly Developments. **The minimum number of required spaces must be available to the tenants at no cost.**” (emphasis added)

The Development does not include enough parking spaces to set aside 10 garage spaces for rental as commercial space, in order to deduct their cost from the scoring calculation above. For the site to meet the threshold requirement for the number of spaces that must be provided at no cost to the tenants, the garages must be available free of charge. To grant the full points for this item by removing the costs as the result of a determination that the garages are a commercial space to be rented would then lead staff to terminate the Application for failure to meet a threshold requirement for minimum required parking spaces available to tenants at no cost.

In their second appeal letter, dated June 9, 2016, the Applicant requests that this matter be treated as an Administrative Deficiency, and states, "if we can't rent the garages then we will not build them." They request the opportunity to effectively remove the garages from the Development Cost Schedule and the Site Plan, so that they are able to claim twelve points under §11.9(e)(2) Cost of Development per Square Foot.

This request far exceeds the opportunity to make corrections as afforded by the Administrative Deficiency process. If the requested change was presented after an award, it would be considered a Material Amendment under §10.405(a)(3)(A) because it is a "significant modification of the site plan." Further, the request may be denied under §10.405(a)(4) because it "would have changed the scoring of an Application in the competitive process" and was "reasonably foreseeable."

Tab 6 - Self-Score
16168 Stonebridge of Whitehouse

Competitive Housing Tax Credit Selection Self-Score		
Criteria Promoting Development of High Quality Housing		
Point Item Description	QAP Reference	Points Selected
Unit Sizes	§11.9(b)(1)(A)	8
Unit Features	§11.9(b)(1)(B)	7
Sponsor Characteristics	§11.9(b)(2)	1
High Quality Housing Total		16
Criteria to Serve and Support Texans Most In Need		
Point Item Description	QAP Reference	Points Selected
Income Levels of Tenants	§11.9(c)(1)	16
Rent Levels of Tenants	§11.9(c)(2)	11
Tenant Services	§11.9(c)(3)	10
Opportunity Index	§11.9(c)(4)	7
Educational Excellence	§11.9(c)(5)	5
Underserved Area	§11.9(c)(6)	2
Tenant Populations with Special Needs	§11.9(c)(7)	2
Proximity to Important Services	§11.9(c)(8)	2
Serve and Support Texans Most in Need Total		55
Criteria Promoting Community Support and Engagement		
Point Item Description	QAP Reference	Points Selected
Local Government Support	§11.9(d)(1)	
Commitment of Development Funding by Local Political Subdivision	§11.9(d)(2)	1
Declared Disaster Area	§11.9(d)(3)	10
Quantifiable Community Participation	§11.9(d)(4)	
Community Support from State Representative	§11.9(d)(5)	
Input from Community Organizations	§11.9(d)(6)	
Concerted Revitalization Plan	§11.9(d)(7)	N/A
Community Support and Engagement Total		11
Criteria Promoting the Efficient Use of Limited Resources and Applicant Accountability		
Point Item Description	QAP Reference	Points Selected
Financial Feasibility	§11.9(e)(1)	18
Cost of Development per Square Foot	§11.9(e)(2)	12
Pre-application Participation	§11.9(e)(3)	6
Leveraging of Private, State, and Federal Resources	§11.9(e)(4)	3
Extended Affordability	§11.9(e)(5)	2
Historic Preservation	§11.9(e)(6)	0
Right of First Refusal	§11.9(e)(7)	1
Funding Request Amount	§11.9(e)(8)	1
Point Deductions	§11.9(f)	
Efficient Use of Limited Resources and Applicant Accountability Total		43
Total Application Self Score		125

Applicant requested 12 points, staff determined applicant did not qualify for 12 points but did qualify for 11 points. 11 points were awarded.

Supporting Documentation
15121 The Glades of Gregory-Portland

Tab 6 - Self-Score
15121 The Glades at Gregory-Portland

Competitive Housing Tax Credit Selection Self-Score

Criteria Promoting Development of High Quality Housing		
Point Item Description	QAP Reference	Points Selected
Unit Sizes	§11.9(b)(1)(a)	8
Unit Features	§11.9(b)(1)(b)	7
Sponsor Characteristics	§11.9(b)(2)	1
High Quality Housing Total		16
Criteria to Serve and Support Texans Most In Need		
Point Item Description	QAP Reference	Points Selected
Income Levels of Tenants	§11.9(c)(1)	16
Rent Levels of Tenants	§11.9(c)(2)	11
Tenant Services	§11.9(c)(3)	10
Opportunity Index	§11.9(c)(4)	7
Educational Excellence	§11.9(c)(5)	3
Underserved Area	§11.9(c)(6)	2
Tenant Populations with Special Needs	§11.9(c)(7)	2
Serve and Support Texans Most in Need Total		51
Criteria Promoting Community Support and Engagement		
Point Item Description	QAP Reference	Points Selected
Local Government Support	§11.9(d)(1)	
Commitment of Development Funding by Local Political Subdivision	§11.9(d)(2)	14
Declared Disaster Area	§11.9(d)(3)	10
Quantifiable Community Participation	§11.9(d)(4)	
Community Support from State Representative	§11.9(d)(5)	
Input from Community Organizations	§11.9(d)(6)	
Community Revitalization Plan	§11.9(d)(7)	N/A
Community Support and Engagement Total		24
Criteria Promoting the Efficient Use of Limited Resources and Applicant Accountability		
Point Item Description	QAP Reference	Points Selected
Financial Feasibility	§11.9(e)(1)	18
Cost of Development per Square Foot	§11.9(e)(2)	12
Pre-application Participation	§11.9(e)(3)	6
Leveraging of Private, State, and Federal Resources	§11.9(e)(4)	3
Extended Affordability or Historic Preservation	§11.9(e)(5)	2
Right of First Refusal	§11.9(e)(6)	1
Funding Request Amount	§11.9(e)(7)	0
Point Deductions	§11.9(f)	
Efficient Use of Limited Resources and Applicant Accountability Total		42
Total Application Self Score		133

Applicant requested 12 points, staff determined applicant did not qualify for 12 points but did qualify for 11 points. 11 points were awarded.

Excerpt from 6/16/15 Board Book Supplement

TDHCA ID#	15121	Development Name:	The Glades of Gregory-Portland		
City:	Gregory	Region:	10	Fee Received:	Yes
Challenger:	Teresa A. Shell				

Nature and Basis of the Challenge: The challenger asserts that the Application is not eligible for several points claimed under §11.9(c)(4) of the QAP, related to Opportunity Index. Specifically, the Applicant claimed two points related to a full service grocery store for La Tiendita Food and Beverage; however, the challenger points out this business is actually convenience store. The Challenger further points out that the Kidz Club After School Program is not located within the required 1.5 distance. Additionally, the Challenger claims that the Head Start Program does not provide care for infants and would therefore not be eligible for the two points. Lastly, the challenger states that the Application is only eligible for 11 points under §11.9(e)(2) related to Cost of Development per square foot, as opposed to the 12 points claimed by the Applicant.

Analysis and Resolution: Staff has reviewed the challenge and the Applicant's response. Staff had already addressed the issue related to La Tiendita Food and Beverage in the scoring notice issued 04/22/15, where those two points were denied. Likewise, points were not awarded for the Kidz Club After School Program. However, two points were awarded for the Head Start Program. The challenger failed to recognize that the language in the 2015 QAP was change to read "a child care program for infants, toddlers, *and/or* pre-kindergarten. Staff also identified the issue related the Cost of Development per square foot, and consequently, awarded only 11 points under this scoring item. The Applicant is appealing the points related to the Opportunity Index, which is scheduled to be heard at the June 16, 2015, Board Meeting.

Applicant requested 12 points, staff determined applicant did not qualify for 12 points but did qualify for 11 points. 11 points were awarded.

Supporting Documentation
13046 La Esperanza Del Rio

Competitive Housing Tax Credit Selection Self-Score

Criteria Promoting Development of High Quality Housing		
Point Item Description	QAP Reference	Points Selected
Unit Sizes	§11.9(b)(1)(a)	7
Unit Features	§11.9(b)(1)(b)	7
Sponsor Characteristics	§11.9(b)(2)	1
High Quality Housing Total		15

Criteria to Serve and Support Texans Most In Need		
Point Item Description	QAP Reference	Points Selected
Income Levels of Tenants	§11.9(c)(1)	15
Rent Levels of Tenants	§11.9(c)(2)	9
Tenant Services	§11.9(c)(3)	8
Opportunity Index	§11.9(c)(4)	7
Educational Excellence	§11.9(c)(5)	3
Underserved Area	§11.9(c)(6)	2
Tenant Populations with Special Needs	§11.9(c)(7)	2
Serve and Support Texans Most in Need Total		46

Criteria Promoting Community Support and Engagement		
Point Item Description	QAP Reference	Points Selected
Quantifiable Community Participation	§11.9(d)(1)	
Community Input other than Quantifiable Community Participation	§11.9(d)(2)	
Commitment of Development Funding by Unit of General Local Government	§11.9(d)(3)	13
Community Support from State Representative or Senator	§11.9(d)(4)	
Declared Disaster Area	§11.9(d)(5)	7
Community Revitalization Plan	§11.9(d)(6)	6
Community Support and Engagement Total		26

Criteria Promoting the Efficient Use of Limited Resources and Applicant Accountability		
Point Item Description	QAP Reference	Points Selected
Financial Feasibility	§11.9(e)(1)	18
Cost of Development per Square Foot	§11.9(e)(2)	
Pre-application Participation	§11.9(e)(3)	6
Leveraging of Private, State, and Federal Resources	§11.9(e)(4)	3
Extended Affordability or Historic Preservation	§11.9(e)(5)	2
Right of First Refusal	§11.9(e)(6)	1
Development Size	§11.9(e)(7)	1
Point Deductions	§11.9(f)	
Efficient Use of Limited Resources and Applicant Accountability Total		31

Total Application Self Score		118
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Applicant requested 6 points, staff determined applicant did not qualify for 6 points but did qualify for 4 points. 4 points were awarded.

8. Opportunity Index (Competitive HTC Only)

One box below must be marked:

- Development is located in a census tract that has a poverty rate below 15 percent for individuals.
- OR
- Development is located in either Region 11 or 13 and has a poverty rate below 35 percent for individuals.
- OR
- Development is located in a Rural Area.

Target Population:

Tract Quartile:

Appropriate School Rating for scoring (Elementary or district):

Application is seeking Opportunity Index Points: Total Points Claimed:

If necessary, provide a brief summary of how the Development Site is justifying the points selected:

Summary (lines 61-69 are hidden, and available if needed)

9. Underserved Area (Competitive HTC Only)

Applications may qualify for up to two (2) points for proposed Developments located in one of the following areas:

- Colonia;
- Economically Distressed Area;
- A municipality, or if outside of the boundareis of any municipality, a county that has never received a competitive tax credit allocation or a 4 percent non-competitive tax credit allocation; or
- For Rural Areas only, a census tract that has never received a competitive tax credit allocation or a 4 percent non-competitive tax credit allocation serving the same Target Population.


Note: Developments serving the elderly are eligible for 1 point; supportive housing developments or those serving the general population are eligible for 2 points.

Application is seeking Underserved Area Points: Total Points Claimed:

10. Community Revitalization (Competitive HTC Only)

Region:

Mark one of the five boxes below:

- Applicant obtained pre-clearance for a community revitalization plan, and evidence of pre-clearance is provided behind this tab.
- Development is in an Urban Area. Pre-clearance for a community reitalization plan was requested prior to the submission of the pre-application and is pending.
- Development is in an Urban Area outside of Region 3, and supporting documentation that meets the requirements of §11.9(d)(6)(B)(ii) was provided with pre-application. If a commitment of CDBG-DR funding was not provided at pre-application, it is attached here. 
- Development is in a Rural Area, and supporting documentation that meets all the requirements of §11.9(d)(6)(C) is provided behind this tab.

For an additional 2 points under §11.9(d)(6)(A)(ii)(III):

- Development is explicitly identified by the city or county as contributing most significantly to the concerted

Application is seeking Community Revitalization Points: Total Points Claimed:

11. Input other than Quantifiable Community Participation (Competitive HTC Only)

- Applicant has included one or more letters of support for points.

12. Declared Disaster Area Scoring (Competitive HTC ONLY)*

- Development is in a "STATEWIDE" declared disaster area, and evidence is provided behind this tab.
- Development is in a "LOCALIZED" declared disaster area, and evidence is provided behind this tab.

* Applicants are encouraged to ensure declaration is not pre-emptive in nature.

Total Points Claimed:

Applicant requested 6 points, staff determined applicant did not qualify for 6 points but did qualify for 4 points. 4 points were awarded.

BOARD ACTION REQUEST
MULTIFAMILY FINANCE DIVISION
JULY 11, 2013

Presentation, Discussion, and Possible Action on Timely Filed Appeals under any of the Department's Program or Underwriting rules

RECOMMENDED ACTION

WHEREAS, a 2013 competitive housing tax credit scoring notice was provided to the Applicant for La Esperanza Del Rio (#13046);

WHEREAS, staff identified two (2) points that the Applicant elected but that the Application did not qualify to receive under §11.9(d)(6) of the 2013 Qualified Allocation Plan related to a Community Revitalization Plan; and

WHEREAS, the Applicant appealed the scoring notice and requests that the Board award a total of six (6) points under §11.9(d)(6) rather than the staff recommended four (4) points;

NOW, therefore, it is hereby

RESOLVED, the Applicant's appeal of the scoring notice for La Esperanza Del Rio (#13046) is hereby denied.

BACKGROUND

The Housing Tax Credit Application for La Esperanza Del Rio, located in Rural Region 11, was awarded four (4) points out of the six (6) total points requested under the §11.9(d)(6)(C) of the 2013 Qualified Allocation Plan ("QAP"), related to Community Revitalization Plan ("CRP") for Developments located in a Rural Area. Applications are eligible for four (4) points for submitting evidence of one qualifying project and six (6) points for two qualifying projects. The original Application included, as required in the QAP, a letter from the appropriate local official which provided details about two projects that would qualify the application for points, namely the construction of a new police station within one mile of the site and water, sewer, and street construction in the Mi Ranchito subdivision within a quarter mile of this site. Based on this documentation, staff awarded the application the requested six (6) points.

The Application was challenged by BETCO Development, and that challenge asserted that the improvements made to the Mi Ranchito subdivision were not within a quarter mile of the development site. The Applicant's response to the challenge stated that, although the streets and newly constructed lift station were indeed not within a quarter mile of the site, that an easement had been dedicated to the city

that provided the city access to the lift station and the ability to improve service to the residents in the area. The Applicant further states that because a portion of that easement is within a quarter mile of the site, the project should be eligible for points. Staff disagrees and asserts that the physical infrastructure itself is required to be within a quarter mile of the site in order for the application to be eligible for points. Dedicated easements do not qualify, and therefore staff deducted two (2) points from the Application.

The Applicant's response to the challenge also included evidence of a newly installed water line within a quarter mile of the site. However, the supporting documentation for this project was only a work order for a water meter from a private water supply corporation with a handwritten note at the bottom indicating that a new water line had also been installed. In their appeal, the Applicant provided further clarification of this work order in the form of email correspondence from both the city manager and the manager of the water corporation. However, there was no mention of this water line in the original Application submission, and, even if staff were to consider this new information, both the challenge response and appeal provide little evidence of the city, county, state, or federal government approval of the project. The Applicant contends that the additional documentation should be considered and does not cause a substantial reassessment of the application. Staff disagrees and points to §11.9(a) of the QAP which states that applicants that elect points but fail to provide any supporting documentation for those points will not be allowed to cure the issue administratively.

Staff recommends denial of the appeal.

Supporting Documentation
12062 Cadillac Apartments

Self-Score
12062 Cadillac Apartments

Competitive HTC Application Self-Score Form

Instructions: Complete the following form and indicate all points requested for this Application. All evidence as required by §50.9(b) of the 2012 QAP must be submitted as outlined in the Application Submission Procedures Manual.

Development Name: Cadillac Apartments

City: Dallas

§50.9(b)	Point Category	Points Requested
(1)	Financial Feasibility (28 points max)	28
(2)	Quantifiable Community Participation (Points Not Requested in Self Score)	N/A
(3)	The Income Levels of Tenants of the Development (22 points max)	22
(4)(A)	Size of the Units (6 points max)	6
(4)(B)	Quality of the Units (14 points max)	14
(5)	The Commitment of Development Funding by Units of General Local Government (18 points max)	18
(6)	Community Support from State Representative or State Senator (points not requested in self score)	N/A
(7)	The Rent Levels of the Units (14 points max)	14
(8)	The Cost of the Development by Square Foot (12 points max)	12
(9)	Tenant Services (10 points max)	10
(10)	Declared Disaster Areas (8 points)	8
(11)	Additional Evidence of Preparation to Proceed (7 points max)	7
(12)	Leveraging of Private, State, and Federal Resources (7 points maximum)	7
(13)	Community Support other than Quantifiable Community Participation (points not requested in self score)	N/A
(14)	Pre-application Participation Incentive Points (6 points)	6
(15)	Developments in Census Tracts with Limited Existing HTC Developments (6 points maximum)	6
(16)	Development Location (4 points maximum)	4
(17)	Tenant Populations with Special Housing Needs (4 points)	4
(18)	Length of Affordability Period (4 points maximum)	4
(19)	Site Characteristics (4 points maximum)	4
(20)	Repositioning of Existing Developments (3 points maximum)	0
(21)	Sponsor Characteristics (2 points maximum)	2
(22)	Economic Development Initiatives (1 point)	1
(23)	Community Revitalization or Historic Preservation (1 point)	1
(24)	Developments Intended for Eventual Tenant Ownership- Right of First Refusal (1 point)	1
Total Points Requested:		179

(NOTE: Points added or deducted pursuant to §50.9(b)(2), (6) and (13) are not included in this calculation.)

Applicant requested 7 points, staff determined applicant did not qualify for 7 points but did qualify for 6 points. 6 points were awarded.

BOARD ACTION REQUEST
MULTIFAMILY FINANCE DIVISION
June 14, 2012

Timely Filed Appeals under any of the Department's Program or Underwriting Rules

RECOMMENDED ACTION

WHEREAS, a 2012 competitive housing tax credit scoring notice was provided to the applicant of Cadillac Apartments (#12062);

WHEREAS, the staff identified one (1) point that the applicant elected but the application does not qualify to receive; and

WHEREAS, the applicant appealed the scoring notice and requested that the Board award the one (1) point under §50.9(b)(12);

RESOLVED, the applicant's appeal of the scoring notice for Cadillac Apartments (#12062) is hereby denied.

BACKGROUND

On May 22, 2012, staff sent a scoring notice to the applicant of Cadillac Apartments, a 2012 competitive housing tax credit application submitted in Urban Region 3. After a complete staff review, it was determined that the application did not qualify to receive one (1) of the points elected by the Applicant. The area subject to appeal is summarized below.

§50.9(b)(12) Leveraging of Private, State, and Federal Resources

Seven (7) points may be elected by those applicants whose development site is not located in a Qualified Census Tract (QCT), that propose the use of financing sources meeting certain requirements, and that propose 30% of AMFI units. However, if the development site is located in a QCT and the other requirements are met then an application can only receive a maximum of six (6) points. The applicant elected seven (7) points but was determined to be located in a 2012 QCT, so staff issued a scoring notice that reflected six (6) points.

For the purpose of the 2012 QCT designations, the development site is located in a QCT according to the HUD published list (tract # 481130032.01). At the time HUD published the 2012 data they did not have access to data using the most recent decennial census tract numbers. Therefore, none of the new tract numbers from the most recent census appear as 2012 QCTs and are not relevant for a determination in this regard. In the subject case, the applicant is relying on this new census tract number to contend that they are not in a QCT. In fact, the site is in a 2012

Applicant requested 7 points, staff determined applicant did not qualify for 7 points but did qualify for 6 points. 6 points were awarded.

QCT. Moreover, HUD recently released the list of 2013 QCTs which does use the most recently assigned census tract numbers and the site remains in a QCT.

Staff recommends denial of the appeal.

17736

Executive Director's
Response



TEXAS DEPARTMENT OF HOUSING AND COMMUNITY AFFAIRS

www.tdhca.state.tx.us

Greg Abbott
GOVERNOR

BOARD MEMBERS
J. Paul Oxer, *Chair*
Leslie Bingham-Escareño, *Vice Chair*
Juan S. Muñoz, PhD
T. Tolbert Chisum
Tom H. Gann
J.B. Goodwin

May 16, 2017

Writer's direct phone # (512) 475-3296
Email: tim.irvine@tdhca.state.tx.us

Mr. Donald R. Ball
Executive Director
Nautical Affordable Housing, Inc.
3735 Honeywood Court
Port Arthur, TX 77642

RE: APPEAL OF SCORING NOTICE: 17736 PROVIDENCE AT TED TROUT DRIVE, HUDSON, TEXAS

Dear Mr. Ball:

The Texas Department of Housing and Community Affairs (the "Department") is in receipt of your appeal, dated May 8, 2017, of the scoring notice for the above referenced Application. The Application was denied three points under 10 TAC §11.9(c)(6), related to Underserved Area, because the census tract includes areas that are not within the boundaries of an incorporated area. The letter states that the appeal is based on "historical precedent related both to the use of the Administrative Deficiency process and scoring adjustments, and based on inconsistency with a nearly identical situation related to the same scoring item for another 2017 application."

The appeal asserts that the Applicant should have been allowed to change its scoring selection under this item via the Administrative Deficiency process. The Application requested three points under this scoring item, indicating on the Application form that the Development Site is located in a census tract that is within the boundaries of an incorporated area. Review of the Application showed that the census tract extends beyond the incorporated area; therefore, the Application does not meet the requirement for the three points. Pursuant to 10 TAC §10.201(7) Administrative Deficiency Process:

The purpose of the Administrative Deficiency process is to allow an Applicant to provide clarification, correction, or non-material missing information to resolve inconsistencies in the original Application or to assist staff in evaluating the Application. Staff will request such information via a deficiency notice.

That the census tract extends beyond the incorporated area is neither an issue requiring clarification or correction nor an inconsistency in the Application. Therefore, staff was unable to discern a basis for handling this as an Administrative Deficiency beyond giving the Applicant an opportunity to explain how the Application qualified for claimed points under the scoring item. Such a notice was issued by the Department on March 22, 2017. In response, the Applicant confirmed that the Application did not qualify for three points under this point item.

The appeal mentions the treatment of application #17148 Shady Shores regarding this same scoring item. That Application requested three points, checked the box for the two-point item on the application



MAY 12, 2017

Page 2

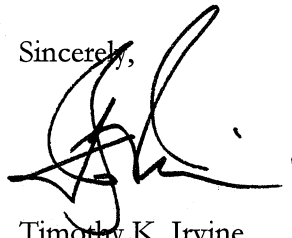
exhibit, and provided evidence to prove that the Application qualified for two points. The request for three points and the indications for two points are clearly inconsistent and as such meet the standard for an Administrative Deficiency contemplated in §10.201(7). This situation is dissimilar to the situation of your Application in that your Application requested three points, selected the three-point scoring item, and did not qualify for three points. The appeal requests that the Applicant be allowed to change its scoring selection to fit a different section of the scoring item for which it may qualify. Pursuant to 10 TAC §10.201(7)(B) of the 2017 Uniform Multifamily Rules related to the Administrative Deficiency Process:

... An Applicant may not change or supplement any part of an Application in any manner after the filing deadline or while the Application is under consideration for an award, and may not add any set-asides, increase the requested credit amount, revise the Unit mix (both income levels and Bedroom mixes), or *adjust their self-score except in response to a direct request from the Department to do so as a result of an Administrative Deficiency.* (emphasis added)

The Application requested points for which it is not eligible, and staff will not request a change to the Application self-score.

I do not find that the points raised in your appeal clearly demonstrate that the Application is eligible for the points requested or that the requested treatment, allowing a change, is within my authority to grant, and accordingly I must deny the appeal. You have indicated that you wish to appeal this decision directly to the Governing Board. Therefore, this appeal has been placed on the agenda for the next meeting scheduled for May 25, 2017. Should you have any questions, please contact Sharon Gamble, Competitive Tax Credit Program Administrator, at sharon.gamble@tdhca.state.tx.us or by phone at 512-936-7834.

Sincerely,

A handwritten signature in black ink, appearing to read 'T. Irvine', with a large, stylized flourish extending from the end of the signature.

Timothy K. Irvine
Executive Director

3e

BOARD ACTION REQUEST
MULTIFAMILY FINANCE DIVISION
MAY 25, 2017

Presentation, Discussion, and Possible Action regarding an Award of Direct Loan funds from the 2017-1 Multifamily Direct Loan Notice of Funding Availability

RECOMMENDED ACTION

WHEREAS, the Department has received a total of thirty-five applications for Multifamily Direct Loan funds under the 2017-1 Multifamily Direct Loan Notice of Funding Availability (“NOFA”);

WHEREAS, Application #17503, which requested \$1,600,000 in Direct Loan funds for The Reserve at Dry Creek, is a Priority 1 application under the 2017-1 NOFA that has received complete reviews for compliance with program and underwriting requirements and has previously been awarded 9% housing tax credits and HOME funds in 2016;

WHEREAS, in accordance with 10 TAC §1.301(d)(1), the compliance history is designated as an Extra Large Category 2 and deemed acceptable by the Executive Award and Review Advisory Committee (“EARAC”) after review and discussion;

WHEREAS, 10 TAC §13.5(d)(2) requires Applications for Developments previously awarded Department funds under any program to be found eligible by the Board;

WHEREAS, this application has provided evidence of circumstances beyond the applicant’s control that could not have been prevented by timely start of construction as a criteria for the Board to consider for being found eligible;

WHEREAS, the applicant is requesting a waiver of the required interest rate and amortization in 10 TAC §13.8(a), in order to maintain feasibility in accordance with 10 TAC §10.302;

WHEREAS, staff has the ability to recommend an interest rate lower than 3.25% that is required in 10 TAC §13.8(a) while a waiver from the Board is required to allow an amortization longer than 30 years;

WHEREAS, the 2017-1 NOFA is still open and is currently undersubscribed in the General Set-Aside for HOME funds; and

WHEREAS, staff has determined the waiver to be reasonable and necessary, while also recommending a reduction in the requested funds under the 2017-1 NOFA to \$1,450,000 and developer fee, in order to maintain feasibility and move forward with this transaction; and

NOW, therefore, it is hereby

RESOLVED, that an award of \$1,450,000 in Direct Loan funds from the 2017-1 NOFA for The Reserve at Dry Creek is hereby approved in the form presented at this meeting and

FURTHER RESOLVED, that no modifications are being made to the terms of the previously awarded \$1 million in HOME funds under the 2016-1 Multifamily Direct Loan NOFA and

FURTHER RESOLVED, that the Board's approval is conditioned upon satisfaction of all conditions of underwriting and the 811 PRA Program, and completion of any other reviews required to assure compliance with the applicable rules and requirements.

BACKGROUND

On December 15, 2016, the Board approved the 2017-1 Multifamily Direct Loan NOFA with \$32,549,905 in funds with up to \$4,000,000 in the Supportive Housing/ Soft Repayment Set-Aside, \$4,723,589, in the CHDO Set-Aside, and \$23,826,316 in the General Set-Aside. The 2017-1 NOFA was amended at last month's Board meeting to include \$2,299,235 in additional TCAP Repayment Funds, all of which was programmed under the General Set-Aside. The 2017-1 NOFA was amended again at this Board meeting to include \$7,000,000 in NSP1 Program Income, all of which was programmed under the General Set-Aside, thereby increasing the General Set-Aside to \$33,125,551 and the overall 2017-1 NOFA amount to \$41,849,140.

The Reserve at Dry Creek was awarded an allocation of 9% Housing Tax Credits ("HTC") and \$1,000,000 in HOME funds in July 2016, for application 16115, which proposed new construction of 113 units for seniors at 701 Old Temple Rd. in Hewitt. The applicant received environmental clearance on November 16, 2016, and closed on the land on November 30, 2016. Building costs have increased approximately \$1,500,000 (18%) while the equity pricing has decreased from 97 cents to 93.5 cents since the 9% HTC application was underwritten by the Department in June 2016. These changes have prompted the Applicant to request \$1.6 million in Direct Loan funds under the 2017-1 NOFA with requested terms of 0% interest rate, 40 year amortization, and 18 year term, while maintaining the interest rate (3.0%) and amortization (30 years) of the previously awarded \$1 million in HOME funds under the 2016-1 NOFA.

Staff is recommending the Board's approval of The Reserve at Dry Creek application (17503) for HOME funds totaling \$1,450,000 at 0% interest under the General Set-Aside. Staff also recommends that the Board waive the amortization period required in 10 TAC §13.8(a), thereby extending the amortization to 35 years, on this additional \$1.45 million in HOME funds in order to allow the application to maintain feasibility in accordance with 10 TAC §10.302. In extending the amortization period from 30 years to 35 years and reducing the interest rate from 3.25% to 0%, the Department would forego significant interest earnings that could be used to fund additional housing. The previously awarded \$1 million in HOME funds would maintain the 3% interest rate and 30 year amortization that was required by the 2016-1 NOFA, while this new award of \$1.45 million in HOME funds would be subject to a 0% interest rate and 35 year amortization. The applicant has

made a good faith effort to make the transaction more feasible by reducing the developer fee approximately 8% from the previously underwritten \$1,834,307 to \$1,684,307. With these additional HOME funds, there will be 3 additional units targeting households earning 50% or less of the Area Median Income, 7 additional units targeting households earning 60% or less of the Area Median Income, and 2 additional units targeting households earning 80% or less of the Area Median Income, for a total of 12 additional HOME assisted units (among 30 total HOME assisted units) that will be layered among the 90 HTC units. The recommended applications and award amounts are outlined in the attached award recommendations log.

As required in 10 TAC §13.11(m) of the Multifamily Direct Loan Rule, the Department's Governing Board must establish a hard closing deadline at the time of award. As such, staff recommends that closing on the Direct Loan must occur no later than July 31, 2017. Moreover, as a result of 10 TAC §10.204(16), the applicant has provided an existing development – Overlook at Plum Creek – for inclusion in the Department's Section 811 Project Rental Assistance Program. The Department has approved Overlook at Plum Creek for participation in the Section 811 PRA Program and staff recommends that the 811 Owner Participation Agreement be signed before closing on the Direct Loan award.

This application has been underwritten and determined to meet the Real Estate Analysis rules and requirements and has received a previous participation review.

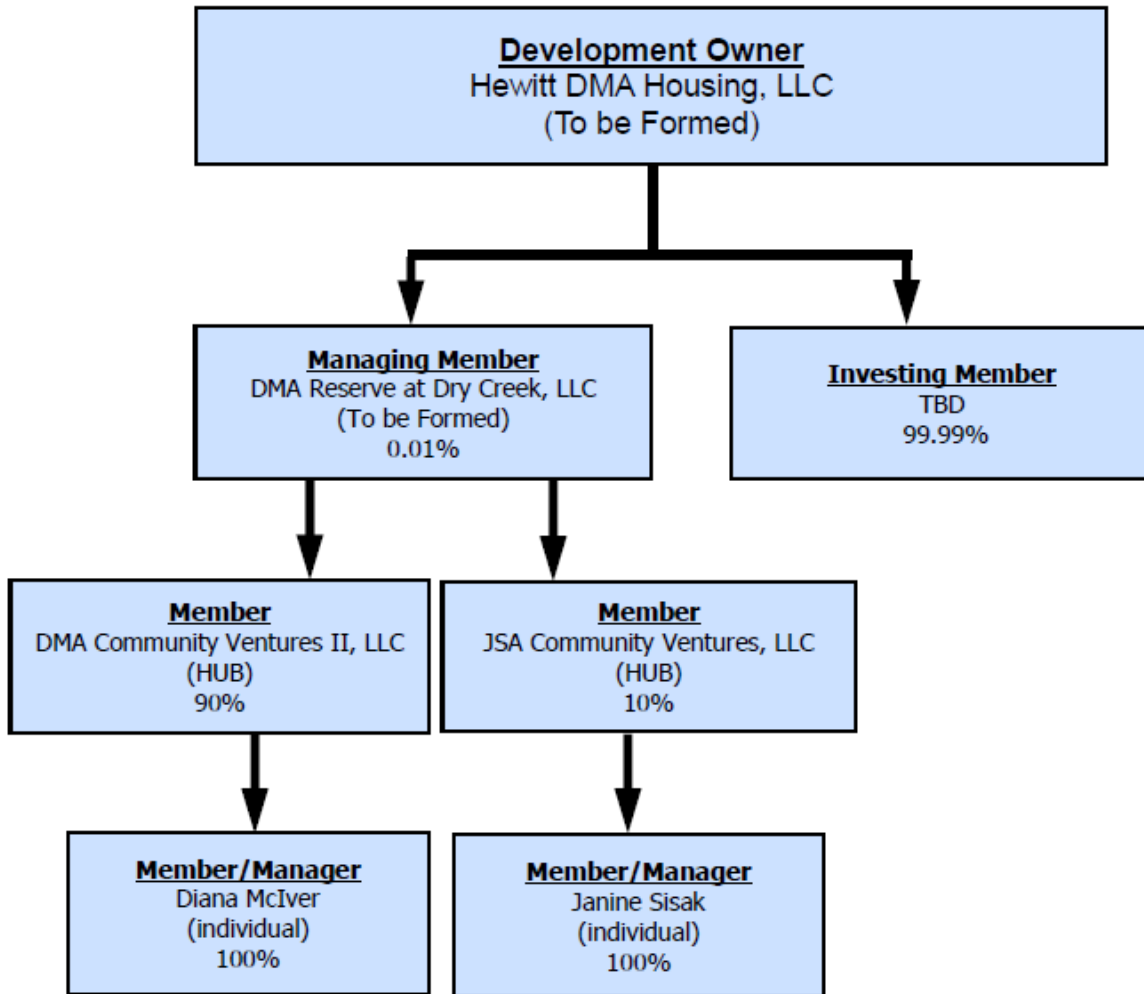
Should the recommended award be approved, \$37,399,140 will remain available under the NOFA with \$28,675,551 under the General Set-Aside, of which, 24 applications requesting \$53,426,558 are still under review. Subsequent award recommendations for applications undergoing staff reviews may appear on future Board agendas.

The Application and Award Recommendations Log is attached.

Organizational Structure and Previous Participation: The borrower is Hewitt DMA Housing, LLC and includes entities and principals as indicated in the organization chart below. At the time of the Previous Participation Review, the applicant was an Extra Large Category 2 portfolio. EARAC recommends approval without further comment.

Public Comment: There have been no letters of support or opposition received by the Department.

Organizational Chart of Ownership Entity





April 25, 2017

Andrew Sinnott
Multifamily Direct Loan Program
TDHCA
P.O. Box 13941
Austin, Texas 78711-3941

Re: The Reserve at Dry Creek TDHCA #17503

Dear Andrew:

This letter provides additional information regarding our request for additional direct loan funds which includes a waiver request regarding the terms. Specifically, we request additional funds in the amount of \$1,600,000 and we request that the terms be as follows: 0% interest rate with a 40-year amortization.

We are requesting additional funding because additional funding is necessary to ensure the financial feasibility of this development which has encountered adverse factors beyond our control—namely, investor pullback that has resulted from the prospect of major federal tax reform promised by the Trump administration. In October 2016, we had a signed LOI from an investor at \$1.075. By the end of November 2016, that commitment had been rescinded, and only recently have we received a new commitment from that same investor for \$.935. That reflects a \$1,800,000 loss in equity proceeds. At the same time, this development has incurred an \$1,500,000 increase in construction costs since application, for a net loss to the deal of \$3.3M.

The additional funds at the terms requested (0% interest, 40 year amortization) are critical to the feasibility of the project also because of the low rents in this area, which are being further hindered by the large number of HOME units which in several cases, lowers the maximum rent to below the tax credit rents. As a further reduction to income, our investor has determined that they will underwrite our market rate rents at rents that are significantly lower than what we believe we can achieve based on our market study (Boston Capital's rent conclusions are attached). We have tried to close the equity gap by increasing the amortization of our first loan to 35 years, but the deal is not feasible without the additional direct loan funds at the requested terms.

Please do not hesitate to contact me should you require further information.

DMA DEVELOPMENT COMPANY, LLC

A handwritten signature in blue ink, appearing to read "Janine Sisak", with a stylized flourish at the end.

Janine Sisak



Senior Vice President/General Counsel

BOARD ACTION REQUEST
MULTIFAMILY FINANCE DIVISION
MAY 25, 2017

Presentation, Discussion, and Possible Action regarding an Award of Direct Loan funds from the 2017-1 Multifamily Direct Loan Notice of Funding Availability

RECOMMENDED ACTION

WHEREAS, the Department has received a total of thirty-five applications for Multifamily Direct Loan funds under the 2017-1 Multifamily Direct Loan Notice of Funding Availability (“NOFA”);

WHEREAS, Application #17504, which is requesting \$1,000,000 in Direct Loan funds for Merritt Heritage, is a Priority 1 application under the 2017-1 NOFA that has received complete reviews for compliance with program and underwriting requirements and has been deemed a Medium Portfolio Category 1;

WHEREAS, the applicant is requesting a waiver of the amortization and repayment provisions in 10 TAC §13.8(a), a change in the terms of the previously awarded \$2 million in HOME funds, and a waiver of the HOME loan disbursement policy in 10 TAC §13.11(p);

WHEREAS, 10 TAC §10.207(a)(2) states that a “waiver request must establish how it is necessary to address circumstances beyond the Applicant’s control and how, if the waiver is not granted, the Department will not fulfill some specific requirement of law;”

WHEREAS, while circumstances beyond the Applicant’s control do exist, staff has not identified a specific requirement of law that will not be fulfilled if the waiver requests are not granted; and

WHEREAS, staff has determined this application to be financially infeasible under both the terms required in the 2016-1 Multifamily Direct Loan NOFA and 2017-1 Multifamily Direct Loan NOFA as well as the more accommodative terms requested in conjunction with the above-referenced waiver requests;

NOW, therefore, it is hereby

RESOLVED, that the requested \$1,000,000 in additional Direct Loan funds from the 2017-1 NOFA for Merritt Heritage is hereby denied in the form presented at this meeting and

FURTHER RESOLVED, that no modifications are being made to the terms of the previously awarded \$2 million in HOME funds under the 2016-1 Multifamily

Direct Loan NOFA, except for extending the term to 40 years in accordance with 10 TAC §10.307(a)(2) of the 2016 Uniform Multifamily Rules.

BACKGROUND

On December 15, 2016, the Board approved the 2017-1 Multifamily Direct Loan NOFA with \$32,549,905 in funds with up to \$4,000,000 in the Supportive Housing/ Soft Repayment Set-Aside, \$4,723,589, in the CHDO Set-Aside, and \$23,826,316 in the General Set-Aside. The NOFA was amended at last month's Board meeting to include \$2,299,235 in additional TCAP Repayment Funds, all of which was programmed under the General Set-Aside, thereby increasing the General Set-Aside to \$26,125,551, and the overall NOFA amount to \$34,849,140.

Staff is recommending the Board deny Merritt Heritage application (17504) for Direct Loan funds totaling \$1,000,000 under the CHDO Set-Aside and not make any changes to the previously awarded \$2,000,000 in Direct Loan funds under the CHDO Set-Aside. The applicant has noted that the equity pricing decrease (\$1.00 to 86.5 cents) and building cost increase of approximately \$5.9 million (32%) since award of 2016 Competitive Housing Tax Credit and Direct Loan awards has led them to request additional HOME funds under the 2017-1 NOFA, while also requesting a change in terms for the previously awarded HOME funds under the 2016-1 NOFA. Staff is not aware of authority to waive the terms of the 2016-1 NOFA, as that NOFA is now closed.

The Applicant is also requesting that the \$1 million requested under the 2017-1 NOFA be awarded with terms that are not permissible under the NOFA and rules (10 TAC Chapter 10 and 10 TAC Chapter 13). Specifically, the applicant is requesting that the previously awarded \$2 million at 3.0% interest and 30 year amortization be modified to 0% interest rate and 40 year amortization with all payment on the loan deferred until year 40. These are the same terms that have been requested for the current \$1 million request. Rather than using developer fee and the ability to defer developer fee as a bulwark against rising construction costs, the applicant has increased developer fee approximately \$1.3 million (32.4%), which has prompted the applicant to request changes to both the request for \$1 million under the 2017-1 NOFA and the request for change to the \$2 million awarded under the 2016-1 NOFA.

Staff was able to maintain the terms of the previously awarded \$2 million by reducing the management fee from 5% to 3%, holding developer fee constant with what was previously approved in connection with the 2016 9% HTC and Direct Loan award, using the recently published 2017 HTC rents which increased income, and reducing overstated cable television expenses. Additionally, staff limited the amount of first lien debt from what the applicant has indicated. As a result of making these adjustments, the applicant can move forward with the 2016 Direct Loan award and continue to meet the feasibility requirements of 10 TAC Chapter 10.

The Applicant has stated that the changes in the equity market, construction pricing, and interest rates are outside of its control and that there are FHA financing requirements that justify the waiver request in order to "fulfill some specific requirement of law" as required in 10 TAC §10.207(a)(2). Staff acknowledges that there have been circumstances beyond the applicant's control but does not agree that the FHA financing requirements would dictate the terms of the Department's HOME funds beyond the maturity date. The Department has provided subordinate financing for dozens of transactions with FHA insured first lien loans where the Department's funds were not required to be deferred payable upon maturity.

Further, the Applicant has requested waiver of 10 TAC §13.11(p)(3) "At least 50 percent of the funds will be withheld from the initial disbursement of loan funds to allow for periodic disbursements" and 10 TAC §13.11(p)(9) which limits subsequent disbursement to the percentage of completion and imposes specific requirements for final draw. The Applicant has requested that the full amount of HOME funds be disbursed at loan closing. If the Applicant receives all of the HOME funds at closing, the Department will be at significant risk for completion of all regulatory requirements and therefore at risk of repayment to HUD.

While staff and the Board have previously signaled a willingness to work with 2016 9% Housing Tax Credit awardees that have experienced and can document a loss in prospective equity attributable to a decline in syndication rates, the waiver requests made in connection with this application go far beyond staff's ability to recommend.

EARAC considered this Application and the accompanying Real Estate Analysis report on May 15, 2017, and unanimously voted to recommend denial of the Application and to not make any changes to the previously awarded HOME funds, except for extending the term to 40 years to conform with the FHA-insured senior debt.



Addendum to Underwriting Report

TDHCA Application #: **17504** Program(s): **MDL**

Merritt Heritage

Address/Location: SE Corner of Williams Dr. and Woodlake

City: Georgetown County: Williamson Zip: 78663

APPLICATION HISTORY	
Report Date	PURPOSE
05/22/17	New 2017 Direct Loan Application
07/24/16	New Application - Initial Underwriting (LIHTC #16185)

ALLOCATION

TDHCA Program	Request (*)				RECOMMENDATION				
	Amount	Rate	Amort	Term	Amount	Rate	Amort	Term	Lien
2017 Direct Loan	\$1,000,000	0.00%	30	40	\$0	N/A	N/A	N/A	N/A
2016 Direct Loan	\$2,000,000	0.00%	40	40	\$2,000,000	3.00%	30	40	2nd

* Request also included a request to defer payment to maturity on each loan.

NOT RECOMMENDED DUE TO THE FOLLOWING

- 2017 \$1M loan request not feasible pursuant to §10.302(i)(5) as the DCR does not meet the 1.15 times requirement.
- REA does not recommend changes to terms on 2016 commitment based on the 2016 NOFA except for the term, extended to 40 years, which is consistent with accommodations made for FHA senior financing.
- Additionally, REA does not recommend a deferred payment structure other than cash flow payment structure required by FHA.

CONDITIONS

- 1 Receipt and acceptance before Direct Loan Closing
 - a: Substantially final construction contract with Schedule of Values.
 - b: Updated term sheets with substantially final terms from all lenders
 - c: Substantially final draft of limited partnership agreement.
 - d: Senior loan documents (and/or partnership documents) must contain a provision(s) that any stabilization resizing on the senior debt includes the debt service on the TDHCA MDL at a 1.15 DCR.

e: Documentation identifying any required matching funds, and confirming that the source is eligible to be counted as matching funds under HUD and TDHCA requirements.

2 Additional conditions imposed on the 2016 loan commitment to be satisfied prior to Direct Loan Closing:

a: Maximum loan amount must not exceed \$26,900,000 and will be resized downward by the Underwriter if the final locked interest rate exceeds 4.25% (including MIP).

b: Any management fee exceeding 3% must be subordinate to debt service on the 2016 award and evidenced in the owner's partnership agreement.

3 Receipt and acceptance by Commitment:

- Pursuant to §10.402(d)(7), a letter from Applicant's Attorney, "...identifying the statutory basis for the exemption and indicating that the exemption is reasonably achievable, subject to appraisal district review.

Comments: Applicant provided an acceptable letter from their attorneys, Locke Lord, dated 9/19/2016, that discusses the statutory basis and ownership structure in place to achieve the project's 50% property tax exemption.

Status: Condition Cleared.

ANALYSIS

- Applicant awarded Housing Tax Credits of \$1,194,724 and a \$2M HOME loan for the construction of a 244-unit Senior development in Georgetown.
- Since original award, the LIHTC syndication market deteriorated. The credit pricing on this transaction decreased \$.13 (\$1.00 to \$.865). This decline is consistent with that seen on other transactions.
- In addition to changes to the \$2M loan awarded under the 2016-1 Direct Loan NOFA, the Applicant is requesting an additional \$1M loan out of the 2017-1 NOFA.
- Total Development cost increased 27% while the Hard Cost increased 32%. This is in part due to increases in costs since March of 2016, some more costly design changes as well as the likely understatement of costs at original application. The Applicant was awarded points for submitting original costs below the \$75/SF threshold. Current costs reviewed by the HUD lender are \$87/SF.
- The cost increase, as submitted in the application, includes an increase to total Developer Fee of \$1.3M over the original underwriting. The Underwriter is using a Developer Fee equal to that originally underwritten as agreed to by the Applicant. This reduction is part of a requirement by the Underwriter due to the extraordinary \$8.5M increased senior debt.

Sources of Funds

Because of the lower syndication equity and higher costs, the Applicant restructured the debt component of the capital structure.

- Pursued a FHA financing which extended the amortization from 35 to 40 years. Interest rate on FHA loan at 4.25% (including MIP) is lower than the originally underwritten 5.5%.
- Increase the senior debt in front of the Direct Loan by \$8.5M (current loan application by lender to HUD increases senior debt by \$10.5M. The HUD application does not contemplate the additional \$1M of TDHCA funding.

- Requested changes to the existing 2016 commitment by eliminating the interest rate with no debt service (deferral of payment till maturity) with a 40 year amortization. The Applicant also requested that all Direct Loan funds be advanced at closing.
- Requested additional Direct Loan Funds of \$1M at the same terms. The additional Developer fee is \$300K higher than this loan.
- As of this writing, the lender has not submitted the HUD application but expected soon. The numbers, subject to HUD underwriting are final and an important data point for analysis. The lender provided the application to the Underwriter and certain aspects of that application are used by the Underwriter.
- The HUD hard cost budget was reviewed by a third-party using substantially final plans and specifications. The Underwriter is using these costs in the analysis.
- Other costs are underwritten using the Applicant's budget or otherwise pursuant to REA rule. Reserves are sized equal to the HUD reserves.
- As of this writing, the lender has not submitted the HUD application but expected soon. The lender provided the application to the Underwriter and certain aspects of the application are used by the Underwriter.

Operating Pro Forma

Applicant submitted application with 2016 rents. Since that time, the 2017 higher rents were published by HUD. Underwriter's pro forma utilizes the 2017 rents.

Underwriter is using the maximum of the rents concluded by the market analyst or the HUD rents. This produces a gross potential rent greater than the Applicant's.

The Applicant includes substantial other income relating to carports, garages and storage. While not shown in the application, the Applicant has indicated additional cable TV revenue. The Underwriter is using \$20/Unit which is consistent with rule. Because the cable revenue is not included in other income, the Underwriter has removed the associated expense from the pro forma.

The Underwriter's expense estimate is \$79K higher than the Applicant's budget. This is due to repairs/maintenance and general/administrative costs. The Applicant's expense estimate is \$137K lower than reported in the 2016 application. (\$83K in general/administrative and maintenance).

The Applicant decreased management fee to 3%. In lieu of the reduction, the Underwriter will require that any fee above 3% be subordinate to TDHCA debt.

The analysis includes \$25K/annually for supportive services. The Applicant now states that this should not be considered as HUD is requiring a \$60K reserve for supportive services. The Underwriter is unable to reconcile the reserve to an ongoing annual expense.

Recommendation

Using the TDHCA pro forma pursuant to rule, the finance structure does not support the additional loan as the debt coverage ratio is 1.15 on the existing commitment. The recommendation does not include changes to the terms of the existing commitment. The analysis still supports the original tax credit award.

Underwriter: Diamond Unique Thompson

Manager of Real Estate Analysis: Thomas Cavanagh

Director of Real Estate Analysis: Brent Stewart

UNIT MIX/RENT SCHEDULE
Merritt Heritage, Georgetown, MDL #17504

LOCATION DATA	
CITY:	Georgetown
COUNTY:	Williamson
Area Median Income	\$77,800
PROGRAM REGION:	7

UNIT DISTRIBUTION						
# Beds	# Units	% Total	Assisted	Income	# Units	% Total
Eff	24	9.8%	0	30%	13	5.3%
1	98	40.2%	0	40%	-	0.0%
2	122	50.0%	0	50%	50	20.5%
3	-	0.0%	0	60%	59	24.2%
4	-	0.0%	0	MR	122	50.0%
TOTAL	244	100.0%	-	TOTAL	244	100.0%

Applicable Programs
Direct Loan

Pro Forma ASSUMPTIONS	
Revenue Growth	2.00%
Expense Growth	3.00%
Basis Adjust	130%
Applicable Fraction	50.00%
APP % Acquisition	3.39%
APP % Construction	9.00%
Average Unit Size	859 sf

UNIT MIX / MONTHLY RENT SCHEDULE																						
HTC		TDHCA Direct Loan Program		UNIT MIX				APPLICABLE PROGRAM RENT			APPLICANT'S PRO FORMA RENTS				TDHCA PRO FORMA RENTS				MARKET RENTS			
Type	Gross Rent	Type	Gross Rent	# Units	# Beds	# Baths	NRA	Gross Rent	Utility Allow	Max Net Program Rent	Delta to Max	Rent psf	Net Rent per Unit	Total Monthly Rent	Total Monthly Rent	Rent per Unit	Rent psf	Delta to Max	Underwritten	Mrkt Analyst		
TC 30%	\$427	LH/50%	\$712	1	0	1	605	\$427	\$67	\$360	\$0	\$0.60	\$360	\$360	\$360	\$360	\$0.60	\$0	\$1,025	\$1.69	\$1,025	
TC 50%	\$712			3	0	1	605	\$712	\$67	\$645	\$0	\$1.07	\$645	\$1,936	\$1,936	\$645	\$1.07	\$0	\$1,025	\$1.69	\$1,025	
MR				16	0	1	605	\$0	\$67		NA	\$1.62	\$980	\$15,680	\$16,400	\$1,025	\$1.69	NA	\$1,025	\$1.69	\$1,025	
TC 30%	\$427	LH/50%	\$712	1	0	1	594	\$427	\$67	\$360	\$0	\$0.61	\$360	\$360	\$360	\$360	\$0.61	\$0	\$1,025	\$1.73	\$1,025	
TC 50%	\$712	LH/50%	\$712	2	0	1	594	\$712	\$67	\$645	\$0	\$1.09	\$645	\$1,291	\$1,291	\$645	\$1.09	\$0	\$1,025	\$1.73	\$1,025	
MR				1	0	1	594	\$0	\$67		NA	\$1.65	\$980	\$980	\$1,025	\$1.73	NA	\$1,025	\$1.73	\$1,025		
TC 30%	\$458	LH/50%	\$763	1	1	1	742	\$458	\$75	\$383	\$0	\$0.52	\$383	\$383	\$383	\$0.52	\$0	\$1,100	\$1.48	\$1,100		
TC 50%	\$763	HH/60%	\$916	5	1	1	742	\$763	\$75	\$688	\$0	\$0.93	\$688	\$3,440	\$3,440	\$688	\$0.93	\$0	\$1,100	\$1.48	\$1,100	
TC 50%	\$763			7	1	1	742	\$763	\$75	\$688	\$0	\$0.93	\$688	\$4,817	\$4,817	\$688	\$0.93	\$0	\$1,100	\$1.48	\$1,100	
TC 60%	\$916			15	1	1	742	\$916	\$75	\$841	\$0	\$1.13	\$841	\$12,616	\$12,616	\$841	\$1.13	\$0	\$1,100	\$1.48	\$1,100	
MR				30	1	1	742	\$0	\$75		NA	\$1.35	\$1,000	\$30,000	\$33,000	\$1,100	\$1.48	NA	\$1,100	\$1.48	\$1,100	
TC 30%	\$458	LH/50%	\$763	2	1	1	773	\$458	\$75	\$383	\$0	\$0.50	\$383	\$766	\$766	\$383	\$0.50	\$0	\$1,100	\$1.42	\$1,100	
TC 50%	\$763	HH/60%	\$916	4	1	1	773	\$763	\$75	\$688	\$0	\$0.89	\$688	\$2,752	\$2,752	\$688	\$0.89	\$0	\$1,100	\$1.42	\$1,100	
TC 60%	\$916			9	1	1	773	\$916	\$75	\$841	\$0	\$1.09	\$841	\$7,570	\$7,570	\$841	\$1.09	\$0	\$1,100	\$1.42	\$1,100	
MR				13	1	1	773	\$0	\$75		NA	\$1.42	\$1,100	\$14,300	\$14,755	\$1,135	\$1.47	NA	\$1,100	\$1.42	\$1,100	
TC 30%	\$458	LH/50%	\$763	1	1	1	884	\$458	\$75	\$383	\$0	\$0.43	\$383	\$383	\$383	\$383	\$0.43	\$0	\$1,170	\$1.32	\$1,170	
TC 50%	\$763	HH/60%	\$916	3	1	1	884	\$763	\$75	\$688	\$0	\$0.78	\$688	\$2,064	\$2,064	\$688	\$0.78	\$0	\$1,170	\$1.32	\$1,170	
TC 60%	\$916			3	1	1	884	\$916	\$75	\$841	\$0	\$0.95	\$841	\$2,523	\$2,523	\$841	\$0.95	\$0	\$1,170	\$1.32	\$1,170	
MR				5	1	1	884	\$0	\$75		NA	\$1.33	\$1,175	\$5,875	\$5,850	\$1,170	\$1.32	NA	\$1,170	\$1.32	\$1,170	
TC 30%	\$549			3	2	1	920	\$549	\$94	\$455	\$0	\$0.49	\$455	\$1,365	\$1,365	\$455	\$0.49	\$0	\$1,450	\$1.58	\$1,450	
TC 50%	\$916	HH/60%	\$1,099	8	2	1	920	\$916	\$94	\$822	\$0	\$0.89	\$822	\$6,576	\$6,576	\$822	\$0.89	\$0	\$1,450	\$1.58	\$1,450	
TC 50%	\$916			6	2	1	920	\$916	\$94	\$822	\$0	\$0.89	\$822	\$4,932	\$4,932	\$822	\$0.89	\$0	\$1,450	\$1.58	\$1,450	
TC 60%	\$1,099			19	2	1	920	\$1,099	\$94	\$1,005	\$0	\$1.09	\$1,005	\$19,096	\$19,096	\$1,005	\$1.09	\$0	\$1,450	\$1.58	\$1,450	
MR				34	2	1	920	\$0	\$94		NA	\$1.52	\$1,400	\$47,600	\$49,300	\$1,450	\$1.58	NA	\$1,450	\$1.58	\$1,450	
TC 30%	\$549	LH/50%	\$916	1	2	2	1,041	\$549	\$94	\$455	\$0	\$0.44	\$455	\$455	\$455	\$455	\$0.44	\$0	\$1,750	\$1.68	\$1,750	
TC 30%	\$549			3	2	2	1,041	\$549	\$94	\$455	\$0	\$0.44	\$455	\$1,365	\$1,365	\$455	\$0.44	\$0	\$1,750	\$1.68	\$1,750	
TC 50%	\$916	HH/60%	\$1,099	8	2	2	1,041	\$916	\$94	\$822	\$0	\$0.79	\$822	\$6,576	\$6,576	\$822	\$0.79	\$0	\$1,750	\$1.68	\$1,750	
TC 60%	\$1,099			10	2	2	1,041	\$1,099	\$94	\$1,005	\$0	\$0.97	\$1,005	\$10,050	\$10,050	\$1,005	\$0.97	\$0	\$1,750	\$1.68	\$1,750	
MR				18	2	2	1,041	\$0	\$94		NA	\$1.59	\$1,650	\$29,700	\$31,500	\$1,750	\$1.68	NA	\$1,750	\$1.68	\$1,750	
TC 50%	\$916	HH/60%	\$1,099	4	2	2	1,142	\$916	\$94	\$822	\$0	\$0.72	\$822	\$3,288	\$3,288	\$822	\$0.72	\$0	\$1,750	\$1.53	\$1,750	
TC 60%	\$1,099			3	2	2	1,142	\$1,099	\$94	\$1,005	\$0	\$0.88	\$1,005	\$3,015	\$3,015	\$1,005	\$0.88	\$0	\$1,800	\$1.58	\$1,800	
MR				5	2	2	1,142	\$0	\$94		NA	\$1.53	\$1,750	\$8,750	\$9,000	\$1,800	\$1.58	NA	\$1,800	\$1.58	\$1,800	
TOTALS/AVERAGES:				244				209,508				\$0	\$1.20	\$1,028	\$250,867	\$258,812	\$1,061	\$1.24	\$0	\$1,337	\$1.56	\$1,337

ANNUAL POTENTIAL GROSS RENT:	\$3,010,402	\$3,105,742
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STABILIZED PRO FORMA

Merritt Heritage, Georgetown, MDL #17504

STABILIZED FIRST YEAR PRO FORMA													
	COMPARABLES		APPLICANT			PRIOR REPORT		TDHCA				VARIANCE	
	Database	% EGI	Per SF	Per Unit	Amount	Applicant	TDHCA	Amount	Per Unit	Per SF	% EGI	%	\$
POTENTIAL GROSS RENT			\$1.20	\$1,028	\$3,010,402	\$3,004,392	\$3,004,496	\$3,105,742	\$1,061	\$1.24		-3.1%	(\$95,340)
Laundry				\$11.85	\$34,694	35,136							
Storage Units				\$2.24	\$6,570	18,000							
Garages & Carports				\$23.98	\$70,200	73,800							
Total Secondary Income				\$38.07			58,560	\$58,560	\$20.00			90.3%	\$52,904
POTENTIAL GROSS INCOME					\$3,121,866	\$3,131,328	\$3,063,056	\$3,164,302				-1.3%	(\$42,436)
Vacancy & Collection Loss				7.5% PGI	(234,140)	(234,850)	(229,729)	(237,323)	7.5% PGI			-1.3%	3,183
Rental Concessions					-	0	0	-				0.0%	-
EFFECTIVE GROSS INCOME					\$2,887,726	\$2,896,478	\$2,833,327	\$2,926,979				-1.3%	(\$39,253)

General & Administrative	\$103,540	\$424/Unit	1.94%	\$0.27	\$230	\$56,100	\$81,685	\$81,102	\$81,102	\$332	\$0.39	2.77%	-30.8%	(25,002)
Management	\$105,651	4.4% EGI	3.00%	\$0.41	\$355	\$86,632	\$144,929	\$141,666	\$87,809	\$360	\$0.42	3.00%	-1.3%	(1,178)
Payroll & Payroll Tax	\$320,185	\$1,312/Unit	10.74%	\$1.48	\$1,271	\$310,080	\$310,080	\$311,515	\$310,080	\$1,271	\$1.48	10.59%	0.0%	-
Repairs & Maintenance	\$151,627	\$621/Unit	2.80%	\$0.39	\$332	\$80,959	\$138,966	\$146,400	\$146,400	\$600	\$0.70	5.00%	-44.7%	(65,441)
Electric/Gas	\$73,320	\$300/Unit	1.30%	\$0.18	\$154	\$37,669	\$39,469	\$49,000	\$49,000	\$201	\$0.23	1.67%	-23.1%	(11,331)
Water, Sewer, & Trash Tenant Pays: W Or	\$192,075	\$787/Unit	5.14%	\$0.71	\$608	\$148,337	\$148,337	\$127,911	\$127,911	\$524	\$0.61	4.37%	16.0%	20,426
Property Insurance	\$69,230	\$0.33 /sf	2.37%	\$0.33	\$280	\$68,320	\$68,320	\$66,573	\$68,320	\$280	\$0.33	2.33%	0.0%	-
Property Tax (@ 50%) 2.3135	\$173,292	\$710/Unit	6.96%	\$0.96	\$824	\$201,051	\$173,515	\$190,581	\$197,575	\$810	\$0.94	6.75%	1.8%	3,476
Reserve for Replacements	\$68,079	\$279/Unit	2.53%	\$0.35	\$300	\$73,200	\$61,000	\$61,000	\$73,200	\$300	\$0.35	2.50%	0.0%	-
Cable TV			0.00%	\$0.00	\$0	\$0	\$58,560	\$58,560	\$0	\$0	\$0.00	0.00%	0.0%	-
Supportive Services			0.87%	\$0.12	\$102	\$25,000	\$0	\$0	\$25,000	\$102	\$0.12	0.85%	0.0%	-
TDHCA LIHTC/HOME Compliance Fees			0.22%	\$0.03	\$26	\$6,274	\$6,036	\$6,036	\$6,274	\$26	\$0.03	0.21%	0.0%	-
TDHCA Bond Compliance Fee			0.00%	\$0.00	\$0	\$0	\$0	\$0	\$0	\$0	\$0.00	0.00%	0.0%	-
Security			0.07%	\$0.01	\$8	\$2,000	\$2,000	\$2,000	\$2,000	\$8	\$0.01	0.07%	0.0%	-
TOTAL EXPENSES			37.94%	\$5.23	\$4,490	\$ 1,095,622	\$1,232,897	\$1,242,344	\$ 1,174,672	\$4,814	\$5.61	40.13%	-6.7%	\$ (79,051)
NET OPERATING INCOME ("NOI")			62.06%	\$8.55	\$7,345	\$1,792,104	\$1,663,581	\$1,590,983	\$1,752,307	\$7,182	\$8.36	59.87%	2.3%	\$ 39,797

CONTROLLABLE EXPENSES					\$2,595/Unit									\$2,928/Unit
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CAPITALIZATION / TOTAL DEVELOPMENT BUDGET / ITEMIZED BASIS

Merritt Heritage, Georgetown, MDL #17504

DEBT / GRANT SOURCES																					
APPLICANT'S PROPOSED DEBT/GRANT STRUCTURE									Prior Underwriting		AS UNDERWRITTEN DEBT/GRANT STRUCTURE										
DEBT (Must Pay)	Fee	Cumulative DCR		Pmt	Rate	Amort	Term	Principal	Prior Underwriting		Principal	Term	Amort	Rate	Pmt	Cumulative					
		UW	App						Applicant	TDHCA						DCR	LTC				
FHA 221(d)4	0.25%	1.21	1.24	1,450,684	4.42%	40	40	\$26,900,000	\$18,400,000	\$18,400,000	\$26,900,000	40	40	4.00%	\$1,416,355	1.24	63.3%				
2016 HOME Award		1.21	1.24		0.00%	0	40	\$2,000,000	\$2,000,000	\$2,000,000	\$2,000,000	40	30	3.00%	\$101,185	1.15	4.7%				
TDHCA		1.21	1.24		0.00%	30	40	\$1,000,000		\$0	\$0	40	40	3.25%		1.15	0.0%				
CASH FLOW DEBT / GRANTS																					
City of Georgetown		1.21	1.24		0.00%	0	0	\$10	\$100	\$10	\$10	0	0	0.00%		1.15	0.0%				
				\$1,450,684	TOTAL DEBT / GRANT SOURCES				\$29,900,010			\$28,900,010	TOTAL DEBT SERVICE				\$1,517,540	1.15	68.0%		
NET CASH FLOW		\$301,623	\$341,420															TDHCA NET OPERATING INCOME	\$1,752,307	\$234,767	NET CASH FLOW

EQUITY SOURCES															
APPLICANT'S PROPOSED EQUITY STRUCTURE						Prior Underwriting		AS UNDERWRITTEN EQUITY STRUCTURE							
EQUITY / DEFERRED FEES	DESCRIPTION	% Cost	Annual Credit	Credit Price	Amount	Prior Underwriting		Amount	Credit Price	Annual Credit	% Cost	Annual Credits per Unit	Allocation Method		
						Applicant	TDHCA						Total Developer Fee	Applicant Request	
RBC	LIHTC Equity	24.3%	\$1,194,724	0.86	\$10,332,296	\$11,944,851	\$11,944,851	\$10,332,296	\$0.8648	\$1,194,724	24.3%	\$4,896	Applicant Request		
DDC Investments, Ltd	Deferred Developer Fees	8.3%	(71% Deferred)		\$3,519,173	\$1,016,060	\$1,016,060	\$3,248,886	(89% Deferred)		7.6%	Total Developer Fee: \$3,656,788			
Additional (Excess) Funds Req'd		0.0%				\$0	\$0	\$0			0.0%				
TOTAL EQUITY SOURCES											32.6%				
TOTAL CAPITALIZATION						\$43,751,479		\$42,481,192						15-Yr Cash Flow after Deferred Fee:	\$2,960,127

DEVELOPMENT COST / ITEMIZED BASIS														
APPLICANT COST / BASIS ITEMS					Prior Underwriting				TDHCA COST / BASIS ITEMS				COST VARIANCE	
	Eligible Basis		Total Costs		Prior Underwriting		Total Costs		Eligible Basis		%	\$		
	Acquisition	New Const. Rehab			Applicant	TDHCA			New Const. Rehab	Acquisition				
Land Acquisition			\$11,680 / Unit	\$2,850,000	\$2,850,000	\$2,850,000	\$2,850,000	\$11,680 / Unit			0.0%	\$0		
Building Acquisition	\$0		\$ / Unit	\$0	\$0	\$0	\$0	\$ / Unit		\$0	0.0%	\$0		
Closing costs & acq. legal fees, Contract Extension Fees				\$114,400	\$35,000	\$35,000	\$114,400					\$0		
Off-Sites			\$ / Unit	\$0	\$153,600	\$153,600	\$0	\$ / Unit			0.0%	\$0		
Site Work		\$2,583,096	\$10,586 / Unit	\$2,583,096	\$1,657,309	\$1,657,309	\$3,616,044	\$14,820 / Unit	\$3,616,044		-28.6%	(\$1,032,948)		
Site Amenities		\$791,554	\$3,244 / Unit	\$791,554	\$416,000	\$416,000	\$0	\$ / Unit	\$0		0.0%	\$791,554		
Building Cost		\$19,813,599	\$94.95 /sf	\$81,532/Unit	\$19,893,689	\$15,570,000	\$16,373,556	\$18,218,951	\$74,668/Unit	\$86.96 /sf	9.2%	\$1,674,738		
Contingency		\$1,181,912	5.10%	5.10%	\$1,185,917	\$889,845	\$889,845	\$1,185,917	5.43%	5.64%	0.0%	\$0		
Contractor Fees		\$3,474,823	14.26%	14.26%	\$3,486,596	\$2,616,146	\$2,616,146	\$3,222,928	14.00%	14.00%	8.2%	\$263,668		
Soft Costs	0	\$2,616,191	\$11,029 / Unit	\$2,691,191	\$1,727,725	\$1,727,725	\$2,691,191	\$11,029 / Unit	\$2,616,191	\$0	0.0%	\$0		
Financing	0	\$2,309,152	\$14,163 / Unit	\$3,455,876	\$2,488,598	\$2,488,598	\$3,455,876	\$14,163 / Unit	\$2,309,152	\$0	0.0%	\$0		
Developer Fee	\$0	\$4,927,075	15.04%	15.00%	\$4,927,075	\$3,656,788	\$3,656,788	\$3,656,788	11.78%	12.12%	34.7%	\$1,270,287		
Reserves			\$7,263 / Unit	\$1,772,085	\$1,300,000	\$1,264,631	\$1,862,172	\$7,632 / Unit			-4.8%	(\$90,087)		
TOTAL HOUSING DEVELOPMENT COST (UNADJUSTED B	\$0	\$37,697,402		\$179,309 / Unit	\$43,751,479	\$33,361,011	\$34,129,198	\$40,874,267	\$167,517 / Unit	\$33,821,170	\$0	7.0%	\$2,877,212	
Acquisition Cost	\$0				\$0									
Contingency		\$0			\$0									
Contractor's Fee		(\$63,000)												
Interim Interest		\$0												
Developer Fee	\$0	(\$1,270,287)			(\$1,270,287)									
Reserves					\$0									
ADJUSTED BASIS / COST	\$0	\$36,364,115		\$174,103/unit	\$42,481,192			\$40,874,267	\$167,517/unit	\$33,821,170	\$0	3.9%	\$1,606,925	
TOTAL HOUSING DEVELOPMENT COSTS (Applicant's Uses are within 5% of TDHCA Estimate):					\$42,481,192									

CAPITALIZATION / DEVELOPMENT COST BUDGET / ITEMIZED BASIS ITEMS

Merritt Heritage, Georgetown, MDL #17504

CREDIT CALCULATION ON QUALIFIED BASIS				
	Applicant		TDHCA	
	Acquisition	Construction Rehabilitation	Acquisition	Construction Rehabilitation
ADJUSTED BASIS	\$0	\$36,364,115	\$0	\$33,821,170
Deduction of Federal Grants	\$0	\$0	\$0	\$0
TOTAL ELIGIBLE BASIS	\$0	\$36,364,115	\$0	\$33,821,170
High Cost Area Adjustment		130%		130%
TOTAL ADJUSTED BASIS	\$0	\$47,273,349	\$0	\$43,967,521
Applicable Fraction	50.00%	50.00%	50.00%	50.00%
TOTAL QUALIFIED BASIS	\$0	\$23,636,675	\$0	\$21,983,760
Applicable Percentage	3.39%	9.00%	3.39%	9.00%
ANNUAL CREDIT ON BASIS	\$0	\$2,127,301	\$0	\$1,978,538
CREDITS ON QUALIFIED BASIS		\$2,127,301		\$1,978,538

Method	ANNUAL CREDIT CALCULATION BASED ON APPLICANT BASIS		FINAL ANNUAL LIHTC ALLOCATION		
	Annual Credits	Proceeds	Credit Price \$0.8648	Variance to Request	
			Credit Allocation	Credits	Proceeds
Eligible Basis	\$2,127,301	\$18,397,471	----	----	----
Needed to Fill Gap	\$1,570,393	\$13,581,182	----	----	----
Applicant Request	\$1,194,724	\$10,332,296	\$1,194,724	\$0	\$0

	Development Cost/SF	
	Application	TDHCA
Acquisition & Hard Costs	\$130.87	\$125.26
Hard Costs	\$118.47	\$125.26
Building Costs	\$96.72	\$86.96
Total Points Claimed:		12

BUILDING COST ESTIMATE				
CATEGORY	FACTOR	UNITS/SF	PER SF	
Base Cost:	Combination	209,508 SF	\$68.33	14,315,528
Adjustments				
Exterior Wall Finish	2.40%		1.64	\$343,573
Elderly	5.00%		3.42	715,776
9-Ft. Ceilings	3.30%		2.25	472,412
Roof Adjustment(s)			0.43	90,805
Subfloor			(0.12)	(24,143)
Floor Cover			3.55	744,172
Breezeways	\$28.05	0	0.00	0
Balconies	\$27.68	27,613	3.65	764,346
Plumbing Fixtures	\$990	180	0.85	178,200
Rough-ins	\$485	488	1.13	236,680
Built-In Appliances	\$1,725	244	2.01	420,900
Exterior Stairs	\$2,280	24	0.26	54,720
Heating/Cooling			2.14	448,347
Enclosed Corridors	\$50.98	40,611	9.88	2,070,319
Carports	\$11.94	9,720	0.55	116,057
Garages	\$68.33	15,428	5.03	1,054,184
Comm &/or Aux Bldgs	\$68.33	7,168	2.34	489,784
Elevators	\$77,500	3	1.11	232,500
Additional Program Area (Laundry, Trash, Etc.)	\$50.98	9628	2.34	490,828
Fire Sprinklers	\$2.47	257,287	3.03	635,499
SUBTOTAL			113.84	23,850,488
Current Cost Multiplier	1.01		1.14	238,505
Local Multiplier	0.87		(14.80)	(3,100,563)
TOTAL BUILDING COSTS			100.18	\$20,988,429
Plans, specs, survey, bldg permits	3.30%		(3.31)	(\$692,618)
Contractor's OH & Profit	11.50%		(11.52)	(2,413,669)
NET BUILDING COSTS		\$73,287/unit	\$85.35/sf	\$17,882,142

Long-Term Pro Forma

Merritt Heritage, Georgetown, MDL #17504

	Growth Rate	Year 1	Year 2	Year 3	Year 4	Year 5	Year 10	Year 15	Year 20	Year 25	Year 30	Year 35	Year 40
EFFECTIVE GROSS INCOME	2.00%	\$2,926,979	\$2,985,519	\$3,045,229	\$3,106,134	\$3,168,257	\$3,498,011	\$3,862,087	\$4,264,056	\$4,707,863	\$5,197,861	\$5,738,858	\$6,336,163
TOTAL EXPENSES	3.00%	\$1,174,672	\$1,209,034	\$1,244,410	\$1,280,829	\$1,318,322	\$1,523,050	\$1,759,840	\$2,033,742	\$2,350,604	\$2,717,200	\$3,148,224	\$3,649,654
NET OPERATING INCOME ("NOI")		\$1,752,307	\$1,776,485	\$1,800,820	\$1,825,305	\$1,849,935	\$1,974,961	\$2,102,247	\$2,230,314	\$2,357,258	\$2,480,661	\$2,590,634	\$2,686,509
EXPENSE/INCOME RATIO		40.1%	40.5%	40.9%	41.2%	41.6%	43.5%	45.6%	47.7%	49.9%	52.3%	54.9%	57.6%
MUST -PAY DEBT SERVICE													
FHA 221(d)4		\$1,416,355	\$1,415,660	\$1,414,936	\$1,414,183	\$1,413,399	\$1,408,973	\$1,403,570	\$1,396,972	\$1,388,916	\$1,379,080	\$1,367,070	\$1,352,406
2016 HOME Award		\$101,185	\$101,185	\$101,185	\$101,185	\$101,185	\$101,185	\$101,185	\$101,185	\$101,185	\$101,185	\$101,185	\$101,185
TOTAL DEBT SERVICE		\$1,517,540	\$1,516,845	\$1,516,121	\$1,515,368	\$1,514,584	\$1,510,158	\$1,504,755	\$1,498,157	\$1,490,101	\$1,480,265	\$1,468,255	\$1,453,591
DEBT COVERAGE RATIO		1.15	1.17	1.19	1.20	1.22	1.31	1.40	1.49	1.58	1.68	1.76	1.85
ANNUAL CASH FLOW		\$234,767	\$259,640	\$284,698	\$309,938	\$335,351	\$464,803	\$597,492	\$732,157	\$867,157	\$1,000,396	\$1,122,379	\$1,232,918
Deferred Developer Fee Balance		\$3,014,119	\$2,754,480	\$2,469,781	\$2,159,844	\$1,824,492	\$0	\$0	\$0	\$0	\$0	\$0	\$0

APPLICATION SUMMARY

PROPERTY IDENTIFICATION		RECOMMENDATION						KEY PRINCIPAL / SPONSOR			
Application #	16185	TDHCA Program		Request		Approved		General Partner(s)			
Development	Merritt Heritage	LIHTC (9% Credit)		\$1,194,724	\$1,194,724	\$4,896/Unit	\$1.00	DDC Merritt HeritageGP, LLC			
City / County	Georgetown / Williamson			Amount	Rate	Amort	Term	Colby Denison			
Region/Area	7 / Urban	Private Activity Bonds						Developer(s)			
Population	Elderly Limitation	MDLP (Repayable)		\$2,000,000	3.00%	30	18	DDC Investments / Frameworks Community Dev.			
Set-Aside	General							Colby Denison / Joyce McDonald			
Activity	New Construction	CHDO Expenses		\$50,000					Related-Parties Contractor - Seller - No		

TYPICAL BUILDING ELEVATION/PHOTO

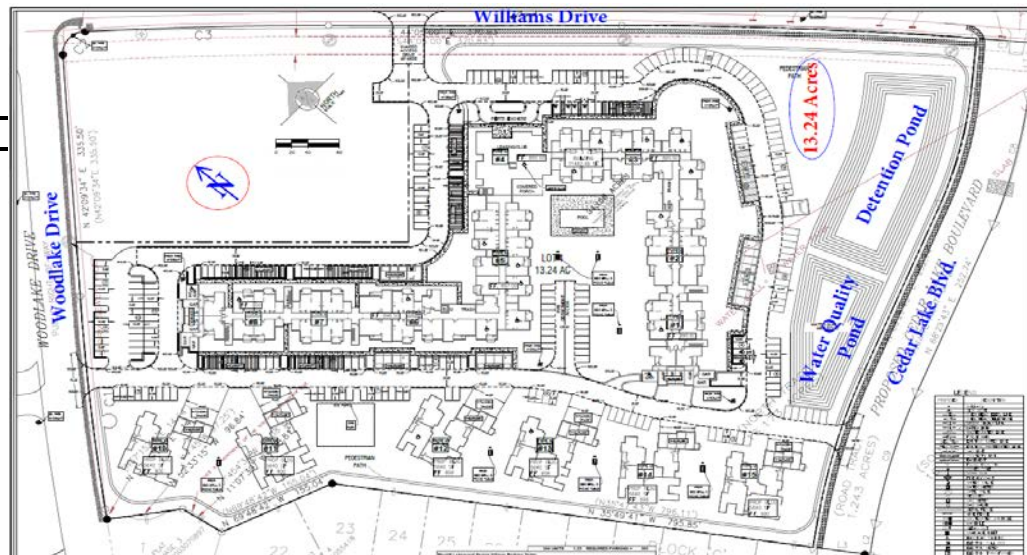


UNIT DISTRIBUTION			INCOME DISTRIBUTION		
# Beds	# Units	% Total	Income	# Units	% Total
Eff	24	10%	30%	13	5%
1	98	40%	40%	-	0%
2	122	50%	50%	50	20%
3	-	0%	60%	59	24%
4	-	0%	MR	122	50%
TOTAL	244	100%	TOTAL	244	100%

PRO FORMA FEASIBILITY INDICATORS

Pro Forma Underwritten		Applicant's Pro Forma	
Debt Coverage	1.29	Expense Ratio	42.6%
Breakeven Occ.	80.5%	Breakeven Rent	\$887
Average Rent	\$1,026	B/E Rent Margin	\$139
Property Taxes	\$711/unit	Exemption/PILOT	50%
Total Expense	\$5,053/unit	Controllable	\$2,945/unit

SITE PLAN



MARKET FEASIBILITY INDICATORS

Gross Capture Rate (10% Maximum)	2.4%
Highest Unit Capture Rate	9% 2 BR/60% 33
Dominant Unit Cap. Rate	9% 2 BR/60% 33
Premiums (↑60% Gross)	Yes \$348/Avg.
Rent Assisted Units	N/A

DEVELOPMENT COST SUMMARY

Costs Underwritten		Applicant's Costs	
Avg. Unit Size	859 SF	Density	18.4/acre
Acquisition	\$12K/unit		\$2,885K
Building Cost	\$74.28/SF	\$64K/unit	\$15,570K
Hard Cost		\$77K/unit	\$18,687K
Total Cost		\$137K/unit	\$33,361K
Developer Fee	\$3,657K	(28% Deferred)	Paid Year: 3
Contractor Fee	\$2,616K	30% Boost	Yes

DEBT (Must Pay)					CASH FLOW DEBT / GRANT FUNDS					EQUITY / DEFERRED FEES	
Source	Term	Rate	Amount	DCR	Source	Term	Rate	Amount	DCR	Source	Amount
Citi Bank	18/35	5.50%	\$18,400,000	1.40						RBC	\$11,944,851
										DDC Investments, Ltd	\$1,016,150
TDHCA	18/30	3.00%	\$2,000,000	1.29	City of Georgetown	0/0	0.00%	\$10	1.29		
TOTAL DEBT (Must Pay)			\$20,400,000		CASH FLOW DEBT / GRANTS			\$10		TOTAL EQUITY SOURCES	\$12,961,001
										TOTAL DEBT SOURCES	\$20,400,010
										TOTAL CAPITALIZATION	\$33,361,011

CONDITIONS

- 1 Receipt and acceptance before Direct Loan Closing
 - a: Substantially final construction contract with Schedule of Values.
 - b: Updated term sheets with substantially final terms from all lenders
 - c: Substantially final draft of limited partnership agreement.
 - d: Senior loan documents (and/or partnership documents) must contain a provision(s) that any stabilization rezising on the senior debt includes the debt service on the TDHCA MDL at a 1.15 DCR.
 - e: Documentation identifying any required matching funds, and confirming that the source is eligible to be counted as matching funds under HUD and TDHCA requirements.
- 2 Receipt and acceptance by Commitment:
 - Pursuant to §10.402(d)(7), a letter from Applicant's Attorney, "...identifying the statutory basis for the exemption and indicating that the exemption is reasonably achievable, subject to appraisal district review.

Should any terms of the proposed capital structure change or if there are material changes to the overall development plan or costs, the analysis must be re-evaluated and adjustment to the credit allocation and/or terms of other TDHCA funds may be warranted.

BOND RESERVATION / ISSUER	
Issuer	
Expiration Date	
Bond Amount	
BRB Priority	
Expected Close	
Bond Structure	
RISK PROFILE	
STRENGTHS/MITIGATING FACTORS	
◦	Gross Capture Rate of 2.4%, with unit capture rates
◦	Elderly HTC deals in PMA are 98% occupied
◦	43% expense ratio with a 1.29 DCR
◦	Attractive architectural design should compete well in market
◦	Experienced LIHTC developer/operator
WEAKNESSES/RISKS	
◦	50% of units (122) subject to market risk
◦	369 LIHTC units and 85 market units proposed within 2
◦	Feasibility depends on 50% CHDO property tax





DEVELOPMENT IDENTIFICATION

TDHCA Application #: **16185** Program(s): **9% HTC/MDL**

Merritt Heritage

Address/Location: SE Corner of Williams Dr. and Woodlake

City: Georgetown County: Williamson Zip: 78663

Population: Elderly Limitation Program Set-Aside: General Area: Urban

Activity: New Construction Building Type: Modified Wrap / Fourplex Region: 7

Analysis Purpose: New Application - Initial Underwriting

ALLOCATION

TDHCA Program	REQUEST				RECOMMENDATION				
	Amount	Interest Rate	Amort	Term	Amount	Interest Rate	Amort	Term	Lien
Multifamily Direct Loan (Repayable)	\$2,000,000	3.00%	30	18	\$2,000,000	3.00%	30	18	2nd
CHDO Expenses	\$50,000				\$50,000				
LIHTC (9% Credit)	\$1,194,724				\$1,194,724				

* Lien position after conversion to permanent. The Department's lien position during construction may vary.

CONDITIONS

- 1 Receipt and acceptance before Direct Loan Closing
 - a: Substantially final construction contract with Schedule of Values.
 - b: Updated term sheets with substantially final terms from all lenders
 - c: Substantially final draft of limited partnership agreement.
 - d: Senior loan documents (and/or partnership documents) must contain a provision(s) that any stabilization resizing on the senior debt includes the debt service on the TDHCA MDL at a 1.15 DCR.
 - e: Documentation identifying any required matching funds, and confirming that the source is eligible to be counted as matching funds under HUD and TDHCA requirements.
- 2 Receipt and acceptance by Commitment:
 - Pursuant to §10.402(d)(7), a letter from Applicant's Attorney, "...identifying the statutory basis for the exemption and indicating that the exemption is reasonably achievable, subject to appraisal district review.

Should any terms of the proposed capital structure change or if there are material changes to the overall development plan or costs, the analysis must be re-evaluated and adjustment to the credit allocation and/or terms of other TDHCA funds may be warranted.

SET-ASIDES

TDHCA SET-ASIDES for HTC LURA		
Income Limit	Rent Limit	Number of Units
30% of AMI	30% of AMI	13
50% of AMI	50% of AMI	50
60% of AMI	60% of AMI	59

TDHCA SET-ASIDES for TDHCA HOME LURA		
Income Limit	Rent Limit	Number of Units
50% of AMFI	Low HOME	7
60% of AMFI	High HOME	27

DEAL SUMMARY

The proposed Merritt Heritage Elderly Limitation apartments will be located near the intersection of Williams Drive (Ranch Road 2238) and Wood Lake Drive within the city limits of Georgetown. Subject is situated less than 1 mile east of Lake Georgetown, 4 miles northwest of IH35, 5 miles northwest of downtown and less than 6 miles northwest of St. David's Georgetown Hospital, offering close access to restaurants, retail, medical facilities, grocery stores and pharmacies. .

Project will consist of 244 units, including efficiency, one and two bedroom floor plans. Elevator served, 4-story modified wrap building (divided into 5 building configurations) houses 220 units and clubhouse/leasing facility. Single story fourplex component comprised of 6 buildings houses 24 two-bedroom units with attached garages.

RISK PROFILE

STRENGTHS/MITIGATING FACTORS	
▫	Gross Capture Rate of 2.4%, with unit capture rates only ranging from 1 to 9%
▫	Elderly HTC deals in PMA are 98% occupied
▫	43% expense ratio with a 1.29 DCR
▫	Attractive architectural design should compete well in market
▫	Experienced LIHTC developer/operator

WEAKNESSES/RISKS	
▫	50% of units (122) subject to market risk
▫	369 LIHTC units and 85 market units proposed within 2 miles of each other for the 2016 9% cycle.
▫	Feasibility depends on 50% CHDO property tax exemption
▫	
▫	

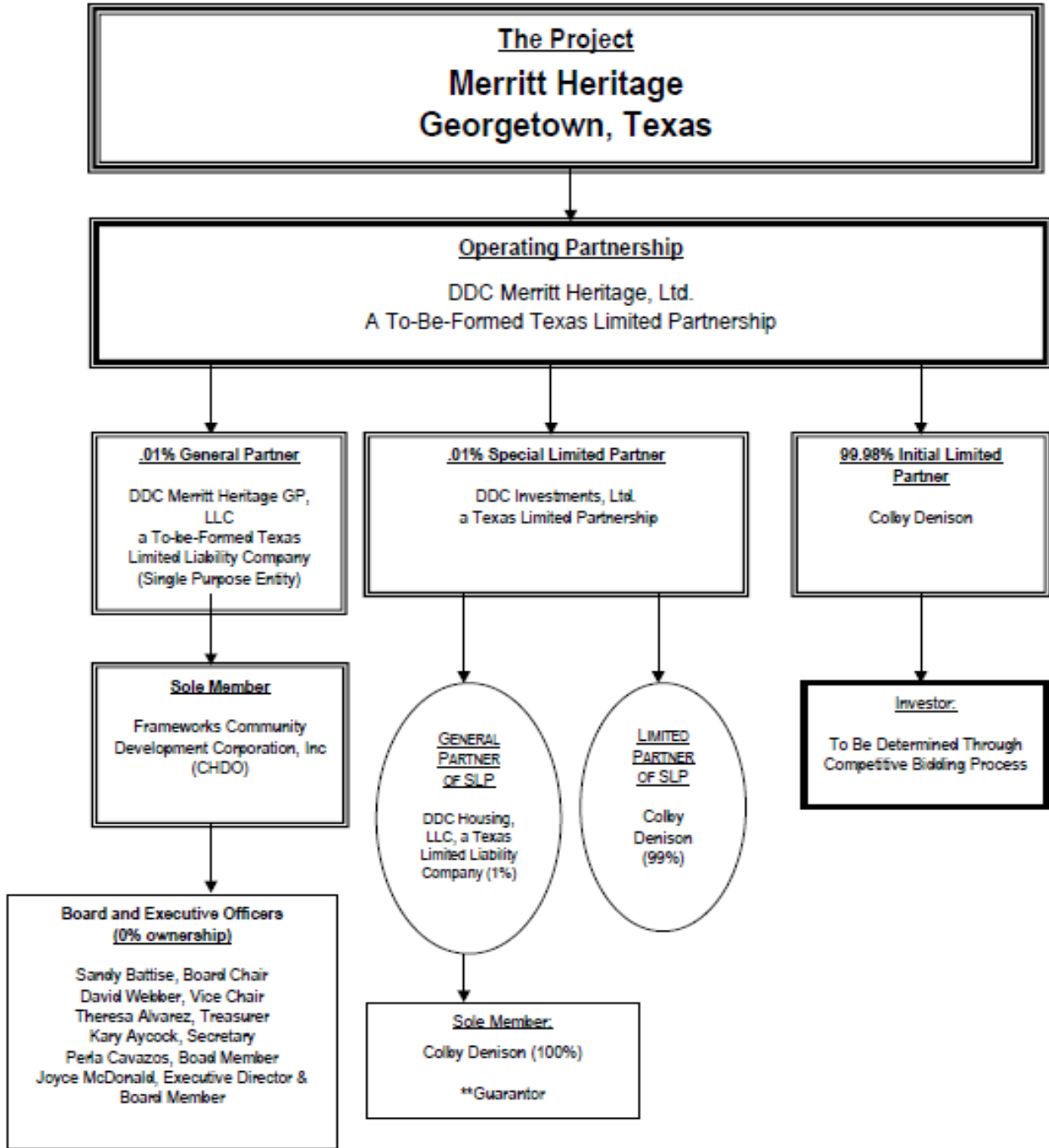
DEVELOPMENT TEAM

PRIMARY CONTACTS

Name: Colby Denison
 Phone: (512) 732-1226
 Relationship: Applicant/Developer

Name: Joyce McDonald
 Phone: (512) 385-1500
 Relationship: Co-Developer

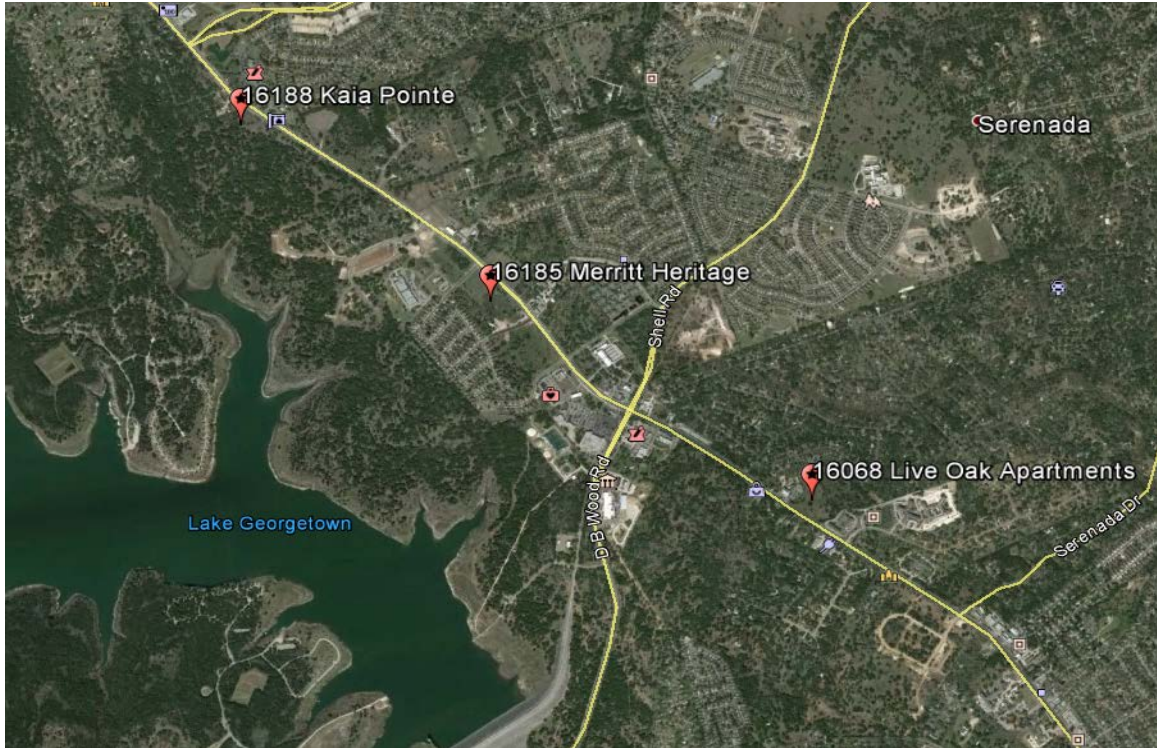
OWNERSHIP STRUCTURE



• Applicant, Developer, Property Manager and Supportive Services Provider are related entities.

DEVELOPMENT SUMMARY

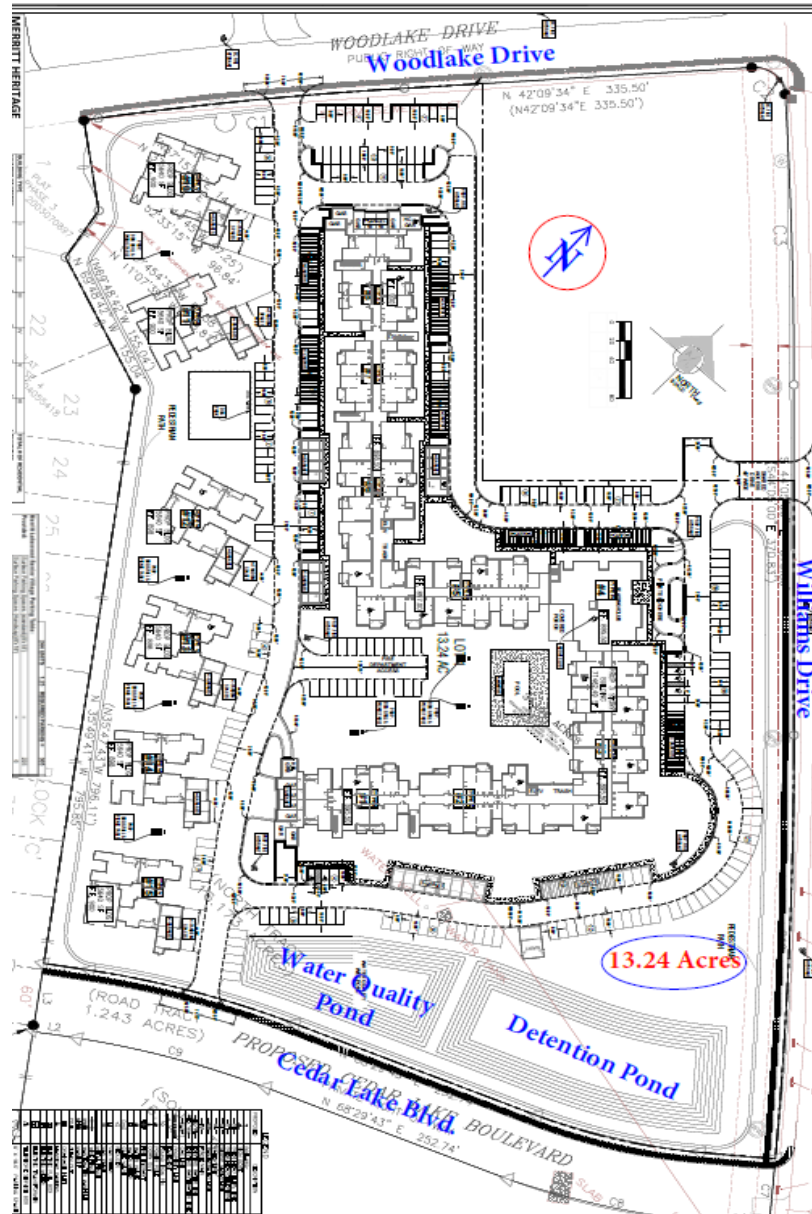
PROPOSED 2016 DEALS IN GEORGETOWN



AERIAL OF SUBJECT SITE



SITE PLAN



Comments:

Site is relatively flat, wooded grassland sloping from west to east. It lies within the Edward's Aquifer Recharge Zone and also within the City of Georgetown's watershed protection jurisdiction. A water quality pond is proposed on-site, designed to meet required standards. In conjunction, an on-site storm water detention pond is also planned to capture runoff via an on-site sewer system. All wet and dry utilities are readily available. An off-site extension to connect with the sanitary sewer main is anticipated.

Parking	No Fee		Tenant-Paid		Total	
	Count	Rate	Count	Rate	Count	Rate
Open Surface	256	1.0/unit	0	--	256	1.0/unit
Carport	0	--	60	0.2/unit	60	0.2/unit
Garage	0	--	58	0.2/unit	58	0.2/unit
Total Parking	256	1.0/unit	118	0.5/unit	374	1.5/unit

Comments:

Two (2) points of ingress/egress will be situated off of Old Decatur Road. Parking lot corresponds to building layout. Adequately parked at 278 open, no-fee spaces (2.2/unit vs. Code requirement of 2.1/unit). Primary entrance will be on Williams Drive with secondary access points on both Woodlake Drive and Cedar Lake Blvd. Lot encircles main building and provides convenient access to all units. At 1.5/unit, parking exceeds City requirement for senior multifamily projects (1.0/unit plus 5% for visitors). No fee parking meets City requirement.

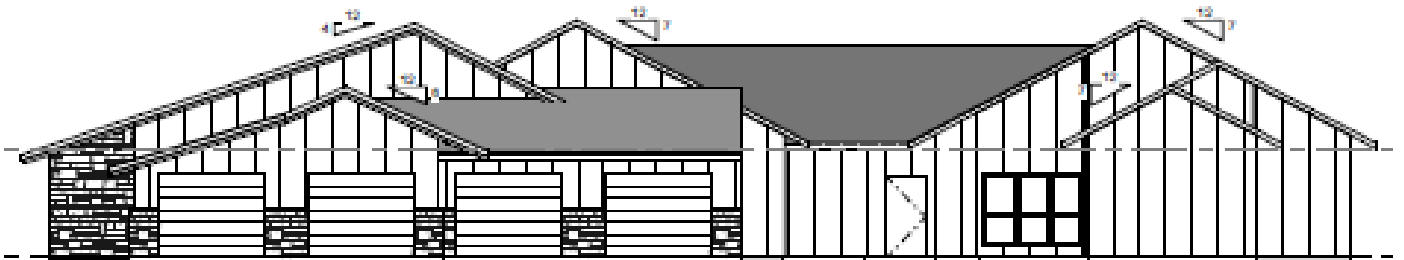
TYPICAL 4-STORY BUILDING ELEVATION



Comments:

Average construction quality, elevator served, 4-story modified wrap building with flat roof. Enclosed corridors run lengthwise down the middle.

TYPICAL 1-STORY FOURPLEX ELEVATION



Comments:

Single story fourplex component comprised of 6 buildings (24 two-bedroom units) with attached garages.

BUILDING CONFIGURATION

Building Type	1	2	3	4	5	6												Total Buildings	
Floors/Stories	4	4	4	4	4	1													14
Number of Bldgs	2	2	2	1	1	6													244
Units per Bldg	24	28	44	12	16	4													
Total Units	48	56	88	12	16	24													244
Avg. Unit Size (SF)	859 sf			Total NRA (SF)			209,626			Common Area (SF)			7,186						

SITE AND ACQUISITION

Site Acreage:

Total Size: 13.24 acres

Density: 18.4 units/acre

Site Control: 13.24

Site Plan: 13.24

Appraisal: N/A

ESA: 16.17

Control Type: Commercial Contract - Unimproved Property

Contract Expiration: 1/0/1900

Development Site: 13.24 acres

Cost: \$2,850,000

\$11,680 per unit

Seller: Oryx Capital, LLC

Buyer: Denison Development & Construction, Inc. or Assigns

Assignee: Pending

Related-Party Seller/Identity of Interest: No

Comments:

Oryx Capital, LLC ("Oryx") is not the owner of the property but is under contract to acquire 16.74 acres from current landowner, Andice Development Company, for \$2,734,480 (\$163,350/acre). Simultaneously, Oryx is contracted to sell 13.24 acres (subject site) out of the tract purchased to Denison Development & Construction, Inc. (or Assigns) for \$2,850,000 (\$215,257/acre). Oryx will retain 3.5 acres of the corner tract at the intersection of Williams Drive and Woodlake Drive suitable for resale or commercial/retail development. Given the anticipated use, it is likely more valuable per acre than subject site.

While Oryx is not related to Applicant, the principals have been involved as the Seller on a number of Applicant's previous projects using a similar simultaneous site purchase/sale strategy.

GENERAL INFORMATION

Flood Zone:	<u>Zone X</u>	Scattered Site?	<u>No</u>
Zoning:	<u>C-1 & OF</u>	Within 100-yr floodplain?	<u>No</u>
		Re-Zoning Required?	<u>Yes</u>
Year Constructed:	<u>N/A</u>	Utilities at Site?	<u>Yes</u>
		Title Issues?	<u>No</u>

Surrounding Uses:

- Northeast:** Williams Drive / undeveloped land / business park / retail / single family.
- Southeast:** Cedar Lake Blvd. / undeveloped land.
- Northwest:** Woodlake Drive / Kid's Zone (daycare and pre-school) / Ford Elementary School.
- Southwest:** Single family.

Other Observations:

Required zoning is MF1 and MF2 with a variance to allow more than 24 units per building structure.

HIGHLIGHTS of ENVIRONMENTAL REPORTS

Provider: ECS Texas, LLP Date: 2/8/2016

Recognized Environmental Conditions (RECs) and Other Concerns:

- None.

Comments:

ESA covers the entire 16 acre parent tract being acquired under the Oryx Contract.

MARKET ANALYSIS

Provider: Affordable Housing Analysts Date: 3/25/2016
Contact: Bob Coe Phone: 281-387-7552

Primary Market Area (PMA): 240 sq. miles 9 mile equivalent radius

The irregular PMA consists of 21 census tracts located around Georgetown. I-35 bisects the PMA vertically. East of I-35, the PMA extends two miles north of Jarrel, 7-11 miles west of I-35 and south to County Road 107. West of I-35, the northern border is formed by Hwy 195 and Berry Creek; the western border is Williams Drive, County Road 258, Ronald Reagan Blvd., and County Road 175. The southern border is formed by FM 1431.

ELIGIBLE HOUSEHOLDS BY INCOME								
Williamson County Income Limits								
HH size	30% of AMI		40% of AMI		50% of AMI		60% of AMI	
	min	max	min	max	min	max	min	max
1	\$9,672	\$16,140	---	---	\$16,128	\$26,900	\$19,368	\$32,280
2	\$10,368	\$18,450	---	---	\$17,280	\$30,750	\$20,736	\$36,900
3	\$12,456	\$20,760	---	---	\$20,760	\$34,600	\$24,912	\$41,520

AFFORDABLE HOUSING INVENTORY						
Competitive Supply (Proposed, Under Construction, and Unstabilized)						
File #	Development	In PMA?	Type	Target Population	Comp Units	Total Units
	None				0	
Other Affordable Developments in PMA since 2012						
16188	Kaia Pointe		new	general	n/a	102
16068	Live Oak Apts		new	general	n/a	108
13407	The Gateway Northwest		new	General	n/a	177
15228	Northwest Apts		A/R	general	n/a	24
15083	Georgetown Square Apts		A/R	general	n/a	55
12084	San Gabriel Apts		A/R	General	n/a	136
Stabilized Affordable Developments in PMA (pre-2012)					Total Units	753
					Total Developments	6

Proposed, Under Construction, and Unstabilized Comparable Supply:

Live Oak Apartments (#16068) is a proposed family development that appears to be competitive in the 2016 9% application cycle. This project is located less than two miles, on the same road, from the Subject. Kaia Pointe (#16188) is a proposed family development that appears to be competitive in the 2016 9% application cycle. This project is located less than one mile, on the same road, from the Subject. The Gateway Northwest (#13407) is an awarded 2013 bond family deal; they started pre-leasing in February 2015 and are still only 63% leased. None of these developments are competitive with Subject because they do not target the senior population.

The other three developments listed are all family rehabs and will not be competitive with the Subject.

OVERALL DEMAND ANALYSIS					
		Market Analyst		Underwriter	
Total Households in the Primary Market Area		39,071		39,071	
Senior Households in the Primary Market Area		20,082		20,082	
Potential Demand from the Primary Market Area		4,227		5,153	
Potential Demand from Other Sources		0		0	
GROSS DEMAND		4,227		5,153	
Subject Affordable Units		122		122	
Unstabilized Comparable Units		0		0	
RELEVANT SUPPLY		122		122	
Relevant Supply ÷ Gross Demand = GROSS CAPTURE RATE		2.9%		2.4%	
Population:	Elderly Limitation	Market Area:	Urban	Maximum Gross Capture Rate:	10%

Demand Analysis:

Minimum eligible income is calculated at 50% rent to income for Elderly deals. Gross demand includes all household sizes and both renter and owner households. The stated Gross Capture Rate and Unit Capture Rates only reflect the demand for the 122 affordable units at the Subject property and do not consider any of the 122 market units in the analysis.

The Gross Capture Rate and all Unit Capture Rates are well under the allowable maximums showing there is enough senior demand in the PMA for the 122 affordable Subject units.

UNDERWRITING ANALYSIS of PMA DEMAND by UNIT TYPE								
Unit Type	Market Analyst				Underwriter			
	Demand	Subject Units	Comp Units	Unit Capture Rate	Demand	Subject Units	Comp Units	Unit Capture Rate
0 BR/30%	141	2	0	1%	197	2	0	1%
0 BR/50%	72	6	0	8%	380	6	0	2%
0 BR/60%	342	1	0	0%	180	1	0	1%
1 BR/30%	383	6	0	2%	417	6	0	1%
1 BR/50%	721	21	0	3%	888	21	0	2%
1 BR/60%	632	25	0	4%	519	25	0	5%
2 BR/30%	375	5	0	1%	260	5	0	2%
2 BR/50%	280	23	0	8%	626	23	0	4%
2 BR/60%	1281	33	0	3%	370	33	0	9%

Market Analyst Comments:

A significant amount of both new residential and commercial construction has taken place in the subject neighborhood over the past few years. The general consensus among real estate professionals is that growth is expected to be steady into the near future. (p. 34)

The primary market area had an estimated 2016 average household income of \$93,495 with a median household income of \$73,632. (p. 37)

...the total percentage of households eligible on an income basis in the subject's primary market is 21.89%. (p. 72)

There is one Seniors conventional property proposed or under construction, The Delaney with 120 independent living units, 54 assisted care units, and 32 memory care units. The Delaney isn't completed, and already has 43 units leased. Due to their significantly higher rental rates and range of services offered, the Delaney is not considered comparable to the proposed subject. (p. 87)

Underwriter Comments:

The two elderly affordable deals in the PMA are 98% occupied. Other recent affordable elderly developments in the area have leased-up quickly.

Trails at Carmel Creek (13201) is an elderly deal located outside the PMA in Hutto (22 miles away). The property started leasing in December 2015; it is currently 98% leased with 100% pre-leased occupancy. This calculates to 12 units/mo lease-up. Carmel Creek reports attaining full 60% rents, \$960 for 1B market units, and \$1250 for 2B market units. While not in the PMA, this does show demand for senior affordable units in the suburbs of Austin.

OPERATING PRO FORMA

SUMMARY- AS UNDERWRITTEN (Applicant's Pro Forma)

NOI:	\$1,663,581	Avg. Rent:	\$1,026	Expense Ratio:	42.6%
Debt Service:	\$1,286,917	B/E Rent:	\$887	Controllable Expenses:	\$2,945
Net Cash Flow:	\$376,664	UW Occupancy:	92.5%	Property Taxes/Unit:	\$711
Aggregate DCR:	1.29	B/E Occupancy:	80.5%	Program Rent Year:	2015

Restricted unit rents are projected at max program while unrestricted units are essentially budgeted to achieve concluded market study rents. With indicated demand and 50% of the units being unrestricted, assumed rents are thought to be achievable. Furthermore, budget assumption is supported by actual rents being collected at Applicant's Leander Station Senior Village (TDHCA #09138). Unrestricted rents can decline by 7.5% without affecting feasibility conclusion.

Ownership structure includes Frameworks Community Development Corporation, Inc., a recognized CHDO. As such, Applicant has assumed a 50% CHDO property tax exemption, contributing to the low expense ratio and healthy DCR. Without the exemption, the DCR would fall below the 1.15 feasibility threshold.

Average rent with 1 month concession on 60% and market rate units exceeds break-even by \$68, but the need for concessions is diminished by the underwritten rent structure offering a combined 21% discount to concluded market study rents.

As underwritten, breakeven occupancy occurs with 48 units vacant (underwritten at 18).

Projected 15 year residual cash flow is \$7M with DCR remaining above 1.29 for over 35 years .

Revisions to Rent Schedule:	3	Revisions to Annual Operating Expenses:	1
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DEVELOPMENT COST EVALUATION

SUMMARY- AS UNDERWRITTEN (Applicant's Costs)

Acquisition	\$215,257/ac	\$11,680/unit	\$2,885,000	Contractor Fee	\$2,616,146
Off-site + Site Work		\$9,127/unit	\$2,226,909	Soft Cost + Financing	\$4,216,323
Building Cost	\$74.28/sf	\$63,811/unit	\$15,570,000	Developer Fee	\$3,656,788
Contingency	5.00%	\$3,647/unit	\$889,845	Reserves	\$1,300,000
Total Development Cost	\$136,725/unit	\$33,361,011	Rehabilitation Cost	N/A	

Qualified for 30% Basis Boost?	High Opportunity Index [9% only]
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Off-site:

Certified estimate of \$154K (\$630/unit) to extend sanitary sewer.

Site Work:

Certified estimate of \$2.1M (\$8.5K/unit) includes Site Amenities. Site Work budget of \$1.7M (\$6.8K/unit) covers typical grading, concrete, paving, utilities and detention, including \$40K allocated to an existing water well. Site amenities of \$416K include \$1268K for landscaping, \$120K for the pool and decking and \$28K for fencing.

Building Cost:

Applicant's building cost budget is \$804K (5%) less than Underwriter's general estimate of \$78.11/sf. If Underwriter's estimate proves to be more accurate, Applicant would still have enough Developer Fee left to feasibly defer and enough Contingency to cover the additional costs.

Ineligible Costs:

Cost for garages and carports is excluded from eligible basis.

Soft Costs:

At \$2.1K/unit (2%), A&E costs are lower than average. Furthermore, at \$7.1K/unit (5%), total soft costs are also lower than typical.

Comments:

At \$74.28/sf, Applicant's budgeted Building Cost is just under the applicable \$75/sf threshold for maximum scoring.

Credit Allocation Supported by Costs:

Total Development Cost	Adjusted Eligible Cost	Credit Allocation Supported by Eligible Basis
\$33,361,011	\$27,270,302	\$1,595,313

Revisions to Development Cost Schedule:	0
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UNDERWRITTEN CAPITALIZATION

INTERIM SOURCES

Funding Source	Description	Amount	Rate	LTC
Citi Bank	Conventional Loan	\$24,500,000	4.50%	329%
TDHCA	Multifamily Direct Loan	\$2,000,000	0.00%	27%
RBC	HTC	\$2,388,970	\$1.00	32%
DDC Investments, Ltd	Deferred Fee	\$3,056,996		41%
City of Georgetown	In- Kind Contribution	\$10		0%
		\$7,445,976	Total Sources	

PERMANENT SOURCES

Debt Source	PROPOSED				UNDERWRITTEN				
	Amount	Interest Rate	Amort	Term	Amount	Interest Rate	Amort	Term	LTC
Citi Bank	\$18,400,000	5.50%	35	18	\$18,400,000	5.50%	35	18	55%
TDHCA	\$2,000,000	3.00%	30	18	\$2,000,000	3.00%	30	18	6%
City of Georgetown	\$100				\$10				0%
Total	\$20,400,100				\$20,400,010				

Comments:

TDHCA's Multifamily Direct Loan requires a match component provided by the Applicant. In this case, it is constituted by the following:

- \$4,186,435 representing the NPV of abated property taxes by Williamson County as a result of the 50% CHDO exemption.

Pursuant to §11.9(d)(2) application received one scoring point for Commitment of Development Funding by Local Political Subdivision. The application included a Resolution of the City Council of Georgetown stating that it will provide "a grant, reduced fee, or contribution of other value for the benefit of the development in the amount of \$10".

Equity & Deferred Fees	PROPOSED			UNDERWRITTEN			
	Amount	Rate	% Def	Amount	Rate	% TC	% Def
RBC	\$11,944,851	\$1.00		\$11,944,851	\$1.00	36%	
DDC Investments, Ltd	\$1,016,060		28%	\$1,016,150		3%	28%
Total	\$12,960,911			\$12,961,001			
				\$33,361,011	Total Sources		

Credit Price Sensitivity based on current capital structure

\$1.085	Maximum Credit Price before the Development is oversourced and allocation is limited
\$0.779	Minimum Credit Price below which the Development would be characterized as infeasible

CONCLUSIONS

Recommended Financing Structure:

Gap Analysis:	
Total Development Cost	\$33,361,011
Permanent Sources	\$20,400,010
Gap in Permanent Financing	\$12,961,001

Possible Tax Credit Allocations:	Equity Proceeds	Annual Credits
Determined by Eligible Basis	\$15,949,936	\$1,595,313
Needed to Fill Gap in Financing	\$12,961,001	\$1,296,359
Requested by Applicant	\$11,944,851	\$1,194,724

	RECOMMENDATION	
	Equity Proceeds	Annual Credits
Tax Credit Allocation	\$11,944,851	\$1,194,724

	Amount	Interest Rate	Amort	Term	Lien
TDHCA Multifamily Direct Loan	\$2,000,000	3%	30	18	2nd

Deferred Developer Fee	\$1,016,150	(28% deferred)
Repayable in	3 years	

Comments:

Credit allocation is limited to \$1,194,724 as requested by Applicant.

The proposed capital structure would support an annual credit request of \$1.3M, which is \$102K greater than the requested credits. The additional credits would have generated an additional \$1M in syndication proceeds.

If the Direct Loan funds are not awarded, debt coverage would increase to 1.40 times, exceeding the maximum acceptable DCR. The Underwriter would assume an increase in the primary debt to \$19,200,000. This would require deferral of \$2,216,060 of the developer fee, which could be repaid within 5 years of operation.

Applicant has also requested \$50,000 CHDO Operating Expense funds. These funds are a one-time operating subsidy. They are not a source of funds for the development, and are not considered in the underwriting analysis.

Underwriter:	<u>Gregg Kazak</u>
Manager of Real Estate Analysis:	<u>Thomas Cavanagh</u>
Director of Real Estate Analysis:	<u>Brent Stewart</u>

UNIT MIX/RENT SCHEDULE

Merritt Heritage, Georgetown, 9% HTC/MDL #16185

LOCATION DATA	
CITY:	Georgetown
COUNTY:	Williamson
PROGRAM REGION:	7

UNIT DISTRIBUTION						
# Beds	# Units	% Total	Assisted	Income	# Units	% Total
Eff	24	9.8%	0	30%	13	5.3%
1	98	40.2%	0	40%	-	0.0%
2	122	50.0%	0	50%	50	20.5%
3	-	0.0%	0	60%	59	24.2%
4	-	0.0%	0	MR	122	50.0%
TOTAL	244	100.0%	-	TOTAL	244	100.0%

Applicable Programs
9% Housing Tax Credits
Direct Loan

Pro Forma ASSUMPTIONS	
Revenue Growth	2.00%
Expense Growth	3.00%
Basis Adjust	130%
Applicable Fraction	50.00%
APP % Acquisition	3.37%
APP % Construction	9.00%
Average Unit Size	859 sf

UNIT MIX / MONTHLY RENT SCHEDULE																					
HTC		TDHCA Direct Loan Program		UNIT MIX				APPLICABLE PROGRAM RENT			APPLICANT'S PRO FORMA RENTS				TDHCA PRO FORMA RENTS				MARKET RENTS		
Type	Gross Rent	Type	Gross Rent	# Units	# Beds	# Baths	NRA	Gross Rent	Utility Allow	Max Net Program Rent	Delta to Max	Rent psf	Net Rent per Unit	Total Monthly Rent	Total Monthly Rent	Rent per Unit	Rent psf	Delta to Max	Underwritten	Mkt Analyst	
TC 30%	\$403	LH/50%	\$672	1	0	1	605	\$403	\$67	\$336	(\$0)	\$0.56	\$336	\$336	\$336	\$336	\$0.56	\$0	\$1,000	\$1.65	\$1,000
TC 50%	\$672			4	0	1	605	\$672	\$67	\$605	(\$0)	\$1.00	\$605	\$2,420	\$2,421	\$605	\$1.00	\$0	\$1,000	\$1.65	\$1,000
MR				11	0	1	605	\$0	\$67		NA	\$1.65	\$1,000	\$11,000	\$11,000	\$1,000	\$1.65	NA	\$1,000	\$1.65	\$1,000
TC 30%	\$403	LH/50%	\$672	1	0	1	563	\$403	\$67	\$336	(\$0)	\$0.60	\$336	\$336	\$336	\$336	\$0.60	\$0	\$1,000	\$1.78	\$980
TC 50%	\$672	LH/50%	\$672	2	0	1	563	\$672	\$67	\$605	(\$0)	\$1.07	\$605	\$1,210	\$1,211	\$605	\$1.08	\$0	\$1,000	\$1.78	\$980
TC 60%	\$807			1	0	1	563	\$807	\$67	\$740	(\$0)	\$1.31	\$740	\$740	\$740	\$740	\$1.31	\$0	\$1,000	\$1.78	\$980
MR				4	0	1	563	\$0	\$67		NA	\$1.78	\$1,000	\$4,000	\$4,000	\$1,000	\$1.78	NA	\$1,000	\$1.78	\$980
TC 30%	\$432			4	1	1	742	\$432	\$75	\$357	(\$0)	\$0.48	\$357	\$1,428	\$1,428	\$357	\$0.48	\$0	\$1,100	\$1.48	\$1,100
TC 50%	\$720	HH/60%	\$834	4	1	1	742	\$720	\$75	\$645	(\$0)	\$0.87	\$645	\$2,580	\$2,580	\$645	\$0.87	\$0	\$1,100	\$1.48	\$1,100
TC 50%	\$720			10	1	1	742	\$720	\$75	\$645	(\$0)	\$0.87	\$645	\$6,450	\$6,451	\$645	\$0.87	\$0	\$1,100	\$1.48	\$1,100
TC 60%	\$864			18	1	1	742	\$864	\$75	\$789	(\$0)	\$1.06	\$789	\$14,202	\$14,203	\$789	\$1.06	\$0	\$1,100	\$1.48	\$1,100
MR				34	1	1	742	\$0	\$75		NA	\$1.48	\$1,100	\$37,400	\$37,400	\$1,100	\$1.48	NA	\$1,100	\$1.48	\$1,100
TC 30%	\$432	LH/50%	\$720	1	1	1	765	\$432	\$75	\$357	(\$0)	\$0.47	\$357	\$357	\$357	\$357	\$0.47	\$0	\$1,100	\$1.44	\$1,100
TC 50%	\$720	HH/60%	\$834	4	1	1	765	\$720	\$75	\$645	(\$0)	\$0.84	\$645	\$2,580	\$2,580	\$645	\$0.84	\$0	\$1,100	\$1.44	\$1,100
TC 60%	\$864			4	1	1	765	\$864	\$75	\$789	(\$0)	\$1.03	\$789	\$3,156	\$3,156	\$789	\$1.03	\$0	\$1,100	\$1.44	\$1,100
MR				7	1	1	765	\$0	\$75		NA	\$1.44	\$1,100	\$7,700	\$7,700	\$1,100	\$1.44	NA	\$1,100	\$1.44	\$1,100
TC 30%	\$432	LH/50%	\$720	1	1	1	884	\$432	\$87	\$345	\$0	\$0.39	\$345	\$345	\$345	\$345	\$0.39	\$0	\$1,100	\$1.24	\$1,170
TC 50%	\$720	HH/60%	\$834	3	1	1	884	\$720	\$87	\$633	\$0	\$0.72	\$633	\$1,899	\$1,899	\$633	\$0.72	\$0	\$1,100	\$1.24	\$1,170
TC 60%	\$864			3	1	1	884	\$864	\$87	\$777	\$0	\$0.88	\$777	\$2,331	\$2,331	\$777	\$0.88	\$0	\$1,100	\$1.24	\$1,170
MR				5	1	1	884	\$0	\$87		NA	\$1.24	\$1,100	\$5,500	\$5,500	\$1,100	\$1.24	NA	\$1,100	\$1.24	\$1,170
TC 30%	\$519			4	2	1	933	\$519	\$94	\$425	(\$0)	\$0.46	\$425	\$1,700	\$1,700	\$425	\$0.46	\$0	\$1,400	\$1.50	\$1,400
TC 50%	\$865			7	2	1	933	\$865	\$94	\$771	(\$0)	\$0.83	\$771	\$5,397	\$5,397	\$771	\$0.83	\$0	\$1,400	\$1.50	\$1,400
TC 50%	\$865	HH/60%	\$1,050	7	2	1	933	\$865	\$94	\$771	(\$0)	\$0.83	\$771	\$5,397	\$5,397	\$771	\$0.83	\$0	\$1,400	\$1.50	\$1,400
TC 60%	\$1,038			18	2	1	933	\$1,038	\$94	\$944	(\$0)	\$1.01	\$944	\$16,992	\$16,993	\$944	\$1.01	\$0	\$1,400	\$1.50	\$1,400
MR				34	2	1	933	\$0	\$94		NA	\$1.50	\$1,400	\$47,600	\$47,600	\$1,400	\$1.50	NA	\$1,400	\$1.50	\$1,400
TC 30%	\$519	LH/50%	\$865	1	2	2	1,041	\$519	\$94	\$425	(\$0)	\$0.41	\$425	\$425	\$425	\$425	\$0.41	\$0	\$1,700	\$1.63	\$1,700
TC 50%	\$865	HH/60%	\$1,050	8	2	2	1,041	\$865	\$94	\$771	(\$0)	\$0.74	\$771	\$6,168	\$6,168	\$771	\$0.74	\$0	\$1,700	\$1.63	\$1,700
TC 60%	\$1,038			10	2	2	1,041	\$1,038	\$94	\$944	(\$0)	\$0.91	\$944	\$9,440	\$9,440	\$944	\$0.91	\$0	\$1,700	\$1.63	\$1,700
MR				21	2	2	1,041	\$0	\$94		NA	\$1.63	\$1,700	\$35,700	\$35,700	\$1,700	\$1.63	NA	\$1,700	\$1.63	\$1,700
TC 50%	\$865	HH/60%	\$1,050	1	2	2	1,142	\$865	\$113	\$752	\$0	\$0.66	\$752	\$752	\$752	\$752	\$0.66	\$0	\$1,700	\$1.49	\$1,750
TC 60%	\$1,038			5	2	2	1,142	\$1,038	\$113	\$925	\$0	\$0.81	\$925	\$4,625	\$4,625	\$925	\$0.81	\$0	\$1,700	\$1.49	\$1,750
MR				6	2	2	1,142	\$0	\$113		NA	\$1.49	\$1,700	\$10,200	\$10,200	\$1,700	\$1.49	NA	\$1,700	\$1.49	\$1,750
TOTALS/AVERAGES:				244			209,626				(\$0)	\$1.19	\$1,026	\$250,366	\$250,375	\$1,026	\$1.19	\$0	\$1,304	\$1.52	\$1,309.34

ANNUAL POTENTIAL GROSS RENT:																					\$3,004,392	\$3,004,496
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STABILIZED PRO FORMA

Merritt Heritage, Georgetown, 9% HTC/MDL #16185

STABILIZED FIRST YEAR PRO FORMA													
COMPARABLES				APPLICANT				TDHCA				VARIANCE	
Database		Other		% EGI	Per SF	Per Unit	Amount	Amount	Per Unit	Per SF	% EGI	%	\$
POTENTIAL GROSS RENT					\$1.19	\$1,026	\$3,004,392	\$3,004,496	\$1,026	\$1.19		0.0%	(\$104)
Laundry, App Fees, Late Fees						\$12.00	\$35,136						
Carports (In Addition to Required)						\$6.15	\$18,000						
Garages (In Addition to Required)						\$25.20	\$73,800						
Total Secondary Income						\$43.35		\$58,560	\$20.00			116.8%	\$68,376
POTENTIAL GROSS INCOME							\$3,131,328	\$3,063,056				2.2%	\$68,272
Vacancy & Collection Loss						7.5% PGI	(234,850)	(229,729)	7.5% PGI			2.2%	(5,120)
Rental Concessions							-	-				0.0%	-
EFFECTIVE GROSS INCOME							\$2,896,478	\$2,833,327				2.2%	\$63,151

General & Administrative	\$103,796	\$425/Unit	\$81,102	\$332	2.82%	\$0.39	\$335	\$81,685	\$81,102	\$332	\$0.39	2.86%	0.7%	583
Management	\$110,775	3.9% EGI	\$109,293	\$448	5.00%	\$0.69	\$594	\$144,929	\$141,666	\$581	\$0.68	5.00%	2.3%	3,263
Payroll & Payroll Tax	\$311,515	\$1,277/Unit	\$341,450	\$1,399	10.71%	\$1.48	\$1,271	\$310,080	\$311,515	\$1,277	\$1.49	10.99%	-0.5%	(1,435)
Repairs & Maintenance	\$157,517	\$646/Unit	\$132,522	\$543	4.80%	\$0.66	\$570	\$138,966	\$146,400	\$600	\$0.70	5.17%	-5.1%	(7,434)
Electric/Gas	\$70,951	\$291/Unit	\$49,000	\$201	1.36%	\$0.19	\$162	\$39,469	\$49,000	\$201	\$0.23	1.73%	-19.5%	(9,531)
Water, Sewer, & Trash	\$199,042	\$816/Unit	\$127,911	\$524	5.12%	\$0.71	\$608	\$148,337	\$127,911	\$524	\$0.61	4.51%	16.0%	20,426
Property Insurance	\$66,573	\$0.32 /sf	\$67,926	\$278	2.36%	\$0.33	\$280	\$68,320	\$66,573	\$273	\$0.32	2.35%	2.6%	1,747
Property Tax (@ 50%) 2.313529	\$193,708	\$794/Unit	\$176,115	\$722	5.99%	\$0.83	\$711	\$173,515	\$190,581	\$781	\$0.91	6.73%	-9.0%	(17,066)
Reserve for Replacements	\$87,911	\$360/Unit	\$61,537	\$252	2.11%	\$0.29	\$250	\$61,000	\$61,000	\$250	\$0.29	2.15%	0.0%	-
Cable TV			\$37,961	\$156	2.02%	\$0.28	\$240	\$58,560	\$58,560	\$240	\$0.28	2.07%	0.0%	-
Supportive Services			\$31,159	\$128	0.00%	\$0.00	\$0	\$0	\$0	\$0	\$0.00	0.00%	0.0%	-
TDHCA LIHTC/HOME Compliance Fees			\$8,199	\$34	0.21%	\$0.03	\$25	\$6,036	\$6,036	\$25	\$0.03	0.21%	0.0%	-
Security			\$7,007	\$29	0.07%	\$0.01	\$8	\$2,000	\$2,000	\$8	\$0.01	0.07%	0.0%	-
Other			\$46,540	\$191	0.00%	\$0.00	\$0	\$0	\$0	\$0	\$0.00	0.00%	0.0%	-
TOTAL EXPENSES			\$1,277,722		42.57%	\$5.88	\$5,053	\$ 1,232,897	\$1,242,344	\$5,092	\$5.93	43.85%	-0.8%	\$ (9,447)
NET OPERATING INCOME ("NOI")					57.43%	\$7.94	\$6,818	\$1,663,581	\$1,590,983	\$6,520	\$7.59	56.15%	4.6%	\$ 72,599

CONTROLLABLE EXPENSES	\$2,945/Unit	\$2,934/Unit
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CAPITALIZATION / TOTAL DEVELOPMENT BUDGET / ITEMIZED BASIS

Merritt Heritage, Georgetown, 9% HTC/MDL #16185

DEBT / GRANT SOURCES															
APPLICANT'S PROPOSED DEBT/GRANT STRUCTURE								AS UNDERWRITTEN DEBT/GRANT STRUCTURE							
DEBT (Must Pay)	Fee	Cumulative DCR		Pmt	Rate	Amort	Term	Principal	Principal	Term	Amort	Rate	Pmt	Cumulative	
		UW	App											DCR	LTC
Citi Bank		1.34	1.40	1,185,732	5.50%	35	18	\$18,400,000	\$18,400,000	18	35	5.50%	\$1,185,732	1.40	55.2%
TDHCA		1.24	1.29	101,185	3.00%	30	18	\$2,000,000	\$2,000,000	18	30	3.00%	\$101,185	1.29	6.0%
CASH FLOW DEBT / GRANTS															
City of Georgetown		1.24	1.29	0	0.00%	0	0	\$100	\$10	0	0	0.00%		1.29	0.0%
				\$1,286,917	TOTAL DEBT / GRANT SOURCES			\$20,400,100	\$20,400,010	TOTAL DEBT SERVICE			\$1,286,917	1.29	61.1%

NET CASH FLOW	\$304,066	\$376,664	APPLICANT	NET OPERATING INCOME	\$1,663,581	\$376,664	NET CASH FLOW
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EQUITY SOURCES											
APPLICANT'S PROPOSED EQUITY STRUCTURE						AS UNDERWRITTEN EQUITY STRUCTURE					
EQUITY / DEFERRED FEES	DESCRIPTION	% Cost	Annual Credit	Credit Price	Amount	Amount	Credit Price	Annual Credit	% Cost	Annual Credits per Unit	Allocation Method
DDC Investments, Ltd	Deferred Developer Fees	3.0%	(28% Deferred)		\$1,016,060	\$1,016,150	(28% Deferred)		3.0%	Total Developer Fee: \$3,656,788	
	Additional (Excess) Funds Req'd	0.0%			\$0	\$0			0.0%		
TOTAL EQUITY SOURCES		38.9%			\$12,960,911	\$12,961,001			38.9%	15-Year Cash Flow:	\$8,044,914

TOTAL CAPITALIZATION	\$33,361,011	\$33,361,011	15-Yr Cash Flow after Deferred Fee:	\$7,028,764
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DEVELOPMENT COST / ITEMIZED BASIS													
APPLICANT COST / BASIS ITEMS						TDHCA COST / BASIS ITEMS						COST VARIANCE	
	Eligible Basis		Total Costs			Total Costs			Eligible Basis		%	\$	
	Acquisition	New Const. Rehab							New Const. Rehab	Acquisition			
Land Acquisition			\$11,680 / Unit	\$2,850,000	\$2,850,000	\$11,680 / Unit					0.0%	\$0	
Building Acquisition	\$0		\$ / Unit	\$0	\$0	\$ / Unit			\$0		0.0%	\$0	
Closing costs & acq. legal fees				\$35,000	\$35,000							\$0	
Off-Sites		\$0	\$630 / Unit	\$153,600	\$153,600	\$630 / Unit		\$0			0.0%	\$0	
Site Work		\$1,657,309	\$6,792 / Unit	\$1,657,309	\$1,657,309	\$6,792 / Unit		\$1,657,309			0.0%	\$0	
Site Amenities		\$386,000	\$1,705 / Unit	\$416,000	\$416,000	\$1,705 / Unit		\$386,000			0.0%	\$0	
Building Cost		\$15,120,000	\$74.28 /sf	\$63,811/Unit	\$15,570,000	\$16,373,556	\$67,105/Unit	\$78.11 /sf	\$16,040,273		-4.9%	(\$803,556)	
Contingency		\$858,165	5.00%	5.00%	\$889,845	\$889,845	4.78%	4.75%	\$858,165		0.0%	\$0	
Contractor Fees		\$2,523,006	14.00%	14.00%	\$2,616,146	\$2,616,146	13.42%	13.32%	\$2,523,006		0.0%	\$0	
Soft Costs	0	\$1,707,725		\$7,081 / Unit	\$1,727,725	\$1,727,725		\$7,081 / Unit	\$1,707,725	\$0	0.0%	\$0	
Financing	0	\$1,461,100		\$10,199 / Unit	\$2,488,598	\$2,488,598		\$10,199 / Unit	\$1,461,100	\$0	0.0%	\$0	
Developer Fee	\$0	\$3,556,996	15.00%	15.00%	\$3,656,788	\$3,656,788	14.52%	14.44%	\$3,556,996	\$0	0.0%	\$0	
Reserves				\$5,328 / Unit	\$1,300,000	\$1,264,631		\$5,183 / Unit			2.8%	\$35,369	
TOTAL HOUSING DEVELOPMENT COST (UNADJUSTED BASIS)	\$0	\$27,270,302		\$136,725 / Unit	\$33,361,011	\$34,129,198		\$139,874 / Unit	\$28,190,575	\$0	-2.3%	(\$768,187)	
Acquisition Cost	\$0				\$0								
Contingency		\$0			\$0								
Contractor's Fee		\$0			\$0								
Interim Interest		\$0			\$0								
Developer Fee	\$0	\$0			\$0								
Reserves		\$0			\$0								
ADJUSTED BASIS / COST	\$0	\$27,270,302		\$136,725/unit	\$33,361,011	\$34,129,198		\$139,874/unit	\$28,190,575	\$0	-2.3%	(\$768,187)	
TOTAL HOUSING DEVELOPMENT COSTS (Applicant's Uses are within 5% of TDHCA Estimate):						\$33,361,011							

CAPITALIZATION / DEVELOPMENT COST BUDGET / ITEMIZED BASIS ITEMS

Merritt Heritage, Georgetown, 9% HTC/MDL #16185

	CREDIT CALCULATION ON QUALIFIED BASIS			
	Applicant		TDHCA	
	Acquisition	Construction Rehabilitation	Acquisition	Construction Rehabilitation
ADJUSTED BASIS	\$0	\$27,270,302	\$0	\$28,190,575
Deduction of Federal Grants	\$0	\$0	\$0	\$0
TOTAL ELIGIBLE BASIS	\$0	\$27,270,302	\$0	\$28,190,575
High Cost Area Adjustment		130%		130%
TOTAL ADJUSTED BASIS	\$0	\$35,451,392	\$0	\$36,647,748
Applicable Fraction	50.00%	50.00%	50.00%	50.00%
TOTAL QUALIFIED BASIS	\$0	\$17,725,696	\$0	\$18,323,874
Applicable Percentage	3.37%	9.00%	3.37%	9.00%
ANNUAL CREDIT ON BASIS	\$0	\$1,595,313	\$0	\$1,649,149
CREDITS ON QUALIFIED BASIS	\$1,595,313		\$1,649,149	

Method	ANNUAL CREDIT CALCULATION BASED ON APPLICANT BASIS		FINAL ANNUAL LIHTC ALLOCATION		
	Annual Credits	Proceeds	Credit Price	Variance to Request	
			\$0.9998	Credits	Proceeds
Eligible Basis	\$1,595,313	\$15,949,936	----	----	----
Needed to Fill Gap	\$1,296,359	\$12,961,001	----	----	----
Applicant Request	\$1,194,724	\$11,944,851	\$1,194,724	\$0	\$0

	Development Cost/SF	
	Application	TDHCA
Acquisition & Hard Costs	\$101.62	\$105.46
Hard Costs	\$101.62	\$105.46
Building Costs	\$74.28	\$78.11
Total Points Claimed:	12	

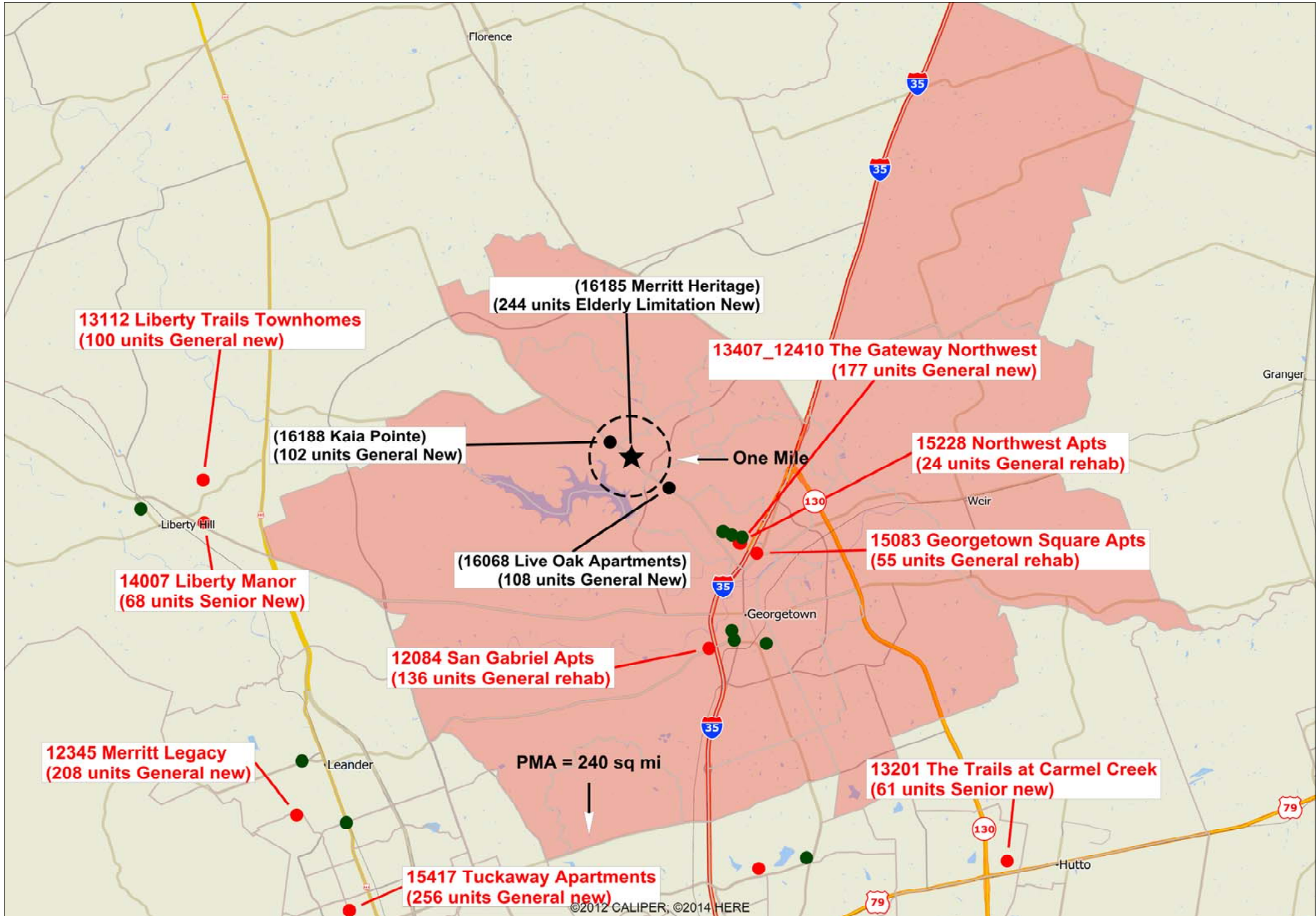
BUILDING COST ESTIMATE				
CATEGORY	FACTOR	UNITS/SF	PER SF	AMOUNT
Base Cost:	Modified Wrap / Fourplex	209,626 SF	\$65.71	13,773,642
Adjustments				
Exterior Wall Finish	2.12%		1.39	\$292,229
Elderly	3.00%		1.97	413,209
9-Ft. Ceilings	3.27%		2.15	449,738
Roof Adjustment(s)			0.43	90,805
Subfloor			(0.12)	(24,129)
Floor Cover			3.55	744,592
Breezeways	\$28.05	0	0.00	0
Balconies	\$27.68	27,613	3.65	764,346
Plumbing Fixtures	\$990	180	0.85	178,200
Rough-ins	\$485	488	1.13	236,680
Built-In Appliances	\$1,725	244	2.01	420,900
Exterior Stairs	\$2,250	24	0.26	54,000
Heating/Cooling			2.14	448,600
Enclosed Corridors	\$48.90	40,611	9.47	1,985,707
Carports	\$11.94	9,720	0.55	116,057
Garages	\$21.61	15,436	1.59	333,572
Comm &/or Aux Bldgs	\$65.71	7,186	2.25	472,162
Elevators	\$77,500	3	1.11	232,500
Other:	Additional Bldg. Area (Laundry, Trash, Etc.)			
	\$48.90	9,628	2.25	470,769
Fire Sprinklers	\$2.47	257,423	3.03	635,835
SUBTOTAL			105.38	22,089,413
Current Cost Multiplier	0.99		(1.05)	(220,894)
Local Multiplier	0.88		(12.65)	(2,650,730)
TOTAL BUILDING COSTS			91.68	\$19,217,789
Plans, specs, survey, bldg permits	3.30%		(3.03)	(\$634,187)
Contractor's OH & Profit	11.50%		(10.54)	(2,210,046)
NET BUILDING COSTS		\$67,105/unit	\$78.11/sf	\$16,373,556

Long-Term Pro Forma

Merritt Heritage, Georgetown, 9% HTC/MDL #16185

	Growth Rate	Year 1	Year 2	Year 3	Year 4	Year 5	Year 10	Year 15	Year 20	Year 30	Year 35
EFFECTIVE GROSS INCOME	2.00%	\$2,896,478	\$2,954,408	\$3,013,496	\$3,073,766	\$3,135,241	\$3,461,560	\$3,821,842	\$4,219,622	\$5,143,696	\$5,679,056
TOTAL EXPENSES	3.00%	\$1,232,897	\$1,268,435	\$1,305,009	\$1,342,652	\$1,381,393	\$1,592,755	\$1,836,880	\$2,118,893	\$2,821,239	\$3,267,693
NET OPERATING INCOME ("NOI")		\$1,663,581	\$1,685,973	\$1,708,487	\$1,731,114	\$1,753,848	\$1,868,805	\$1,984,962	\$2,100,729	\$2,322,457	\$2,411,363
MUST -PAY DEBT SERVICE											
Citi Bank		\$1,185,732	\$1,185,732	\$1,185,732	\$1,185,732	\$1,185,732	\$1,185,732	\$1,185,732	\$1,185,732	\$1,185,732	\$1,185,732
TDHCA		\$101,185	\$101,185	\$101,185	\$101,185	\$101,185	\$101,185	\$101,185	\$101,185	\$101,185	\$101,185
TOTAL DEBT SERVICE		\$1,286,917	\$1,286,917	\$1,286,917	\$1,286,917	\$1,286,917	\$1,286,917	\$1,286,917	\$1,286,917	\$1,286,917	\$1,286,917
ANNUAL CASH FLOW		\$376,664	\$399,056	\$421,570	\$444,197	\$466,931	\$581,888	\$698,045	\$813,813	\$1,035,540	\$1,124,446
CUMULATIVE NET CASH FLOW		\$376,664	\$775,721	\$1,197,291	\$1,641,488	\$2,108,419	\$4,787,195	\$8,044,914	\$11,882,967	\$21,257,037	\$26,711,783
DEBT COVERAGE RATIO		1.29	1.31	1.33	1.35	1.36	1.45	1.54	1.63	1.80	1.87
EXPENSE/INCOME RATIO		42.6%	42.9%	43.3%	43.7%	44.1%	46.0%	48.1%	50.2%	54.8%	57.5%
Deferred Developer Fee Balance		\$639,485	\$240,429	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0

16185 Merritt Heritage PMA Map



Disclaimer: This map is not a survey. Boundaries, distance and scale are approximate only.



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May 22, 2017

(Via e-mail)

Ms. Leslie Bingham Escareño, Vice Chair
Texas Department of Housing & Community Affairs
221 East 11th Street
Austin, Texas 78701

Re: Merritt Heritage in Georgetown
TDHCA No. 17504 and 16210

Dear Ms. Bingham Escareño:

We represent DDC Merritt Heritage, Ltd. (the "**Applicant**"), which received an allocation of low-income housing tax credits in the amount of \$1,194,724 and a CHDO HOME loan in the amount of \$2,000,000 from TDHCA in 2016. In the wake of an unexpected and dramatic change in tax credit pricing after the November election, accompanied by increasing construction costs in the Austin metropolitan area, the Applicant sought to bridge the gap in its sources and uses with an additional Direct Loan in the amount of \$1,000,000. The Applicant requested the new Direct Loan on terms that differed from those set forth in the NOFA and presented a pro forma that would be considered financially feasible under TDHCA's real estate analysis rules. At the same time, the Applicant requested a revision to the terms of the HOME loan. The terms that were requested for both loans were based upon request of the Applicant's debt and equity providers, as to what they sought to satisfy their underwriting. The application was submitted on March 6, 2017, as soon as it could be, based upon completion of the plans. The application did not include reductions to the developer fee or management fee, as noted in the underwriting report. Nor did it include increases to rents, cable income, or a property tax estimate, all of which became available after the application was submitted.

The Applicant recently learned that EARAC is not recommending approval of this new Direct Loan. Nor is staff recommending the revised terms for the HOME loan, except for the extension of the term to 40 years, consistent with HUD requirements. The Applicant has not had an opportunity to perform an in-depth review of the staff's underwriting analysis but generally understands that: (1) staff is constrained from underwriting the Direct Loan upon terms different than those in the NOFA, (2) staff feels constrained from altering the terms of the HOME loan, after the NOFA has already been closed and

(3) using TDHCA's standard underwriting criteria, the development does not meet the financial feasibility requirement of a 1.15 debt service coverage ratio with the new Direct Loan in place.

The Applicant seeks the Board's direction for staff to utilize flexibility in its underwriting to accommodate the unusual circumstances associated with the drop in credit pricing. The Board has heard of the struggles of developers who initially underwrote their transactions more than a year ago, under very different circumstances.

As to the Direct Loan terms, § 10.301(a) of the Underwriting and Loan Policy rules says:

“Due to the unique characteristics of each Development, the interpretation of the rules and guidelines described in this Subchapter is subject to the discretion the Department and final determination by the Board.”

The Applicant would like the Board to use this discretion to approve the additional Direct Loan as requested.

As to the revision of the terms of the HOME loan, §13.12 of the Direct Loan Rules says the following:

The Executive Director or authorized designee **may approve amendments to loan terms** prior to closing as described in paragraphs (1) - (7) of this section. Board approval is necessary for any other changes prior to closing.

(1) extensions of up to 6 months to the loan closing date specified in §13.8(a)(4) of this Chapter. An Applicant must document good cause, which may include constraints in arranging a multiple-source closing;

(2) **changes to the loan maturity date to accommodate the requirements of other lenders or to maintain parity of term;**

(3) extensions of up to 12 months for the construction completion or loan conversion date based on documentation that the extension is necessary to complete construction and that there is good cause for the extension. Such a request will generally not be approved prior to initial loan closing;

(4) **changes to the loan amortization or interest rate** that cause the annual repayment amount to decrease less than 20 percent or any changes to the amortization or interest rate that increases the annual repayment amount;

(5) decreases in the Direct Loan amount, provided the decrease does not jeopardize the financial viability of the Development. Increases will generally not be approved unless the Applicant competes for the additional funding under an open NOFA;

(6) changes to other loan terms or requirements as necessary to facilitate the loan closing without exposing the Department to undue financial risk; and

(7) An Applicant may request a change to the terms of a loan. Except for an award of funds to a Development that has had a *Force Majeure* event (and such an event necessitates an immediate change to the loan), such changes for federal awards will only be processed after the Development is reported to the federal oversight entity as completed. Requests for changes to the loan post closing will be processed as loan modifications and may require additional approval by the Department's Asset Management Division. Post closing loan modifications requiring changes in the Department's loan terms, lien priority, or amounts (other than in the event of a payoff) will generally only be considered as part of a Department or Asset Management Division work out arrangement or other condition intended to mitigate financial risk to the Department, and will not require additional Executive Director or Board approval except where the amendment request was not allowed under the NOFA, or where the post closing change could have been anticipated prior to closing as determined by staff.

This clearly implies that the staff has the authority to change the terms of a HOME loan, even after a NOFA is closed.

The Applicant will present testimony at the upcoming Board meeting in support of the request that has been made, and will greatly appreciate your consideration. This testimony will include trying to resolve perceived discrepancies in the revised underwriting report, just posted today, including:

- The underwriting report notes that the HUD loan application does not contemplate the additional \$1,000,000 Direct Loan. This is because it has not been awarded yet, and waiting to file the HUD application after TDHCA's determination causes a delay that could jeopardize the placement in service date.
- The underwriting report notes increased construction costs due to "costly design changes." The Applicant is not aware of any costly improvement. The gross square footage was actually reduced by moving the detached garages into the main building.

We sincerely hope that the Board will help the Applicant work with TDHCA to find a positive solution for this development.

Sincerely,



Cynthia L. Bast

cc: Colby Denison
Denison Development

Dan Kierce
RBC Capital

Jeff Rogers
Dougherty Mortgage

Joyce McDonald
Frameworks Community Development Corporation

DDC Merritt Heritage, Ltd.
TDHCA HTC # 16185

DDC Merritt Heritage, Ltd received a 2016 9% HTC award and a 2016 HOME award for TDHCA # 16185 – Merritt Heritage Apartments located in Georgetown. As you are aware there is a great deal of uncertainty in the LIHTC markets due to the potential reduction in the corporate tax rate. Also, interest rates are on the rise and construction costs remain high in Central Texas. Therefore, we have pursued an alternative financing structure utilizing HUD 221(d)4 loan program in combination with tax credit equity and HOME funds. We respectfully submit this application for additional funding from the 2017 Multifamily Direct Loan NOFA. This letter and the application package detail the current financing structure and progress we have made to date.

Merritt Heritage is well into the design phase and we anticipate obtaining permitted plans from the City of Georgetown in March of 2017. We have used the best estimates available from our recent Merritt Hill Country development (TDHCA # 15273) to bid Merritt Heritage which is located in the same MSA and using the same subcontractors.

Dougherty Markets was engaged on November 16, 2016. We attended a concept meeting with HUD on December 22nd, and received written notification to proceed with the application for 221(d)4 financing (“FHA loan”) on December 23rd. The FHA loan is proposed to have payments based on a 4.17% loan rate plus 25 bps non-amortizing MIP fee. We have been advised by our lender, Dougherty Markets, to use these rates, but we have no guarantee this will be the rate by the time HUD issues a rate lock. We have been advised by our equity provider, RBC, that \$0.865 is the best price to be expected; however, this is also subject to uncertainty. Closing is anticipated to occur in the summer of 2017.

In order to ensure a successful project which can close this summer, we must allow for cushion in interest rates and further drop in tax credit pricing. In addition to the awarded allocation of \$2 million of HOME, we are requesting an additional \$1 million from the 2017 MF Direct Loan NOFA for a total of \$3 million. We must request an amendment to the terms of the HOME funds to reflect a 0% interest rate and a term of 40 years at which point the principal balance will be repaid in full upon maturity. The HOME funds will be subordinate to the FHA loan. The financial exhibits in the application show that the result of this financing structure is a 1.15 DCR.

Our equity investor, RBC, does not offer bridge loans of any kind, and we have not been able to obtain a bridge loan from other lending institutions as the market is nonexistent. Therefore, we must use HOME funds to facilitate pari passu funding with FHA during construction. For these reasons, we must request a general waiver to 10 TAC 13.11 (p)(3) and (p)(9) regarding full disbursement of the HOME funds at closing to cover non-FHA costs and to allow equity to participate in a shared funding structure during the construction period. This waiver is necessary based on the unforeseen complications with Merritt Hill Country during construction draw funding. Merritt Hill Country does not have a bridge loan and is funded by FHA, HOME and tax credit equity; and after the interim closing we were notified that FHA requires a shared funding structure during construction and that is why we are asking for the waiver for the HOME disbursement policy in this application for Merritt Heritage as the two deals share a similar financing structure, and we now know what to expect from FHA during the construction phase.

To prevent a repeat of the delays to closing of Merritt Hill Country, which placed the project in jeopardy of meeting the placed in service deadline due to unanticipated board approval of changes to the financing structure, we are submitting:

- i. this application for additional funding under the 2017 MF Direct Loan NOFA,

DDC Merritt Heritage, Ltd.
TDHCA HTC # 16185

- ii. a change in terms of the 2016 HOME award,
- iii. a variance in the terms of the interest rate and amortization and terms associated with the 2017 MF Direct Loan NOFA,
- iv. notification to the Department of a change to the financing structure, and
- v. a waiver to the HOME loan disbursement policy: 10 TAC 13.11(p)(3) and 13.11(p)(9).

We believe it is necessary to make these requests due to the uncertainty of construction pricing, interest rates, and equity pricing. Additionally, we believe that FHA financing and additional HOME funds structured as described above put forth a capital structure that is feasible and delivers the affordable housing to the City of Dripping Springs.

Sincerely,

A handwritten signature in black ink, appearing to read 'Colby Denison', with a long horizontal line extending to the right.

Colby Denison
Authorized Representative



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March 9, 2017

VIA EMAIL

Tim Irvine
Texas Department of Housing and Community Affairs
221 East 11th Street
Austin, Texas 78701

RE: Merritt Heritage in Georgetown (the "**Development**")
(TDHCA No. 16185)
Direct Loan Application – Deficiency Response and Waiver Request

Dear Tim:

We serve as counsel for DDC Merritt Heritage, Ltd. (the "**Owner**"), which is developing and financing the Development. In 2016, the Owner received commitments for low-income housing tax credits and a HOME loan from the Department in the amount \$2,000,000.00 (the "**HOME Loan**"). Due to decreased tax credit equity pricing, increased construction costs, and increased interest rates, the Development is now trying to fill a financing gap and has applied for another Multifamily Direct Loan in the amount of \$1,000,000 under the 2017 NOFA (the "**Requested Loan**"). In multiple TDHCA Board meetings, Staff and Board have encouraged developers with gaps due to market conditions to present revised financing structures that make the deal feasible. In particular, Staff has cited the Multifamily Direct Loan program as a source for filling those gaps. The Owner's application for the Requested Loan is presented in spirit of seeking feasibility. The Owner has asked for:

(1) Revisions to the terms of the HOME Loan, which are permitted under 10 TAC §13.12. Specifically, a change to the loan maturity date to permit the FHA loan is allowed. Changes to the amortization and interest rate are permitted under 10 TAC §13.12, as well.

(2) A variance to the standard loan terms for the Requested Loan, which is permitted under 10 TAC §13.8(a). "If the Department determines that the Development does not support this structure, the Department may recommend an alternative that makes the development feasible" Further, 10 TAC §13.8 permits TDHCA to establish loan terms that are consistent with FHA financing, including the maturity date and repayment terms.

(3) A waiver of 10 TAC §13.11(p)(3) and (9) with respect to disbursement for both the HOME Loan and the Requested Loan.

In conjunction with the Direct Loan Application for the Requested Loan, the Owner has received an Administrative Deficiency as follows:

TAB 17 – 10 TAC §13.8(c) requires an Amortization of 30 years and minimum interest rate of 3.25%. It appears you are requesting Direct Loan terms outside of 10 TAC §13.8(c). Please revise the Direct Loan request to reflect terms outlined in 10 TAC §13.8(c) or provide a waiver request in accordance with 10 TAC §10.207(a)(2).

In response to the Administrative Deficiency, we note that variances as to amortization and interest rate do not require a waiver request. The terms of the HOME Loan can be revised pursuant to 10 TAC §13.12 to promote feasibility, and the terms of the Requested Loan can deviate from those set forth in 10 TAC §13.8(a) to promote feasibility. Further, the rules permit a change in the maturity date and repayment terms as needed for consistency with FHA financing. The Owner is asking TDHCA to amend the terms of the HOME Loan and to adjust the terms of the Requested Loan as needed to make the Development feasible.

Disbursement – Waiver Request

Changing the terms of disbursement may require a waiver, and the Owner requested such in its Direct Loan Application. Support for that waiver is set forth below. The Owner has noted in its Direct Loan Application that HUD requires a subordinate loan to be disbursed on a pro rata basis with the disbursement of the insured mortgage proceeds. See Section 8.12.C.3. of the HUD MAP Guide:

3. Grant/loan proceeds must be advanced either:

1) Before the insured mortgage proceeds, or

2) Concurrently and on a pro rata basis with the disbursement of the insured mortgage proceeds.

NOTE: If the grant/loan proceeds are not available at initial endorsement, HUD may either:

(a) Proceed to initial endorsement, but not disburse any insured mortgage proceeds until the grant/loan is in place and the funds are available for disbursement, or

(b) Have the Borrower/Sponsor fund an escrow equal to the grant/loan. Advances from this escrow must follow outstanding instructions for the disbursement of the grant/loan.

3) Release of grant/loan proceeds cannot be conditioned on the completion of specific project improvements.

TDHCA's requirements in 10 TAC §13.12(p)(3) and (9) are inconsistent with HUD's requirements, as set forth in the MAP Guide. To the extent, a waiver of this rule is necessary, 10 TAC §10.207(a)(2) states:

(2) The waiver request must establish how it is necessary to address circumstances beyond the Applicant's control and how, if the waiver is not granted, the Department will not fulfill some specific requirement of law. In this regard, the policies and purposes articulated in Tex. Gov't Code, §§2306.001, 2306.002, 2306.359, and 2306.6701, are general in nature and apply to the role of the Department and its programs, including the Housing Tax Credit program.

As noted in the Owner's Direct Loan Application, the changes to the equity market, construction pricing, and interest rates are outside of its control. The Owner is working in good faith to assure the financial feasibility of the Development, and FHA insured financing is the best permanent debt tool for that purpose. The fact that TDHCA's rules regarding disbursement are not consistent with the MAP Guide is also not within the Owner's control. Granting this waiver request is necessary for TDHCA to fulfill requirements of federal and state law, as discussed below.

FHA Financing and MAP Guide

Legal authority found in 24 CFR §200.54 states that all sources other than the FHA loan proceeds must be disbursed prior to the release of FHA loan proceeds, except in certain circumstances:

§ 200.54 Project completion funding.

(b) An agreement acceptable to the Commissioner shall require that funds provided by the mortgagor under requirements of this section must be disbursed in full for project work, material, and incidental charges and expenses before disbursement of any mortgage proceeds, except:

*(c) Low-income housing tax credit syndication proceeds, historic tax-credit syndication proceeds, New Markets Tax Credits proceeds, or funds provided by a grant or loan from a Federal, State, or local governmental agency or instrumentality under requirements of this section need not be fully disbursed before the disbursement of mortgage proceeds, where approved by the Commissioner **in accordance with terms, conditions, and standards established by the Commissioner**; (emphasis added)*

The "terms, conditions, and standards" for disbursement of a loan from a state governmental agency are set forth in Section 8.12 of the MAP Guide, as set forth above. The MAP Guide is promulgated by HUD "to establish national standards for approved lenders to prepare, process and submit loan applications for Federal Housing Administration (FHA) multifamily

mortgage insurance." The most recent version of the MAP Guide was published in January 2016. Section 1.1 of the MAP Guide states:

Statutory authority for the implementation of MAP is contained in the basic insuring authority for each of the programs covered in MAP, pursuant to the National Housing Act, Sections 220, 221(d)(4), 231, 241(a), 223(a)(7), and 223(f). Additionally, Section 211 of the National Housing Act and Section 7(d) of the Department of HUD Act authorizes the Secretary to make such rules and regulations as may be necessary to carry out the provisions of the Act.

Legal Considerations

The Texas Government Code addresses TDHCA's oversight of federal programs and the need for consistency with federal authority. Section 2306.1111(a) of the Government Code says:

Notwithstanding any other state law **and to the extent consistent with federal law**, the department shall establish uniform application and funding cycles for all competitive single-family and multifamily housing programs administered by the department under this chapter (emphasis added)

The mandate to operate within applicable federal program requirements is further recognized at 10 TAC § 13.1(a):

Notwithstanding anything in this Chapter to the contrary, loans and grants issued to finance the Development of multifamily rental housing are subject to the requirements of the laws of the State of Texas, including but not limited to Tex. Gov't Code, Chapter 2306, and federal law pursuant to the requirements of Title II of the Cranston-Gonzalez National Affordable Housing Act and the implementing regulations 24 CFR Part 91, Part 92, and Part 93, as they may be applicable to a specific fund source. The Department is authorized to administer HOME funds pursuant to Tex Gov't Code, §2306.111. Tex Gov't Code Chapter 2306, Subchapter I, Housing Finance Division.

Further, the intent to comply with federal programmatic requirements is evident in 10 TAC §13.1(c):

In no instance will the Department consider a waiver request that would violate **federal program requirements** or state or federal statute. (emphasis added)

At the time TDHCA approved the rule at 10 TAC §13.11(p)(3) and (9) with regard to disbursement of Direct Loan funds, TDHCA was well aware of the MAP Guide requirement for disbursement. Given the statutory and regulatory direction that TDHCA operate its programs in a manner consistent with federal law and federal program requirements, it is therefore reasonable that TDHCA grant this waiver as necessary for TDHCA to fulfill some specific requirement of law.

Tim Irvine
March 9, 2017
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We believe this submission satisfies the Administrative Deficiency and look forward to your response to the waiver request.

Sincerely,



Cynthia L. Bast

cc: Colton Sanders
Colby Denison
Joyce McDonald
Jeff Rogers
(via email)

BOARD ACTION REQUEST
MULTIFAMILY FINANCE DIVISION
MAY 25, 2017

Presentation, Discussion, and Possible Action regarding an Award of Direct Loan funds from the 2017-1 Multifamily Direct Loan Notice of Funding Availability

RECOMMENDED ACTION

WHEREAS, the Department has received a total of thirty-five applications for Multifamily Direct Loan funds under the 2017-1 Multifamily Direct Loan Notice of Funding Availability (“NOFA”);

WHEREAS, Application #17505, which is requesting \$1,000,000 in Direct Loan funds for Merritt Monument, is an application that has received a complete review for compliance with program requirements and has been deemed a Large Portfolio Category 2;

WHEREAS, the applicant is requesting a waiver of the amortization and repayment provisions in 10 TAC §13.8(a), a change in the terms of the previously awarded \$2 million in HOME funds, and a waiver of the HOME loan disbursement policy in 10 TAC §13.11(p);

WHEREAS, 10 TAC §10.207(a)(2) states that a “waiver request must establish how it is necessary to address circumstances beyond the Applicant’s control and how, if the waiver is not granted, the Department will not fulfill some specific requirement of law;”

WHEREAS, while circumstances beyond the Applicant’s control do exist, staff has not identified a specific requirement of law that will not be fulfilled if the waiver requests are not granted;

WHEREAS, an Underwriting Report has not been finalized and this is a required element of awarding HOME funds per 24 CFR§ 92.250 and CPD Notice 15-11;

WHEREAS, despite the lack of an Underwriting Report, the Applicant has requested to be placed on this Board’s agenda; and

WHEREAS, staff has determined this application to be financially infeasible under both the terms required in the 2016-1 Multifamily Direct Loan NOFA and 2017-1 Multifamily Direct Loan NOFA, as well as the more accommodative terms requested in conjunction with the above-referenced waiver requests;

NOW, therefore, it is hereby

RESOLVED, that the requested \$1,000,000 in additional Direct Loan funds from the 2017-1 NOFA for Merritt Monument is hereby denied in the form presented at this meeting and

FURTHER RESOLVED, that no modifications are being made to the terms of the previously awarded \$2 million in HOME funds under the 2016-1 Multifamily Direct Loan NOFA.

BACKGROUND

On December 15, 2016, the Board approved the 2017-1 Multifamily Direct Loan NOFA with \$32,549,905 in funds with up to \$4,000,000 in the Supportive Housing/ Soft Repayment Set-Aside, \$4,723,589, in the CHDO Set-Aside, and \$23,826,316 in the General Set-Aside. The NOFA was amended at last month's Board meeting to include \$2,299,235 in additional TCAP Repayment Funds, all of which was programmed under the General Set-Aside, thereby increasing the General Set-Aside to \$26,125,551, and the overall NOFA amount to \$34,849,140.

Staff is recommending the Board deny Merritt Monument application (17505) for Direct Loan funds totaling \$1,000,000 under the CHDO Set-Aside. The applicant has noted that the equity pricing decrease (\$1.00 to 86.5 cents) and building cost increase of approximately \$4.2 million (21.5%) since award of 2016 Competitive Housing Tax Credit and Direct Loan awards has led them to request additional HOME funds under the 2017-1 NOFA, while also requesting a change in terms for the previously awarded HOME funds under the 2016-1 NOFA. Staff is not aware of authority to waive the terms of the 2016-1 NOFA, as that NOFA is now closed.

The Applicant is also requesting that the \$1 million requested under the 2017-1 NOFA be awarded with terms that are not permissible under the NOFA and rules (10 TAC Chapter 10 and 10 TAC Chapter 13). Specifically, the applicant is requesting that the previously awarded \$2 million at 3.0% interest and 30 year amortization be modified to 0% interest rate and 40 year amortization with all payment on the loan deferred until year 40. The same terms have been requested for the current \$1 million request. Rather than using developer fee and the ability to defer developer fee as a bulwark against rising construction costs, the applicant has increased developer fee approximately \$542,000 (31%), which has prompted the applicant to request changes to both the request for \$1 million under the 2017-1 NOFA, and the request for change to the \$2 million awarded under the 2016-1 NOFA.

Staff was not able to finalize an Underwriting Report for this application given the following: a firm application for 221(d)(4) insurance has not been submitted and is not planning on being submitted until later this summer according to the applicant; third party reports, which would result in substantially final costs, expenses, and income assumptions, have not been ordered by the lender (Dougherty Mortgage); and there are dozens of 2017 9% HTC applications that are statutorily required to be underwritten within the next 60 days. For these reasons, staff de-prioritized underwriting the funds requested under the 2017-1 NOFA, as underwriting is a required element of awarding funds per 24 CFR §92.250 and CPD Notice 15-11.

The applicant has stated that the changes in the equity market, construction pricing, and interest rates are outside of its control and that there are FHA financing requirements that justify the waiver request in order to "fulfill some specific requirement of law" as required in 10 TAC §10.207(a)(2).

Staff acknowledges that there have been circumstances beyond the applicant's control but does not agree that the FHA financing requirements would dictate the terms of the Department's HOME funds beyond the maturity date. The Department has provided subordinate financing for dozens of transactions with FHA insured first lien loans where the Department's funds were not required to be deferred payable upon maturity.

Further, the Applicant has requested waiver of 10 TAC §13.11(p)(3) "At least 50 percent of the funds will be withheld from the initial disbursement of loan funds to allow for periodic disbursements" and 10 TAC §13.11(p)(9) which limits subsequent disbursement to the percentage of completion and imposes specific requirements for final draw. The Applicant has requested that the full amount of HOME funds be disbursed at loan closing. If the Applicant receives all of the HOME funds at closing, the Department will be at significant risk for completion of all regulatory requirements, and therefore at risk of repayment to HUD.

While staff and the Board have previously signaled a willingness to work with 2016 9% Housing Tax Credit awardees that have experienced and can document a loss in prospective equity attributable to a decline in syndication rates, the waiver requests made in connection with this application go far beyond staff's ability to recommend.

EARAC considered this Application on May 15, 2017 and unanimously voted to recommend denial of the Application, and to not make any changes to the previously awarded HOME funds.

DDC Merritt Monument, Ltd.
TDHCA HTC # 16210

DDC Merritt Monument, Ltd received a 2016 9% HTC award and a 2016 HOME award for TDHCA # 16210 – Merritt Monument Apartments located in Midland. As you are aware there is a great deal of uncertainty in the LIHTC markets due to the potential reduction in the corporate tax rate. Also, interest rates are on the rise and construction costs remain high in the Midland MSA. Therefore, we have pursued an alternative financing structure utilizing a HUD 221(d)4 loan in combination with tax credit equity and HOME funds. We respectfully submit this application for additional HOME funding from the 2017 Multifamily Direct Loan NOFA. This letter and the application submission package details the current financing structure and progress we have made since January 1st. Additionally, we are requesting an amendment to the HOME loan terms and a waiver request as described below.

Merritt Monument is well into the design phase and we anticipate receiving permitted plans from the City of Midland by July of 2017. We have used the best construction cost estimates available from three general contractors that have recently completed developments in the Midland area to determine the development costs.

Dougherty Markets will be the lender and recently attended a HUD Concept Meeting with us on March 8, 2017. HUD provided written notification to proceed with the 221(d)4 loan application on March 10th. Dougherty Markets has advised us to use a 4.17% loan rate plus 25 bps MIP fee, but we have no guarantee this will be the final rate issued at rate lock. We have been advised by our equity provider, RBC, that \$0.86 is the best price to be expected; however, this is also subject to uncertainty. Interim closing is anticipated to occur by the end of the summer.

In order to ensure a successful project which can close this summer, we must allow for cushion in interest rates and further drop in tax credit pricing. In addition to the awarded allocation of \$2 million of HOME, we are requesting an additional \$1 million from the 2017 MF Direct Loan NOFA for a total of \$3 million. We must request an amendment to the terms of the HOME funds to reflect a 0% interest rate and a term of 40 years at which point the principal balance will be repaid in full upon maturity. The HOME funds will be subordinate to the 221(d)4 loan. The financial exhibits in the application show that the result of this financing structure is a 1.15 DCR.

Our equity investor, RBC, does not offer bridge loans of any kind, and we have not been able to obtain a bridge loan from other lending institutions as the market is nonexistent. Therefore, we must use HOME funds to facilitate a pari passu funding structure with the 221(d)4 loan during construction. For these reasons, we must request a general waiver to 10 TAC 13.11(p)(3) and (9) regarding full disbursement of the HOME funds at closing to cover non-mortgageable costs and to allow equity to participate in a share funding structure during the construction period. This waiver is necessary based on the unforeseen complication with Merritt Hill Country (TDHCA # 15273) during construction draw funding. Merritt Hill Country does not have a bridge loan and is funded by HUD, HOME and tax credit equity; and after the interim closing we were notified that HUD requires a shared funding structure during construction. This is why we are asking for the waiver for the HOME disbursement policy in this application for Merritt Monument as the two deal share a similar financing structure, and we now know what to expect from HUD during the construction phase.

DDC Merritt Monument, Ltd.

TDHCA HTC # 16210

To prevent a repeat of the delays to closing of Merritt Hill Country, which placed the project in jeopardy of meeting the placed in service deadline due to unanticipated board approval of changes to the financing structure, we are submitting:

- i. this application for additional funding under the 2017 MF Direct Loan NOFA,
- ii. a change in the terms of the 2016 HOME award,
- iii. a variance in the terms of the interest rate and amortization and terms associated with the 2017 MF Direct Loan NOFA,
- iv. notification to the Department of a change to the financing structure, and
- v. a waiver to the HOMD loan disbursement policy: 10 TAC 13.11(p)(3) and (9).

We believe it is necessary to make these requests due to the uncertainty of construction pricing, interest rates, and equity pricing. All of this is to say that we are doing everything possible to avoid the similar fate as Merritt Leisure. As previously stated in the effort to save the Merritt Leisure transaction, Midland is easily the most difficult place in Texas to develop and build. Population has not shrunk with declining oil prices, drilling is accelerating, and the risk of losing construction jobs to the oil industry is alive and well. Many subcontractors continue to be wary of taking their crews there, so pricing reflects that embedded risk. Additionally, we believe that 221(d)4 financing and additional HOME funds structure as described above and within the 2017 MF Direct Loan Application put forth a capital structure that is feasible and delivers the affordable housing to the City of Midland.

Sincerely,

A handwritten signature in black ink, appearing to be 'Colby Denison', written over a horizontal line.

Colby Denison

Authorized Representative



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Austin, Texas 78701-3055
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www.lockelord.com

Cynthia Bast
Direct Telephone: 512-305-4707
Direct Fax: 512-391-4707
cbast@lockelord.com

March 16, 2017

VIA EMAIL

Tim Irvine
Texas Department of Housing and Community Affairs
221 East 11th Street
Austin, Texas 78701

RE: Merritt Monument in Midland (the "**Development**")
(TDHCA No. 16210)
Direct Loan Application – Deficiency Response and Waiver Request

Dear Tim:

We serve as counsel for DDC Merritt Monument, Ltd. (the "**Owner**"), which is developing and financing the Development. In 2016, the Owner received commitments for low-income housing tax credits and a HOME loan from the Department in the amount \$2,000,000.00 (the "**HOME Loan**"). Due to decreased tax credit equity pricing, increased construction costs, and increased interest rates, the Development is now trying to fill a financing gap and has applied for another Multifamily Direct Loan in the amount of \$1,000,000 under the 2017 NOFA (the "**Requested Loan**"). In multiple TDHCA Board meetings, Staff and Board have encouraged developers with gaps due to market conditions to present revised financing structures that make the deal feasible. In particular, Staff has cited the Multifamily Direct Loan program as a source for filling those gaps. The Owner's application for the Requested Loan is presented in spirit of seeking feasibility. The Owner has asked for:

(1) Revisions to the terms of the HOME Loan, which are permitted under 10 TAC §13.12. Specifically, a change to the loan maturity date to permit the FHA loan is allowed. Changes to the amortization and interest rate are permitted under 10 TAC §13.12, as well.

(2) A variance to the standard loan terms for the Requested Loan, which is permitted under 10 TAC §13.8(a). "If the Department determines that the Development does not support this structure, the Department may recommend an alternative that makes the development feasible" Further, 10 TAC §13.8 permits TDHCA to establish loan terms that are consistent with FHA financing, including the maturity date and repayment terms.

(3) A waiver of 10 TAC §13.11(p)(3) and (9) with respect to disbursement for both the HOME Loan and the Requested Loan.

In conjunction with the Direct Loan Application for the Requested Loan, the Owner has received an Administrative Deficiency as follows:

TAB 17 – 10 TAC §13.8(c) requires an Amortization of 30 years and minimum interest rate of 3.25%. It appears you are requesting Direct Loan terms outside of 10 TAC §13.8(c). Please revise the Direct Loan request to reflect terms outlined in 10 TAC §13.8(c) or provide a waiver request in accordance with 10 TAC §10.207(a)(2).

In response to the Administrative Deficiency, we note that variances as to amortization and interest rate do not require a waiver request. The terms of the HOME Loan can be revised pursuant to 10 TAC §13.12 to promote feasibility, and the terms of the Requested Loan can deviate from those set forth in 10 TAC §13.8(a) to promote feasibility. Further, the rules permit a change in the maturity date and repayment terms as needed for consistency with FHA financing. The Owner is asking TDHCA to amend the terms of the HOME Loan and to adjust the terms of the Requested Loan as needed to make the Development feasible.

Disbursement – Waiver Request

Changing the terms of disbursement may require a waiver, and the Owner requested such in its Direct Loan Application. Support for that waiver is set forth below. The Owner has noted in its Direct Loan Application that HUD requires a subordinate loan to be disbursed on a pro rata basis with the disbursement of the insured mortgage proceeds. See Section 8.12.C.3. of the HUD MAP Guide:

3. Grant/loan proceeds must be advanced either:

1) Before the insured mortgage proceeds, or

2) Concurrently and on a pro rata basis with the disbursement of the insured mortgage proceeds.

NOTE: If the grant/loan proceeds are not available at initial endorsement, HUD may either:

(a) Proceed to initial endorsement, but not disburse any insured mortgage proceeds until the grant/loan is in place and the funds are available for disbursement, or

(b) Have the Borrower/Sponsor fund an escrow equal to the grant/loan. Advances from this escrow must follow outstanding instructions for the disbursement of the grant/loan.

3) Release of grant/loan proceeds cannot be conditioned on the completion of specific project improvements.

TDHCA's requirements in 10 TAC §13.11(p)(3) and (9) are inconsistent with HUD's requirements, as set forth in the MAP Guide. To the extent, a waiver of this rule is necessary, 10 TAC §10.207(a)(2) states:

(2) The waiver request must establish how it is necessary to address circumstances beyond the Applicant's control and how, if the waiver is not granted, the Department will not fulfill some specific requirement of law. In this regard, the policies and purposes articulated in Tex. Gov't Code, §§2306.001, 2306.002, 2306.359, and 2306.6701, are general in nature and apply to the role of the Department and its programs, including the Housing Tax Credit program.

As noted in the Owner's Direct Loan Application, the changes to the equity market, construction pricing, and interest rates are outside of its control. The Owner is working in good faith to assure the financial feasibility of the Development, and FHA insured financing is the best permanent debt tool for that purpose. The fact that TDHCA's rules regarding disbursement are not consistent with the MAP Guide is also not within the Owner's control. Granting this waiver request is necessary for TDHCA to fulfill requirements of federal and state law, as discussed below.

FHA Financing and MAP Guide

Legal authority found in 24 CFR §200.54 states that all sources other than the FHA loan proceeds must be disbursed prior to the release of FHA loan proceeds, except in certain circumstances:

§ 200.54 Project completion funding.

(b) An agreement acceptable to the Commissioner shall require that funds provided by the mortgagor under requirements of this section must be disbursed in full for project work, material, and incidental charges and expenses before disbursement of any mortgage proceeds, except:

*(c) Low-income housing tax credit syndication proceeds, historic tax-credit syndication proceeds, New Markets Tax Credits proceeds, or funds provided by a grant or loan from a Federal, State, or local governmental agency or instrumentality under requirements of this section need not be fully disbursed before the disbursement of mortgage proceeds, where approved by the Commissioner **in accordance with terms, conditions, and standards established by the Commissioner**; (emphasis added)*

The "terms, conditions, and standards" for disbursement of a loan from a state governmental agency are set forth in Section 8.12 of the MAP Guide, as set forth above. The MAP Guide is promulgated by HUD "to establish national standards for approved lenders to prepare, process and submit loan applications for Federal Housing Administration (FHA) multifamily

mortgage insurance." The most recent version of the MAP Guide was published in January 2016. Section 1.1 of the MAP Guide states:

Statutory authority for the implementation of MAP is contained in the basic insuring authority for each of the programs covered in MAP, pursuant to the National Housing Act, Sections 220, 221(d)(4), 231, 241(a), 223(a)(7), and 223(f). Additionally, Section 211 of the National Housing Act and Section 7(d) of the Department of HUD Act authorizes the Secretary to make such rules and regulations as may be necessary to carry out the provisions of the Act.

Legal Considerations

The Texas Government Code addresses TDHCA's oversight of federal programs and the need for consistency with federal authority. Section 2306.1111(a) of the Government Code says:

Notwithstanding any other state law **and to the extent consistent with federal law**, the department shall establish uniform application and funding cycles for all competitive single-family and multifamily housing programs administered by the department under this chapter (emphasis added)

The mandate to operate within applicable federal program requirements is further recognized at 10 TAC § 13.1(a):

Notwithstanding anything in this Chapter to the contrary, loans and grants issued to finance the Development of multifamily rental housing are subject to the requirements of the laws of the State of Texas, including but not limited to Tex. Gov't Code, Chapter 2306, and federal law pursuant to the requirements of Title II of the Cranston-Gonzalez National Affordable Housing Act and the implementing regulations 24 CFR Part 91, Part 92, and Part 93, as they may be applicable to a specific fund source. The Department is authorized to administer HOME funds pursuant to Tex Gov't Code, §2306.111. Tex Gov't Code Chapter 2306, Subchapter I, Housing Finance Division.

Further, the intent to comply with federal programmatic requirements is evident in 10 TAC §13.1(c):

In no instance will the Department consider a waiver request that would violate **federal program requirements** or state or federal statute. (emphasis added)

At the time TDHCA approved the rule at 10 TAC §13.11(p)(3) and (9) with regard to disbursement of Direct Loan funds, TDHCA was well aware of the MAP Guide requirement for disbursement. Given the statutory and regulatory direction that TDHCA operate its programs in a manner consistent with federal law and federal program requirements, it is therefore reasonable that TDHCA grant this waiver as necessary for TDHCA to fulfill some specific requirement of law.

Tim Irvine
March 16, 2017
Page 5

We believe this submission satisfies the Administrative Deficiency and look forward to your response to the waiver request.

Sincerely,



Cynthia L. Bast

cc: Colton Sanders
Colby Denison
Stacy Swisher
Jeff Rogers
(via email)

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BOARD ACTION REQUEST
MULTIFAMILY FINANCE DIVISION
MAY 25, 2017

Presentation, discussion and possible action regarding a request for waiver, appeals under 10 TAC §10.901 et seq. of the Department's Multifamily Program Rules, and disclosures under 10 TAC §10.101(a)(3) related to Applicant Disclosure of Undesirable Neighborhood Characteristics for Blue Flame, HTC #17330

RECOMMENDED ACTION

WHEREAS, EP Blue Flame, LP (the "Applicant") submitted a 9% Housing Tax Credit Application for the redevelopment of the Blue Flame Building (the "Development") prior to the Full Application Delivery Date and in connection therewith requested a waiver of the requirement under 10 TAC §11.5(3)(C)(iii) that in order for a Development that includes the demolition of existing units that have received financial benefit described in Tex. Gov't Code §2306.6702(a)(5), the site must qualify for points on the Opportunity Index under 10 TAC §11.9(c)(4) of the Qualified Allocation Plan ("QAP");

WHEREAS, the Applicant submitted the application for consideration under the At-Risk Set-Aside, due to the relocation of Rental Assistance Demonstration Program ("RAD") units despite the site not being eligible for Opportunity Index points;

WHEREAS, at the April 27, 2017, meeting of the TDHCA Governing Board, consideration of the waiver request was tabled, and staff was directed to begin review of the application beyond the requested waiver;

WHEREAS, pursuant to 10 TAC §10.101(a)(3) of the 2017 Uniform Multifamily Rules related to Undesirable Neighborhood Characteristics, the Application disclosed three such characteristics;

WHEREAS, staff initially scored the Application and determined that pursuant to §11.9(d)(7) Concerted Revitalization Plan, the Application was not eligible to score seven (7) points as the Development Site is not located in the area covered by the plan but upon appeal to the executive director this determination was reversed after the applicant explained with greater clarity the operation of the El Paso Downtown 2015 Plan;

WHEREAS, staff believes that in order for the waiver to be granted the Board will need to find that the requirements of 10 TAC §10.207(a)(2) of the 2017 Uniform Multifamily Rules, Waiver of Rules for Applications, have been met as shown by the totality of the record on this matter; and

WHEREAS, staff has conducted further review of the proposed Development Site as required by 10 TAC §10.101(a)(3)(A) for 17330 Blue Flame and prepared a recommendation with respect to the eligibility of the site;

NOW, therefore, it is hereby

RESOLVED, that the requested waiver is presented to the Board for its consideration and motion.

BACKGROUND

The Application proposes the construction of 150 multifamily units (120 affordable housing), in the City of El Paso targeting the general population through the adaptive reuse of a historic building. The Application was submitted under the At-Risk Set-Aside through RAD. In order to qualify for the At-Risk Set-Aside under RAD, as described in Tex. Gov't Code §2306.6702(a)(5), the site to which existing units are relocated must, unless a waiver is granted, qualify for points on the Opportunity Index under 10 TAC §11.9(c)(4) of the QAP.

Waiver Request of 10 TAC §11.5(3)(C)(iii) related to relocation of units to a site that meets the criteria of the Opportunity Index.

In their request for a waiver, the Applicant asserts that the requirement that the site to which RAD units are relocated must be in a location that meets the criteria of the Opportunity Index scoring item is “an inadvertent remnant of the 2016 Qualified Allocation Plan.” The Applicant further asserts that “there has been a redirection toward Urban Core, Historic Preservation and Concerted Community Revitalization, all of which are rarely found in High Opportunity Areas,” and that “[t]he fact that relocation of RAD units is still limited to High Opportunity Areas is inconsistent with the updated approach to evaluating appropriate and preferential locations for affordable housing.”

Staff must proceed on the basis that the requirement that the relocation of RAD units be limited to areas that meet the criteria of the Opportunity Index scoring item be demonstrated under the applicable rules.

Pursuant to 10 TAC §10.207(a)(2) of the 2017 Uniform Multifamily Rules, Waiver of Rules for Applications, the waiver request must establish how the waiver is necessary to address circumstances beyond the Applicant's control and how, if the waiver is not granted, the Department will not fulfill some specific requirement of law. The request asserts that the waiver is necessary as the location of the Development Site is beyond the control of the Applicant. The Applicant further asserts that locating the development at the Blue Flame building will enable the Department to meet housing goals established in Tex. Gov't Code, including adaptive reuse of a certified historic building. It would also presumably align with the policy objective set out in Tex. Gov't Code §2306.001 of assisting local government in overcoming financial, social, and environmental problems.

The Applicant submitted information regarding amenities from the opportunity index menu in §11.9(c)(4). As 10 TAC §10.207(a) states that “[a]ny such request for waiver must be specific to the unique facts and circumstances of an actual proposed Development . . .,” staff has compared the amenities of the proposed site with those of the area of the current public housing units (the Pooley Apartments) and found that while both have a number of amenities, there are also a number of differences. At the Pooley Apartments, there is a grocery store .30 miles away; within walking

distance. Additionally, staff found that the violent crime rate for the Pooley census tract (#48141003100) is 10.77 per 1,000 residents compared to 22.92 for Blue Flame, and all of the schools have achieved a Met Standard rating each year for the last three years, compared to Blue Flame where the middle school achieved Met Standard two of the last three years (Improvement Required in 2015) and the high school Met Standard two of the last three years (Improvement Required 2016). Further, the poverty rate for census tract including the Pooley Apartments is 33.5%, compared to 51.9% for the census tract that includes the Development Site.

Undesirable Neighborhood Characteristics

Review of the Development Site indicates that the densely populated area is predominately urban with commercial development typical of an urban core. Median household income for the census tract is \$17,903 which places the census tract in the fourth quartile. The poverty rate is 51.9%. The subject General population development of 150 units is the Adaptive Reuse of the Blue Flame building.

Summary of Disclosure: The Development Site is located in a census tract or within 1,000 feet of any census tract in an Urban Area and the rate of Part I violent crime is greater than 18 per 1,000 persons (annually) as reported on neighborhoodscout.com.

Analysis: According to Neighborhood Scout, the violent crime rate for the area including the Development Site is 22.92 per 1,000 residents. The Undesirable Neighborhoods Characteristics Report (“UNCR”) correctly suggests that the rate for the city is low; Neighborhood Scout reports 3.75 per 1,000 residents for El Paso. The UNCR provides an explanation for higher crime in the area of the Development Site:

“El Paso has a confluence of unique issues that impacts the crime rate for the census tracts in the Downtown area. These small and sparsely populated census tracts receive a disproportionate amount of incidents attributed to them from non-residents because of the following:

1. Opportunity Center (e.g., Homeless Shelter) is located 6 blocks away. This organization provides services to the homeless including mental health and substance abuse counseling.
2. Bar district within 3 blocks
3. Entertainment District is located 7-8 blocks away
4. International Border Crossing is located to the immediate South with 30,000 crossings daily.

Unfortunately these activity/population centers give rise to the higher/skewed crime statistics near the Blue Flame property.”

The Development Site is located within the District 31, Central Regional Command of the El Paso Police Department. The UNCR includes a letter from the Commander of the Central Regional Command and crime data collected by the El Paso Police Department. Per the Commander:

“... Overall, crime had been decreasing each and every year until 2016 when we had a slight increase in Central as a whole, however 31 district did not and actually lowered in some categories. Over the years mentioned, you will notice a significant increase in sexual assaults, however be advised that there was a change in the Uniform Crime Reporting guidelines that redefined sexual assault reporting criteria. We do not believe there was an increase as noted on stats, it was merely the change

that required other offenses to be included that were not in previous years. Everything else remained steady or decreased. There is only one murder noted in our report received from headquarters however there were three incidents where a life was taken with a firearm or knife in 2016. To have three cases in 31 district is not common as in years past, we averaged less than one murder.

To address your statement that the majority of violent crimes reported in the downtown area were not in the immediate vicinity of the Blue Flame building. You have been provided with the requested statistics and locations of crime in the downtown area. What is Immediate [sic] to me may not be the same as immediate to you. We function by using districts and the area you all are inquiring about is encompassed 31 district. I previously proved [sic] you with the map of the district which is roughly the same as the plat you requested. Of the areas in 31 district, the area we focus on most are those we have defined as “entertainment” areas where restaurants, theatre, baseball park and nightlife spots are located. Those areas are west of the Blue Flame by a couple blocks. In the daytime, we patrol the downtown business areas north and south of Paisano. I will state that at this time I do not have an immediate concern for the welfare of the citizens who visit downtown or the area you are inquiring about. Meaning I do not believe citizens should have a fear of coming downtown. Crime occurs just as in any other area and as much as I’d like to guarantee that crime would not occur in certain areas, I cannot.”

Review of the statistics provided indicates a reduction in crime in the area. However, as stated previously the rate in this area is more than double the rate in the area of the existing Pooley Apartments.

Summary of Disclosure: The Development Site is located within 1,000 feet (measured from nearest boundary of the Site to the nearest boundary of blighted structure) of multiple vacant structures that have fallen into such significant disrepair, overgrowth, and/or vandalism that they would commonly be regarded as blighted or abandoned.

Analysis: In the UNCR, the Applicant states:

“While there are buildings in the downtown area that are still vacant and could be considered blighted, the city is focusing their efforts to address the vacancies and arrest any physical decline of these properties. ... the Downtown Management District is addressing the physical needs of many of these properties and providing an improved environment to attract additional capital to the area. ... We do not believe that the area should be considered blighted for the purposes of this application.”

Staff visited the Development Site and determined that while there are numerous vacant structures in the vicinity of the site, the structures cannot be described as structures that have fallen into such significant disrepair, overgrowth, and/or vandalism that they would commonly be regarded as blighted or abandoned.

Summary of Disclosure: The Development Site is located within the attendance zones of an elementary school, a middle school or a high school that does not have a Met Standard rating by the Texas Education Agency.

Analysis: Children residing at the Development Site would attend Hart Elementary School, Guillen Middle School, and Bowie High School. Bowie High School does not have a Met Standard rating.

The progress of Hart Elementary School, Guillen Middle School, and Bowie High School follows:

Hart Elementary School Index Performance (“MS” = Met Standard)

	Index 1 Score	Index 2 Score	Index 3 Score	Index 4 Score	Rating
2014	62	47	36	19	MS
2015	70	51	38	13	MS, 1 Distinction
2016	73	45	45	22	MS, 2 Distinctions

Guillen Middle School Index Performance

	Index 1 Score	Index 2 Score	Index 3 Score	Index 4 Score	Rating
2014	65	33	34	22	MS, 3 Distinctions
2015	50	21	31	11	Improvement Required
2016	51	32	27	14	MS

Bowie High School Index Performance

	Index 1 Score	Index 2 Score	Index 3 Score	Index 4 Score	Rating
2014	56	Not calculated	34	60	MS, 2 Distinctions
2015	55	19	32	68	MS
2016	49	16	30	65	Improvement Required

For comparison, the progress of the schools that serve the area occupied by the Pooley Apartments, Clardy Elementary School, Henderson Middle School, and Jefferson High School follows:

Clardy Elementary School Index Performance

	Index 1 Score	Index 2 Score	Index 3 Score	Index 4 Score	Rating
2014	80	50	46	36	MS, 4 Distinctions
2015	79	41	41	24	MS
2016	81	44	47	40	MS, 1 Distinction

Henderson Middle School Index Performance

	Index 1 Score	Index 2 Score	Index 3 Score	Index 4 Score	Rating
2014	62	30	30	18	MS
2015	54	28	30	15	MS
2016	57	32	30	18	MS

Jefferson High School Index Performance

	Index 1 Score	Index 2 Score	Index 3 Score	Index 4 Score	Rating
2014	66	Not calculated	38	63	MS
2015	69	26	42	74	MS, 4 Distinctions
2016	63	28	40	69	MS, 2 Distinctions

The schools that serve the area of the proposed Development Site received generally lower index performance scores than the schools that serve the area from which the Applicant wishes to relocate the units.

The UNCR includes a letter from the Superintendent of the El Paso Independent School District (“EPISD”) and a copy of the 2016-2017 Campus Improvement Plan for Bowie High School. Per

the letter from the superintendent, Bowie High School is receiving enhanced assistance to support academic achievement in all areas:

- Each department at Bowie has gone through the work of determining and analyzing essential standards and developing plans using specific strategies to support differentiated instruction, in particular strategies to assist English Language Learners (ELLs) and Special Education students.
- All core departments receive focused support from academic and instructional specialists who regularly attend and participate in Professional Learning Communities (PLCs), assist in planning for instruction and interventions, provide job-embedded professional development, lead data review meetings after assessment data has been collected, and co-plan for PLCs.
- Bowie is increasing its utilization of technology and increasing technology training allowing for more diversity in lessons.
- Bowie is offering additional dual credit courses and electives allowing students more flexibility in their schedules.
- A Reading course for incoming 9th graders and a Writing course for 10th graders has been created to assist struggling, at-risk students.
- Additional initiatives being implemented at Bowie to provide challenging experiences for our students, is that of active, project-based and blended learning to inspire and support engaging learning experiences in every classroom.
- Coaching for the Principal and Leadership Team at Bowie to restructure PLCs to include a focus on data and instruction. PLCs are held weekly that revolve around best practices. Teams have been trained on the Texas Essential Knowledge and Skills and providing specific instruction on essential standards based on student needs.
- An academics/central office support team has been designated to support Bowie teachers and administrators.
- Classroom walkthroughs and weekly meetings are conducted with a reflective meeting with the Principal on best practices by School Leadership representatives.
- A tutoring center/writing lab has been created to provide before and after school tutoring to support students on a daily basis. Credit recovery opportunities are provided for students during zero and 9th period. This allows students the opportunity to regain credit in order to graduate.
- Bowie teachers have visited other campuses to observe best practices.
- Increasing Dual Credit opportunities for students by providing preparation support for Texas Success Initiative (TSI) testing.
- An End of Course class is embedded into the daily schedule for End of Course re-testers.
- Response to Intervention (RTI) training has been provided to teachers. Through this RTI model, student data is used to individualize instruction and provide interventions that address targeted student outcomes.
- Active Learning Leaders (ALL) have been assigned to assist teachers by content areas.
- Interested teachers are seeking English as a Second Language (ESL) certification in order to better serve English Language Learner (ELL) students.
- Teachers are being provided Advanced Placement (AP) training.
- Educational Talent Search tutors are provided to support students.
- Study guides are being developed by content area to support student learning.
- Technology intervention for End of Course and TSI programs.
- Professional Service Provider (PSP) support for the campus.

Staff Recommendation: Pursuant to §10.101(a)(3), in order to be considered as an eligible Site despite the presence of such undesirable neighborhood characteristic, an Applicant must demonstrate actions being taken that would lead a reader to conclude that there is a high probability and reasonable expectation the undesirable characteristic will be sufficiently mitigated or significantly improved within a reasonable time, typically prior to placement in service, and that the undesirable characteristic demonstrates a positive trend and continued improvement.

Staff has reviewed the UNCR and has found that the Applicant has demonstrated actions being taken that would lead a reader to conclude that there is a high probability and reasonable expectation the undesirable characteristic will be sufficiently mitigated or significantly improved within a reasonable time. The differences between the two sites (Blue Flame and Pooley) is not required to be taken into consideration by the §10.101(a)(3), and the Applicant has provided information mitigating the three (3) Undesirable Neighborhood Characteristics. Staff recommends that the Board find the Development Site eligible.

Development Site Area Information

TEXAS EDUCATION AGENCY

2014 Accountability Summary

HART EL (071902118) - EL PASO ISD

Accountability Rating

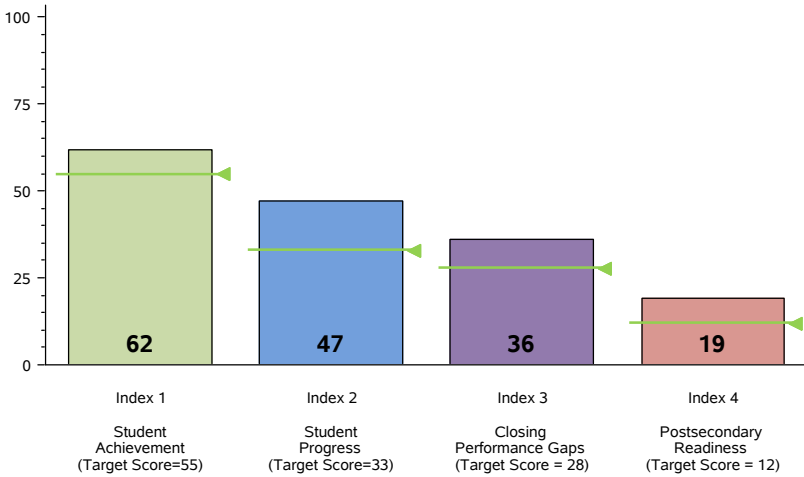
Met Standard

Met Standards on	Did Not Meet Standards on
<ul style="list-style-type: none"> - Student Achievement - Student Progress - Closing Performance Gaps - Postsecondary Readiness 	<ul style="list-style-type: none"> - NONE

Distinction Designation

Academic Achievement in Reading/ELA
NO DISTINCTION EARNED
Academic Achievement in Mathematics
NO DISTINCTION EARNED
Academic Achievement in Science
NO DISTINCTION EARNED
Academic Achievement in Social Studies
NOT ELIGIBLE
Top 25 Percent Student Progress
NO DISTINCTION EARNED
Top 25 Percent Closing Performance Gaps
NO DISTINCTION EARNED
Postsecondary Readiness
NO DISTINCTION EARNED

Performance Index Report



Campus Demographics

Campus Type	Elementary
Campus Size	426 Students
Grade Span	01 - 05
Percent Economically Disadvantaged	99.1%
Percent English Language Learners	86.2%
Mobility Rate	24.7%

Performance Index Summary

Index	Points Earned	Maximum Points	Index Score
1 - Student Achievement	331	537	62
2 - Student Progress	569	1,200	47
3 - Closing Performance Gaps	289	800	36
4 - Postsecondary Readiness			
STAAR Score	19.0		
Graduation Rate Score	N/A		
Graduation Plan Score	N/A		
Postsecondary Indicator Score	N/A		19

System Safeguards

Number and Percent of Indicators Met

Performance Rates	16 out of 16 = 100%
Participation Rates	8 out of 8 = 100%
Graduation Rates	N/A
Total	24 out of 24 = 100%

For further information about this report, please see the Performance Reporting Division web site at <http://ritter.tea.state.tx.us/perfreport/account/2014/index.html>

TEXAS EDUCATION AGENCY

2015 Accountability Summary

HART EL (071902118) - EL PASO ISD

Accountability Rating

Met Standard

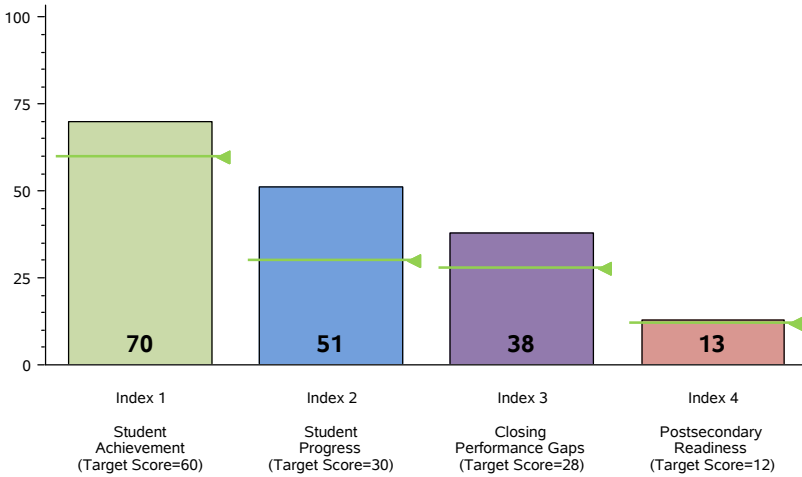
Met Standards on	Did Not Meet Standards on
<ul style="list-style-type: none"> - Student Achievement - Student Progress - Closing Performance Gaps - Postsecondary Readiness 	<ul style="list-style-type: none"> - NONE
In 2015, to receive a Met Standard or Met Alternative Standard rating, districts and campuses must meet targets on three indexes: Index 1 or Index 2 and Index 3 and Index 4.	

Distinction Designation



Academic Achievement in Reading/ELA	NO DISTINCTION EARNED
Academic Achievement in Mathematics	NOT ELIGIBLE
Academic Achievement in Science	NO DISTINCTION EARNED
Academic Achievement in Social Studies	NOT ELIGIBLE
Top 25 Percent Student Progress	DISTINCTION EARNED
Top 25 Percent Closing Performance Gaps	NO DISTINCTION EARNED
Postsecondary Readiness	NO DISTINCTION EARNED

Performance Index Report



Campus Demographics

Campus Type	Elementary
Campus Size	579 Students
Grade Span	PK - 05
Percent Economically Disadvantaged	91.0
Percent English Language Learners	78.1
Mobility Rate	28.7

Performance Index Summary

Index	Points Earned	Maximum Points	Index Score
1 - Student Achievement	267	380	70
2 - Student Progress	306	600	51
3 - Closing Performance Gaps	230	600	38
4 - Postsecondary Readiness			
STAAR Score	13.0		
Graduation Rate Score	N/A		
Graduation Plan Score	N/A		
Postsecondary Component Score	N/A		13

State System Safeguards

Number and Percent of Indicators Met

Performance Rates	12 out of 12 = 100%
Participation Rates	4 out of 4 = 100%
Graduation Rates	N/A
Total	16 out of 16 = 100%

For further information about this report, please see the Performance Reporting Division website at <http://ritter.tea.state.tx.us/perfreport/account/2015/index.html>

TEXAS EDUCATION AGENCY

2016 Accountability Summary

HART EL (071902118) - EL PASO ISD

Accountability Rating

Met Standard

Met Standards on	Did Not Meet Standards on
<ul style="list-style-type: none"> - Student Achievement - Student Progress - Closing Performance Gaps - Postsecondary Readiness 	<ul style="list-style-type: none"> - NONE

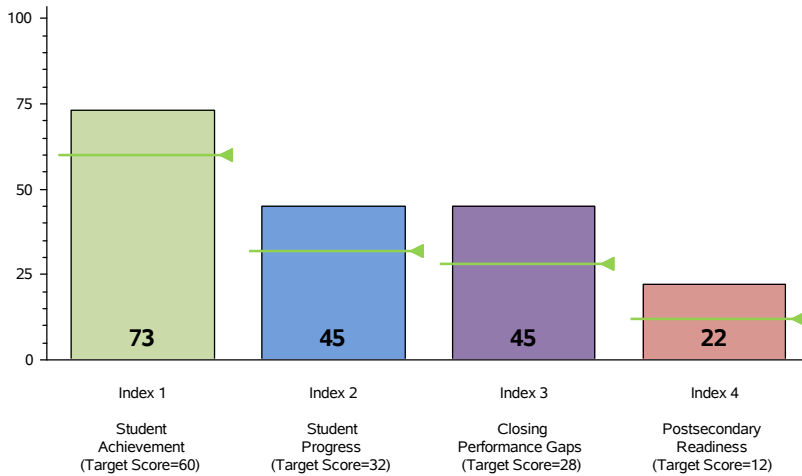
In 2016, to receive a Met Standard or Met Alternative Standard rating, districts and campuses must meet targets on three indexes: Index 1 or Index 2 and Index 3 and Index 4.

Distinction Designation



Academic Achievement in ELA/Reading	NO DISTINCTION EARNED
Academic Achievement in Mathematics	NO DISTINCTION EARNED
Academic Achievement in Science	DISTINCTION EARNED
Academic Achievement in Social Studies	NOT ELIGIBLE
Top 25 Percent Student Progress	NO DISTINCTION EARNED
Top 25 Percent Closing Performance Gaps	DISTINCTION EARNED
Postsecondary Readiness	NO DISTINCTION EARNED

Performance Index Report



Campus Demographics

Campus Type	Elementary
Campus Size	568 Students
Grade Span	EE - 05
Percent Economically Disadvantaged	91.2
Percent English Language Learners	77.1
Mobility Rate	21.0

Performance Index Summary

Index	Points Earned	Maximum Points	Index Score
1 - Student Achievement	487	671	73
2 - Student Progress	361	800	45
3 - Closing Performance Gaps	360	800	45
4 - Postsecondary Readiness			
STAAR Score	22.0		
Graduation Rate Score	N/A		
Graduation Plan Score	N/A		
Postsecondary Component Score	N/A		22

System Safeguards

Number and Percentage of Indicators Met	
Performance Rates	16 out of 18 = 89%
Participation Rates	10 out of 10 = 100%
Graduation Rates	N/A
Total	26 out of 28 = 93%

For further information about this report, please see the Performance Reporting Division website at <https://rptsvr1.tea.texas.gov/perfreport/account/2016/index.html>

TEXAS EDUCATION AGENCY
2014 Accountability Summary
 GUILLEN MIDDLE (071902044) - EL PASO ISD

Accountability Rating

Met Standard

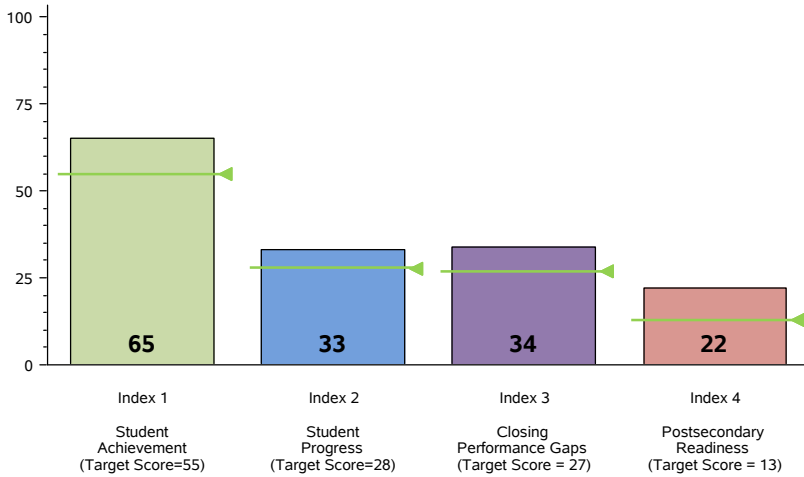
Met Standards on	Did Not Meet Standards on
- Student Achievement - Student Progress - Closing Performance Gaps - Postsecondary Readiness	- NONE

Distinction Designation



Academic Achievement in Reading/ELA	NO DISTINCTION EARNED
Academic Achievement in Mathematics	NO DISTINCTION EARNED
Academic Achievement in Science	DISTINCTION EARNED
Academic Achievement in Social Studies	NO DISTINCTION EARNED
Top 25 Percent Student Progress	NO DISTINCTION EARNED
Top 25 Percent Closing Performance Gaps	DISTINCTION EARNED
Postsecondary Readiness	DISTINCTION EARNED

Performance Index Report



Campus Demographics

Campus Type	Middle School
Campus Size	859 Students
Grade Span	06 - 08
Percent Economically Disadvantaged	97.7%
Percent English Language Learners	42.6%
Mobility Rate	15.5%

Performance Index Summary

Index	Points Earned	Maximum Points	Index Score
1 - Student Achievement	1,439	2,225	65
2 - Student Progress	521	1,600	33
3 - Closing Performance Gaps	335	1,000	34
4 - Postsecondary Readiness			
STAAR Score	22.0		
Graduation Rate Score	N/A		
Graduation Plan Score	N/A		
Postsecondary Indicator Score	N/A		22

System Safeguards

Number and Percent of Indicators Met

Performance Rates	14 out of 25 = 56%
Participation Rates	10 out of 10 = 100%
Graduation Rates	N/A
Total	24 out of 35 = 69%

For further information about this report, please see the Performance Reporting Division web site at <http://ritter.tea.state.tx.us/perfreport/account/2014/index.html>

TEXAS EDUCATION AGENCY
2015 Accountability Summary
 GUILLEN MIDDLE (071902044) - EL PASO ISD

Accountability Rating

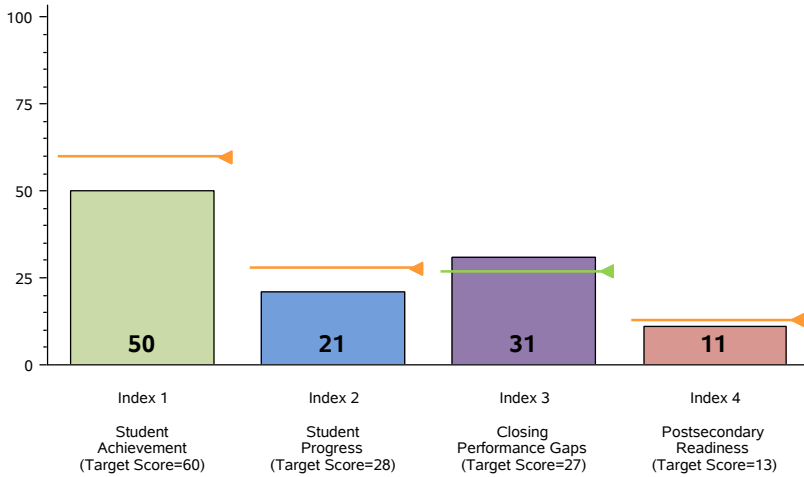
Improvement Required

Met Standards on - Closing Performance Gaps	Did Not Meet Standards on - Student Achievement - Student Progress - Postsecondary Readiness
In 2015, to receive a Met Standard or Met Alternative Standard rating, districts and campuses must meet targets on three indexes: Index 1 or Index 2 and Index 3 and Index 4.	

Distinction Designation

Academic Achievement in Reading/ELA NO DISTINCTION EARNED
Academic Achievement in Mathematics NO DISTINCTION EARNED
Academic Achievement in Science NO DISTINCTION EARNED
Academic Achievement in Social Studies NO DISTINCTION EARNED
Top 25 Percent Student Progress NO DISTINCTION EARNED
Top 25 Percent Closing Performance Gaps NO DISTINCTION EARNED
Postsecondary Readiness NO DISTINCTION EARNED

Performance Index Report



Campus Demographics

Campus Type	Middle School
Campus Size	833 Students
Grade Span	06 - 08
Percent Economically Disadvantaged	93.9
Percent English Language Learners	49.5
Mobility Rate	15.4

Performance Index Summary

Index	Points Earned	Maximum Points	Index Score
1 - Student Achievement	721	1,438	50
2 - Student Progress	168	800	21
3 - Closing Performance Gaps	308	1,000	31
4 - Postsecondary Readiness			
STAAR Score	11.0		
Graduation Rate Score	N/A		
Graduation Plan Score	N/A		
Postsecondary Component Score	N/A		11

State System Safeguards

Number and Percent of Indicators Met

Performance Rates	6 out of 20 = 30%
Participation Rates	8 out of 8 = 100%
Graduation Rates	N/A
Total	14 out of 28 = 50%

For further information about this report, please see the Performance Reporting Division website at <http://ritter.tea.state.tx.us/perfreport/account/2015/index.html>

TEXAS EDUCATION AGENCY
2016 Accountability Summary
 GUILLEN MIDDLE (071902044) - EL PASO ISD

Accountability Rating

Met Standard

Met Standards on

- Student Progress
- Closing Performance Gaps
- Postsecondary Readiness

Did Not Meet Standards on

- Student Achievement

In 2016, to receive a Met Standard or Met Alternative Standard rating, districts and campuses must meet targets on three indexes: Index 1 or Index 2 and Index 3 and Index 4.

Distinction Designation

Academic Achievement in ELA/Reading

NO DISTINCTION EARNED

Academic Achievement in Mathematics

NO DISTINCTION EARNED

Academic Achievement in Science

NO DISTINCTION EARNED

Academic Achievement in Social Studies

NO DISTINCTION EARNED

Top 25 Percent Student Progress

NO DISTINCTION EARNED

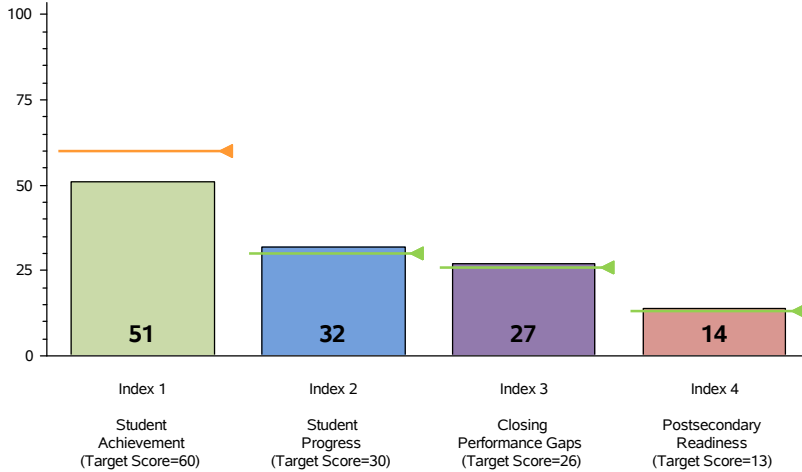
Top 25 Percent Closing Performance Gaps

NO DISTINCTION EARNED

Postsecondary Readiness

NO DISTINCTION EARNED

Performance Index Report



Performance Index Summary

Index	Points Earned	Maximum Points	Index Score
1 - Student Achievement	1,105	2,172	51
2 - Student Progress	252	800	32
3 - Closing Performance Gaps	269	1,000	27
4 - Postsecondary Readiness			
STAAR Score	14.0		
Graduation Rate Score	N/A		
Graduation Plan Score	N/A		
Postsecondary Component Score	N/A		14

Campus Demographics

Campus Type	Middle School
Campus Size	841 Students
Grade Span	06 - 08
Percent Economically Disadvantaged	89.9
Percent English Language Learners	59.8
Mobility Rate	17.0

System Safeguards

Number and Percentage of Indicators Met

Performance Rates	6 out of 24 = 25%
Participation Rates	10 out of 10 = 100%
Graduation Rates	N/A
Total	16 out of 34 = 47%

For further information about this report, please see the Performance Reporting Division website at <https://rptsrv1.tea.texas.gov/perfreport/account/2016/index.html>

TEXAS EDUCATION AGENCY

2014 Accountability Summary

BOWIE H S (071902003) - EL PASO ISD

Accountability Rating

Met Standard

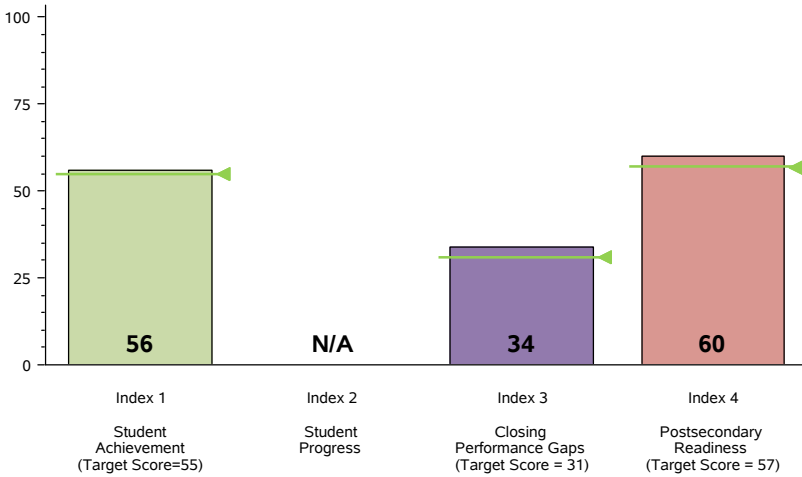
Met Standards on	Did Not Meet Standards on
<ul style="list-style-type: none"> - Student Achievement - Closing Performance Gaps - Postsecondary Readiness 	<ul style="list-style-type: none"> - NONE

Distinction Designation



Academic Achievement in Reading/ELA NO DISTINCTION EARNED
Academic Achievement in Mathematics DISTINCTION EARNED
Academic Achievement in Science NO DISTINCTION EARNED
Academic Achievement in Social Studies NO DISTINCTION EARNED
Top 25 Percent Student Progress NOT ELIGIBLE
Top 25 Percent Closing Performance Gaps NO DISTINCTION EARNED
Postsecondary Readiness DISTINCTION EARNED

Performance Index Report



Campus Demographics

Campus Type	High School
Campus Size	1,195 Students
Grade Span	09 - 12
Percent Economically Disadvantaged	92.6%
Percent English Language Learners	41.0%
Mobility Rate	18.2%

Performance Index Summary

Index	Points Earned	Maximum Points	Index Score
1 - Student Achievement	963	1,725	56
2 - Student Progress	N/A	N/A	N/A
3 - Closing Performance Gaps	271	800	34
4 - Postsecondary Readiness			
STAAR Score	5.5		
Graduation Rate Score	21.8		
Graduation Plan Score	24.0		
Postsecondary Indicator Score	8.5		60

System Safeguards

Number and Percent of Indicators Met

Performance Rates	12 out of 17 = 71%
Participation Rates	9 out of 9 = 100%
Graduation Rates	3 out of 4 = 75%
Total	24 out of 30 = 80%

For further information about this report, please see the Performance Reporting Division web site at <http://ritter.tea.state.tx.us/perfreport/account/2014/index.html>

TEXAS EDUCATION AGENCY

2015 Accountability Summary

BOWIE H S (071902003) - EL PASO ISD

Accountability Rating

Met Standard

Met Standards on

- Student Progress
- Closing Performance Gaps
- Postsecondary Readiness

Did Not Meet Standards on

- Student Achievement

In 2015, to receive a Met Standard or Met Alternative Standard rating, districts and campuses must meet targets on three indexes: Index 1 **or** Index 2 **and** Index 3 **and** Index 4.

Distinction Designation

Academic Achievement in Reading/ELA

NO DISTINCTION EARNED

Academic Achievement in Mathematics

NO DISTINCTION EARNED

Academic Achievement in Science

NO DISTINCTION EARNED

Academic Achievement in Social Studies

NO DISTINCTION EARNED

Top 25 Percent Student Progress

NO DISTINCTION EARNED

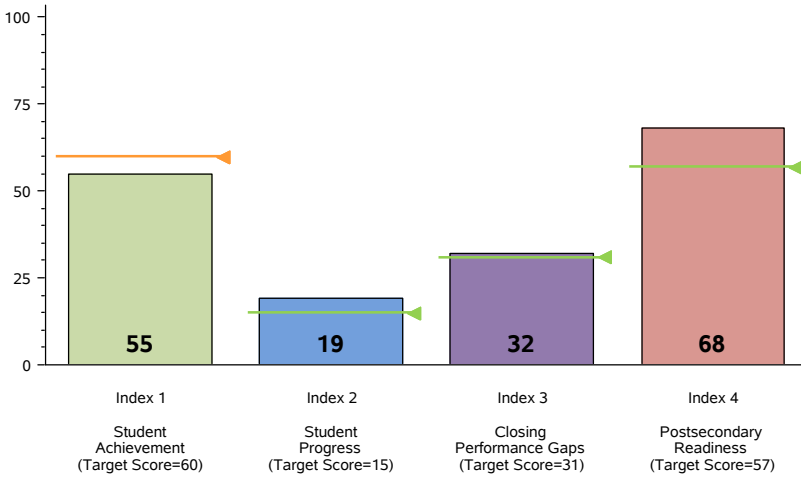
Top 25 Percent Closing Performance Gaps

NO DISTINCTION EARNED

Postsecondary Readiness

NO DISTINCTION EARNED

Performance Index Report



Performance Index Summary

Index	Points Earned	Maximum Points	Index Score
1 - Student Achievement	1,077	1,947	55
2 - Student Progress	115	600	19
3 - Closing Performance Gaps	257	800	32
4 - Postsecondary Readiness			
STAAR Score	5.0		
Graduation Rate Score	19.6		
Graduation Plan Score	24.4		
Postsecondary Component Score	18.6		68

Campus Demographics

Campus Type	High School
Campus Size	1,205 Students
Grade Span	09 - 12
Percent Economically Disadvantaged	85.3
Percent English Language Learners	46.9
Mobility Rate	17.0

State System Safeguards

Number and Percent of Indicators Met

Performance Rates	7 out of 16 = 44%
Participation Rates	9 out of 9 = 100%
Graduation Rates	4 out of 4 = 100%
Total	20 out of 29 = 69%

For further information about this report, please see the Performance Reporting Division website at <http://ritter.tea.state.tx.us/perfreport/account/2015/index.html>

TEXAS EDUCATION AGENCY

2016 Accountability Summary

BOWIE H S (071902003) - EL PASO ISD

Accountability Rating

Improvement Required

Met Standards on

- Closing Performance Gaps
- Postsecondary Readiness

Did Not Meet Standards on

- Student Achievement
- Student Progress

In 2016, to receive a Met Standard or Met Alternative Standard rating, districts and campuses must meet targets on three indexes: Index 1 or Index 2 and Index 3 and Index 4.

Distinction Designation

Academic Achievement in ELA/Reading

NO DISTINCTION EARNED

Academic Achievement in Mathematics

NO DISTINCTION EARNED

Academic Achievement in Science

NO DISTINCTION EARNED

Academic Achievement in Social Studies

NO DISTINCTION EARNED

Top 25 Percent Student Progress

NO DISTINCTION EARNED

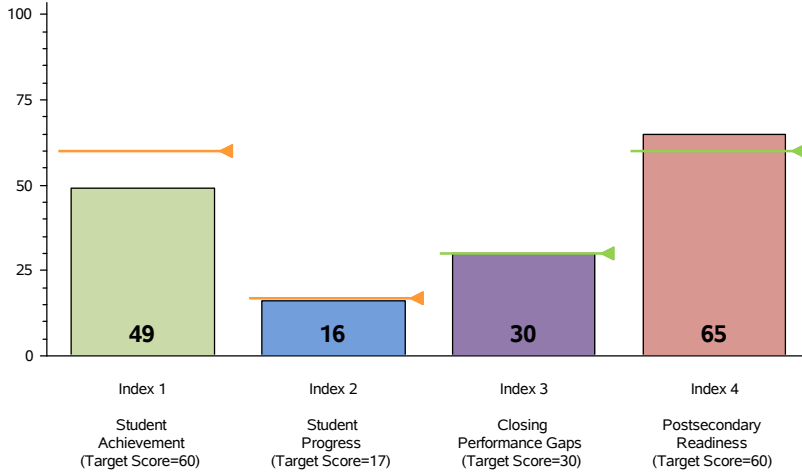
Top 25 Percent Closing Performance Gaps

NO DISTINCTION EARNED

Postsecondary Readiness

NO DISTINCTION EARNED

Performance Index Report



Campus Demographics

Campus Type	High School
Campus Size	1,348 Students
Grade Span	09 - 12
Percent Economically Disadvantaged	78.9
Percent English Language Learners	48.7
Mobility Rate	17.3

Performance Index Summary

Index	Points Earned	Maximum Points	Index Score
1 - Student Achievement	1,228	2,485	49
2 - Student Progress	128	800	16
3 - Closing Performance Gaps	243	800	30
4 - Postsecondary Readiness			
STAAR Score	5.3		
Graduation Rate Score	20.0		
Graduation Plan Score	23.8		
Postsecondary Component Score	15.9		65

System Safeguards

Number and Percentage of Indicators Met

Performance Rates	6 out of 20 = 30%
Participation Rates	10 out of 10 = 100%
Graduation Rates	0 out of 4 = 0%
Total	16 out of 34 = 47%

For further information about this report, please see the Performance Reporting Division website at <https://rptsrv1.tea.texas.gov/perfreport/account/2016/index.html>

THE 120 N STANTON ST NEIGHBORHOOD CRIME

TOTAL CRIME INDEX

9
(100 is safest) ⚡

Safer than 9% of U.S. neighborhoods.

NEIGHBORHOOD ANNUAL CRIMES			
	VIOLENT	PROPERTY	TOTAL
Number of Crimes	16	31	47
Crime Rate (per 1,000 residents)	22.92	44.41	67.34

VIOLENT CRIME INDEX

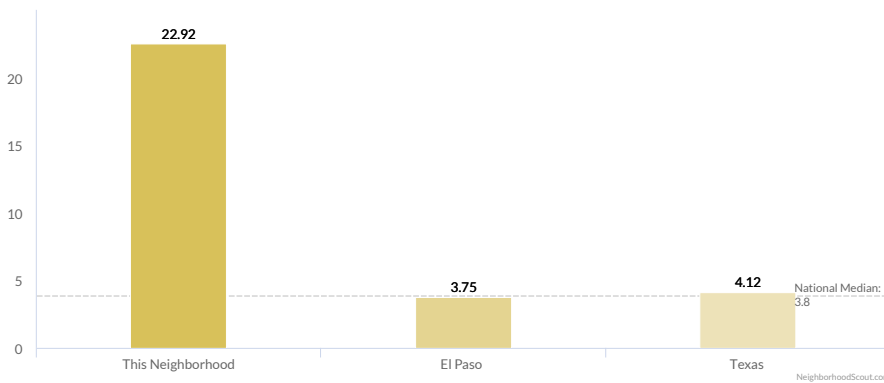
2
(100 is safest) ⚡

Safer than 2% of U.S. neighborhoods.

VIOLENT CRIME INDEX BY TYPE

MURDER INDEX	RAPE INDEX	ROBBERY INDEX	ASSAULT INDEX
20 100 is safest	9 100 is safest	10 100 is safest	1 100 is safest

VIOLENT CRIME COMPARISON (PER 1,000 RESIDENTS)



MY CHANCES OF BECOMING A VICTIM OF A VIOLENT CRIME

1 IN 44 ⚡
in this Neighborhood

1 IN 266
in El Paso

1 IN 243
in Texas

Existing Development
(Pooley Apartments)
Area Information

TEXAS EDUCATION AGENCY

2014 Accountability Summary

CLARDY EL (071902109) - EL PASO ISD

Accountability Rating

Met Standard

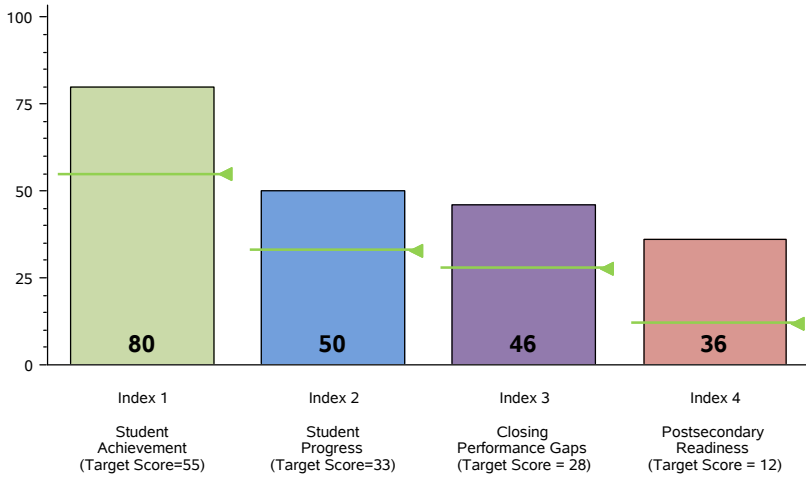
Met Standards on	Did Not Meet Standards on
<ul style="list-style-type: none"> - Student Achievement - Student Progress - Closing Performance Gaps - Postsecondary Readiness 	<ul style="list-style-type: none"> - NONE

Distinction Designation



Academic Achievement in Reading/ELA NO DISTINCTION EARNED
Academic Achievement in Mathematics DISTINCTION EARNED
Academic Achievement in Science NO DISTINCTION EARNED
Academic Achievement in Social Studies NOT ELIGIBLE
Top 25 Percent Student Progress DISTINCTION EARNED
Top 25 Percent Closing Performance Gaps DISTINCTION EARNED
Postsecondary Readiness DISTINCTION EARNED

Performance Index Report



Campus Demographics

Campus Type	Elementary
Campus Size	574 Students
Grade Span	PK - 05
Percent Economically Disadvantaged	92.0%
Percent English Language Learners	52.1%
Mobility Rate	11.7%

Performance Index Summary

Index	Points Earned	Maximum Points	Index Score
1 - Student Achievement	433	538	80
2 - Student Progress	594	1,200	50
3 - Closing Performance Gaps	364	800	46
4 - Postsecondary Readiness			
STAAR Score	35.5		
Graduation Rate Score	N/A		
Graduation Plan Score	N/A		
Postsecondary Indicator Score	N/A		36

System Safeguards

Number and Percent of Indicators Met

Performance Rates	16 out of 16 = 100%
Participation Rates	10 out of 10 = 100%
Graduation Rates	N/A
Total	26 out of 26 = 100%

For further information about this report, please see the Performance Reporting Division web site at <http://ritter.tea.state.tx.us/perfreport/account/2014/index.html>

TEXAS EDUCATION AGENCY
2015 Accountability Summary
 CLARDY EL (071902109) - EL PASO ISD

Accountability Rating

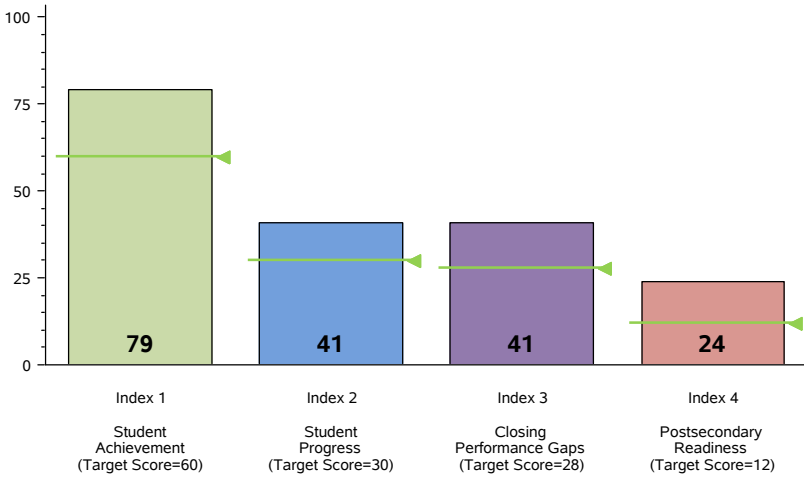
Met Standard

Met Standards on - Student Achievement - Student Progress - Closing Performance Gaps - Postsecondary Readiness	Did Not Meet Standards on - NONE
In 2015, to receive a Met Standard or Met Alternative Standard rating, districts and campuses must meet targets on three indexes: Index 1 or Index 2 and Index 3 and Index 4.	

Distinction Designation

Academic Achievement in Reading/ELA	NO DISTINCTION EARNED
Academic Achievement in Mathematics	NOT ELIGIBLE
Academic Achievement in Science	NO DISTINCTION EARNED
Academic Achievement in Social Studies	NOT ELIGIBLE
Top 25 Percent Student Progress	NO DISTINCTION EARNED
Top 25 Percent Closing Performance Gaps	NO DISTINCTION EARNED
Postsecondary Readiness	NO DISTINCTION EARNED

Performance Index Report



Campus Demographics

Campus Type	Elementary
Campus Size	538 Students
Grade Span	PK - 05
Percent Economically Disadvantaged	94.6
Percent English Language Learners	55.2
Mobility Rate	15.4

Performance Index Summary

Index	Points Earned	Maximum Points	Index Score
1 - Student Achievement	227	288	79
2 - Student Progress	245	600	41
3 - Closing Performance Gaps	247	600	41
4 - Postsecondary Readiness			
STAAR Score	24.0		
Graduation Rate Score	N/A		
Graduation Plan Score	N/A		
Postsecondary Component Score	N/A		24

State System Safeguards

Number and Percent of Indicators Met	
Performance Rates	11 out of 11 = 100%
Participation Rates	4 out of 4 = 100%
Graduation Rates	N/A
Total	15 out of 15 = 100%

For further information about this report, please see the Performance Reporting Division website at <http://ritter.tea.state.tx.us/perfreport/account/2015/index.html>

TEXAS EDUCATION AGENCY

2016 Accountability Summary

CLARDY EL (071902109) - EL PASO ISD

Accountability Rating

Met Standard

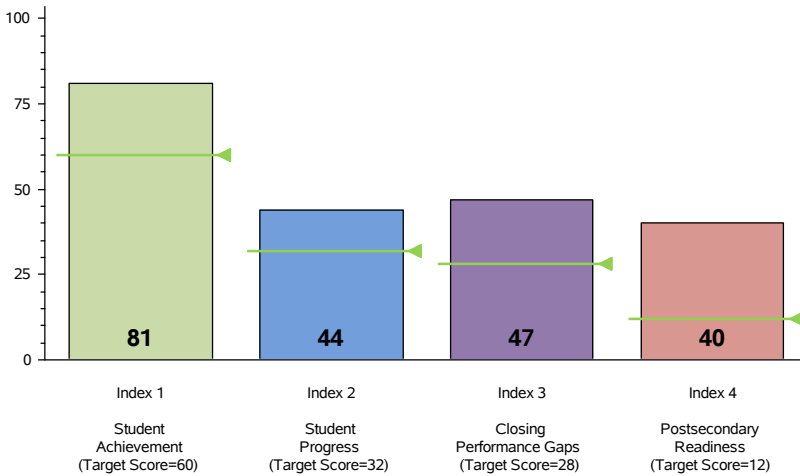
Met Standards on	Did Not Meet Standards on
<ul style="list-style-type: none"> - Student Achievement - Student Progress - Closing Performance Gaps - Postsecondary Readiness 	<ul style="list-style-type: none"> - NONE
In 2016, to receive a Met Standard or Met Alternative Standard rating, districts and campuses must meet targets on three indexes: Index 1 or Index 2 and Index 3 and Index 4.	

Distinction Designation



Academic Achievement in ELA/Reading	NO DISTINCTION EARNED
Academic Achievement in Mathematics	NO DISTINCTION EARNED
Academic Achievement in Science	NO DISTINCTION EARNED
Academic Achievement in Social Studies	NOT ELIGIBLE
Top 25 Percent Student Progress	NO DISTINCTION EARNED
Top 25 Percent Closing Performance Gaps	NO DISTINCTION EARNED
Postsecondary Readiness	DISTINCTION EARNED

Performance Index Report



Campus Demographics

Campus Type	Elementary
Campus Size	510 Students
Grade Span	PK - 05
Percent Economically Disadvantaged	98.4
Percent English Language Learners	56.7
Mobility Rate	18.2

Performance Index Summary

Index	Points Earned	Maximum Points	Index Score
1 - Student Achievement	426	529	81
2 - Student Progress	354	800	44
3 - Closing Performance Gaps	373	800	47
4 - Postsecondary Readiness			
STAAR Score	39.5		
Graduation Rate Score	N/A		
Graduation Plan Score	N/A		
Postsecondary Component Score	N/A		40

System Safeguards

Number and Percentage of Indicators Met	
Performance Rates	17 out of 18 = 94%
Participation Rates	10 out of 10 = 100%
Graduation Rates	N/A
Total	27 out of 28 = 96%

For further information about this report, please see the Performance Reporting Division website at <https://rptsrv1.tea.texas.gov/perfreport/account/2016/index.html>

TEXAS EDUCATION AGENCY
2014 Accountability Summary
 HENDERSON MIDDLE (071902041) - EL PASO ISD

Accountability Rating

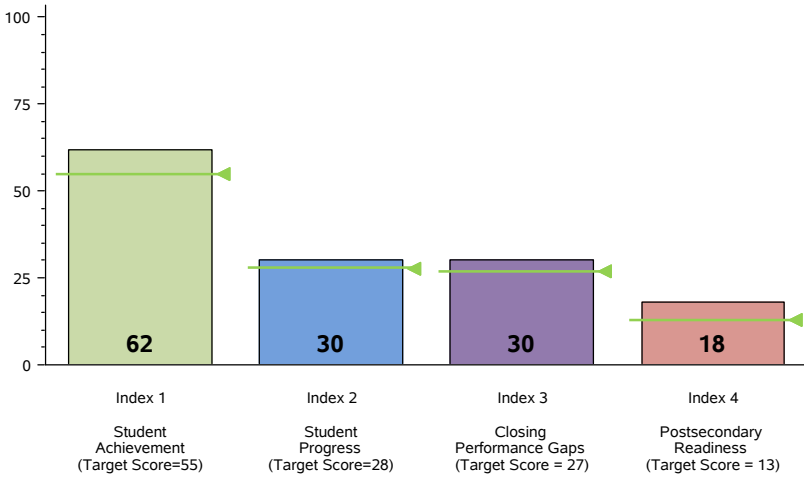
Met Standard

Distinction Designation

Met Standards on	Did Not Meet Standards on
<ul style="list-style-type: none"> - Student Achievement - Student Progress - Closing Performance Gaps - Postsecondary Readiness 	<ul style="list-style-type: none"> - NONE

Academic Achievement in Reading/ELA NO DISTINCTION EARNED
Academic Achievement in Mathematics NO DISTINCTION EARNED
Academic Achievement in Science NO DISTINCTION EARNED
Academic Achievement in Social Studies NO DISTINCTION EARNED
Top 25 Percent Student Progress NO DISTINCTION EARNED
Top 25 Percent Closing Performance Gaps NO DISTINCTION EARNED
Postsecondary Readiness NO DISTINCTION EARNED

Performance Index Report



Campus Demographics

Campus Type	Middle School
Campus Size	762 Students
Grade Span	06 - 08
Percent Economically Disadvantaged	96.3%
Percent English Language Learners	32.8%
Mobility Rate	16.4%

Performance Index Summary

Index	Points Earned	Maximum Points	Index Score
1 - Student Achievement	1,318	2,129	62
2 - Student Progress	487	1,600	30
3 - Closing Performance Gaps	304	1,000	30
4 - Postsecondary Readiness			
STAAR Score	18.0		
Graduation Rate Score	N/A		
Graduation Plan Score	N/A		
Postsecondary Indicator Score	N/A		18

System Safeguards

Number and Percent of Indicators Met

Performance Rates	9 out of 22 = 41%
Participation Rates	10 out of 10 = 100%
Graduation Rates	N/A
Total	19 out of 32 = 59%

For further information about this report, please see the Performance Reporting Division web site at <http://ritter.tea.state.tx.us/perfreport/account/2014/index.html>

TEXAS EDUCATION AGENCY
2015 Accountability Summary
 HENDERSON MIDDLE (071902041) - EL PASO ISD

Accountability Rating

Met Standard

Met Standards on

- Student Progress
- Closing Performance Gaps
- Postsecondary Readiness

Did Not Meet Standards on

- Student Achievement

In 2015, to receive a Met Standard or Met Alternative Standard rating, districts and campuses must meet targets on three indexes: Index 1 **or** Index 2 **and** Index 3 **and** Index 4.

Distinction Designation

Academic Achievement in Reading/ELA

NO DISTINCTION EARNED

Academic Achievement in Mathematics

NO DISTINCTION EARNED

Academic Achievement in Science

NO DISTINCTION EARNED

Academic Achievement in Social Studies

NO DISTINCTION EARNED

Top 25 Percent Student Progress

NO DISTINCTION EARNED

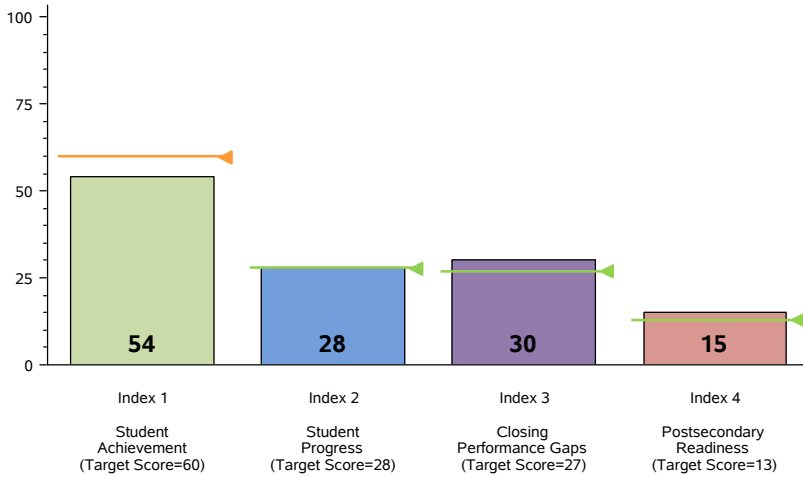
Top 25 Percent Closing Performance Gaps

NO DISTINCTION EARNED

Postsecondary Readiness

NO DISTINCTION EARNED

Performance Index Report



Campus Demographics

Campus Type	Middle School
Campus Size	754 Students
Grade Span	06 - 08
Percent Economically Disadvantaged	96.3
Percent English Language Learners	40.6
Mobility Rate	16.2

Performance Index Summary

Index	Points Earned	Maximum Points	Index Score
1 - Student Achievement	693	1,293	54
2 - Student Progress	170	600	28
3 - Closing Performance Gaps	301	1,000	30
4 - Postsecondary Readiness			
STAAR Score	15.0		
Graduation Rate Score	N/A		
Graduation Plan Score	N/A		
Postsecondary Component Score	N/A		15

State System Safeguards

Number and Percent of Indicators Met

Performance Rates	2 out of 19 = 11%
Participation Rates	7 out of 7 = 100%
Graduation Rates	N/A
Total	9 out of 26 = 35%

For further information about this report, please see the Performance Reporting Division website at <http://ritter.tea.state.tx.us/perfreport/account/2015/index.html>

TEXAS EDUCATION AGENCY
2016 Accountability Summary
 HENDERSON MIDDLE (071902041) - EL PASO ISD

Accountability Rating

Met Standard

Met Standards on

- Student Progress
- Closing Performance Gaps
- Postsecondary Readiness

Did Not Meet Standards on

- Student Achievement

In 2016, to receive a Met Standard or Met Alternative Standard rating, districts and campuses must meet targets on three indexes: Index 1 or Index 2 and Index 3 and Index 4.

Distinction Designation

Academic Achievement in ELA/Reading

NO DISTINCTION EARNED

Academic Achievement in Mathematics

NO DISTINCTION EARNED

Academic Achievement in Science

NO DISTINCTION EARNED

Academic Achievement in Social Studies

NO DISTINCTION EARNED

Top 25 Percent Student Progress

NO DISTINCTION EARNED

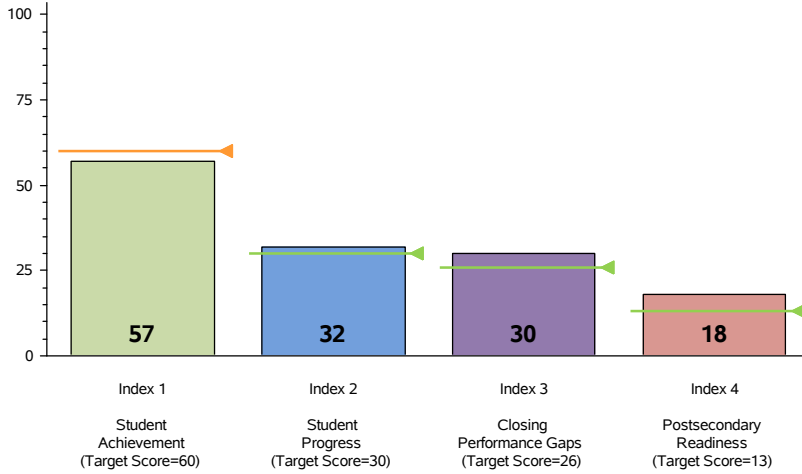
Top 25 Percent Closing Performance Gaps

NO DISTINCTION EARNED

Postsecondary Readiness

NO DISTINCTION EARNED

Performance Index Report



Campus Demographics

Campus Type	Middle School
Campus Size	789 Students
Grade Span	06 - 08
Percent Economically Disadvantaged	96.7
Percent English Language Learners	43.9
Mobility Rate	17.9

Performance Index Summary

Index	Points Earned	Maximum Points	Index Score
1 - Student Achievement	1,193	2,106	57
2 - Student Progress	253	800	32
3 - Closing Performance Gaps	299	1,000	30
4 - Postsecondary Readiness			
STAAR Score	18.0		
Graduation Rate Score	N/A		
Graduation Plan Score	N/A		
Postsecondary Component Score	N/A		18

System Safeguards

Number and Percentage of Indicators Met

Performance Rates	6 out of 25 = 24%
Participation Rates	10 out of 10 = 100%
Graduation Rates	N/A
Total	16 out of 35 = 46%

For further information about this report, please see the Performance Reporting Division website at <https://rptsvr1.tea.texas.gov/perfreport/account/2016/index.html>

TEXAS EDUCATION AGENCY
2014 Accountability Summary
 JEFFERSON H S (071902009) - EL PASO ISD

Accountability Rating

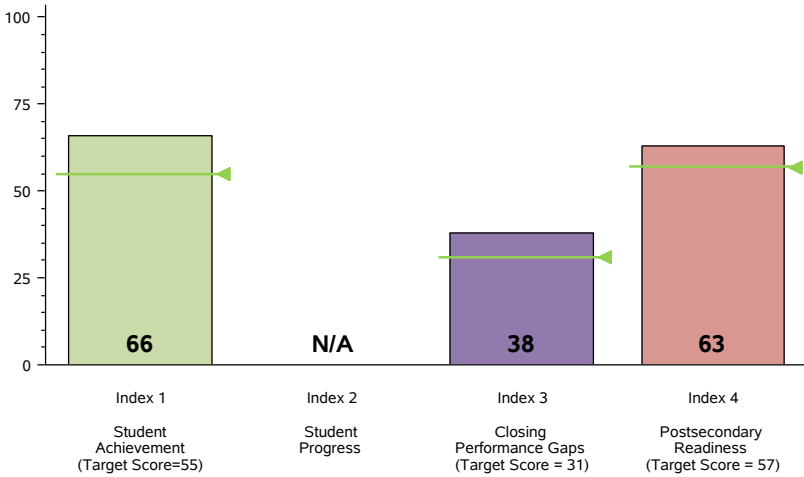
Met Standard

Distinction Designation

Met Standards on	Did Not Meet Standards on
- Student Achievement - Closing Performance Gaps - Postsecondary Readiness	- NONE

Academic Achievement in Reading/ELA	NO DISTINCTION EARNED
Academic Achievement in Mathematics	NO DISTINCTION EARNED
Academic Achievement in Science	NO DISTINCTION EARNED
Academic Achievement in Social Studies	NO DISTINCTION EARNED
Top 25 Percent Student Progress	NOT ELIGIBLE
Top 25 Percent Closing Performance Gaps	NO DISTINCTION EARNED
Postsecondary Readiness	NO DISTINCTION EARNED

Performance Index Report



Campus Demographics

Campus Type	High School
Campus Size	1,081 Students
Grade Span	09 - 12
Percent Economically Disadvantaged	86.9%
Percent English Language Learners	28.7%
Mobility Rate	18.4%

Performance Index Summary

Index	Points Earned	Maximum Points	Index Score
1 - Student Achievement	1,063	1,613	66
2 - Student Progress	N/A	N/A	N/A
3 - Closing Performance Gaps	302	800	38
4 - Postsecondary Readiness			
STAAR Score	7.0		
Graduation Rate Score	21.0		
Graduation Plan Score	24.8		
Postsecondary Indicator Score	10.5		63

System Safeguards

Number and Percent of Indicators Met

Performance Rates	13 out of 19 = 68%
Participation Rates	10 out of 10 = 100%
Graduation Rates	4 out of 4 = 100%
Total	27 out of 33 = 82%

For further information about this report, please see the Performance Reporting Division web site at <http://ritter.tea.state.tx.us/perfreport/account/2014/index.html>

TEXAS EDUCATION AGENCY
2015 Accountability Summary
 JEFFERSON H S (071902009) - EL PASO ISD

Accountability Rating

Met Standard

Met Standards on

- Student Achievement
- Student Progress
- Closing Performance Gaps
- Postsecondary Readiness

Did Not Meet Standards on

- NONE

In 2015, to receive a Met Standard or Met Alternative Standard rating, districts and campuses must meet targets on three indexes: Index 1 or Index 2 and Index 3 and Index 4.

Distinction Designation



Academic Achievement in Reading/ELA

DISTINCTION EARNED

Academic Achievement in Mathematics

DISTINCTION EARNED

Academic Achievement in Science

NO DISTINCTION EARNED

Academic Achievement in Social Studies

NO DISTINCTION EARNED

Top 25 Percent Student Progress

DISTINCTION EARNED

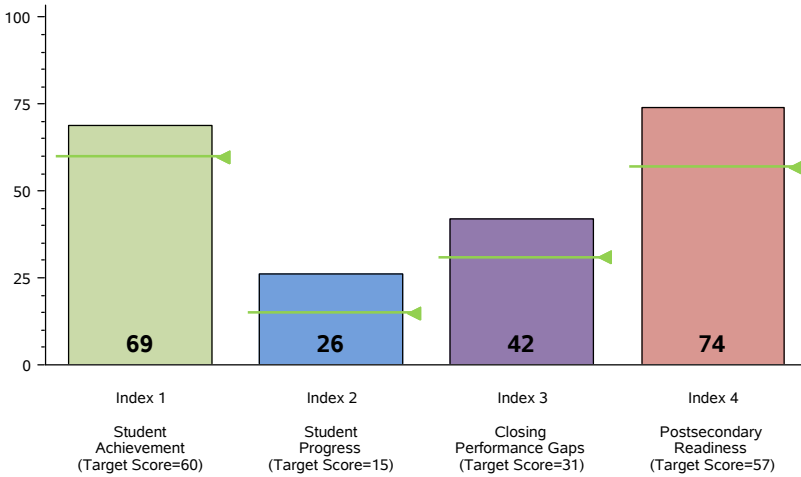
Top 25 Percent Closing Performance Gaps

NO DISTINCTION EARNED

Postsecondary Readiness

DISTINCTION EARNED

Performance Index Report



Campus Demographics

Campus Type	High School
Campus Size	1,003 Students
Grade Span	09 - 12
Percent Economically Disadvantaged	80.7
Percent English Language Learners	29.3
Mobility Rate	17.2

Performance Index Summary

Index	Points Earned	Maximum Points	Index Score
1 - Student Achievement	1,094	1,582	69
2 - Student Progress	157	600	26
3 - Closing Performance Gaps	335	800	42
4 - Postsecondary Readiness			
STAAR Score	9.5		
Graduation Rate Score	22.0		
Graduation Plan Score	24.7		
Postsecondary Component Score	17.6		74

State System Safeguards

Number and Percent of Indicators Met

Performance Rates	12 out of 17 = 71%
Participation Rates	9 out of 10 = 90%
Graduation Rates	3 out of 4 = 75%
Total	24 out of 31 = 77%

For further information about this report, please see the Performance Reporting Division website at <http://ritter.tea.state.tx.us/perfreport/account/2015/index.html>

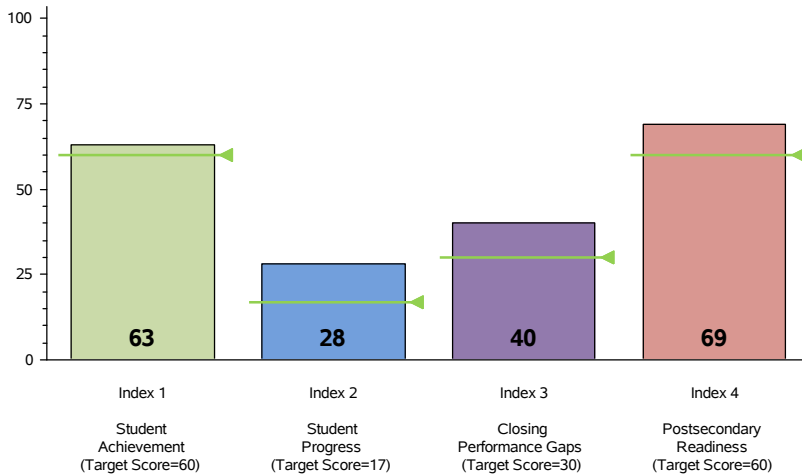
TEXAS EDUCATION AGENCY
2016 Accountability Summary
 JEFFERSON H S (071902009) - EL PASO ISD

Accountability Rating

Met Standard

Met Standards on	Did Not Meet Standards on
- Student Achievement - Student Progress - Closing Performance Gaps - Postsecondary Readiness	- NONE
In 2016, to receive a Met Standard or Met Alternative Standard rating, districts and campuses must meet targets on three indexes: Index 1 or Index 2 and Index 3 and Index 4.	

Performance Index Report



Performance Index Summary

Index	Points Earned	Maximum Points	Index Score
1 - Student Achievement	1,015	1,616	63
2 - Student Progress	222	800	28
3 - Closing Performance Gaps	317	800	40
4 - Postsecondary Readiness			
STAAR Score	8.8		
Graduation Rate Score	20.5		
Graduation Plan Score	24.4		
Postsecondary Component Score	15.0		69

Distinction Designation



Academic Achievement in ELA/Reading	NO DISTINCTION EARNED
Academic Achievement in Mathematics	DISTINCTION EARNED
Academic Achievement in Science	NO DISTINCTION EARNED
Academic Achievement in Social Studies	NO DISTINCTION EARNED
Top 25 Percent Student Progress	DISTINCTION EARNED
Top 25 Percent Closing Performance Gaps	NO DISTINCTION EARNED
Postsecondary Readiness	NO DISTINCTION EARNED

Campus Demographics

Campus Type	High School
Campus Size	1,003 Students
Grade Span	09 - 12
Percent Economically Disadvantaged	85.9
Percent English Language Learners	31.4
Mobility Rate	17.7

System Safeguards

Number and Percentage of Indicators Met	
Performance Rates	12 out of 19 = 63%
Participation Rates	10 out of 10 = 100%
Graduation Rates	0 out of 4 = 0%
Total	22 out of 33 = 67%

For further information about this report, please see the Performance Reporting Division website at <https://rptsvr1.tea.texas.gov/perfreport/account/2016/index.html>

THE 201 CORTEZ DR NEIGHBORHOOD CRIME

TOTAL CRIME INDEX

31
(100 is safest)

Safer than 31% of U.S. neighborhoods.

NEIGHBORHOOD ANNUAL CRIMES			
	VIOLENT	PROPERTY	TOTAL
Number of Crimes	39	94	133
Crime Rate (per 1,000 residents)	10.77	25.95	36.72

VIOLENT CRIME INDEX

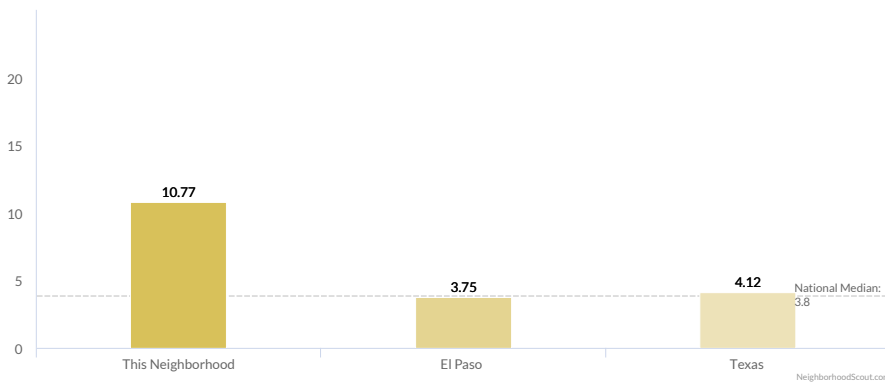
9
(100 is safest) ⚡

Safer than 9% of U.S. neighborhoods.

VIOLENT CRIME INDEX BY TYPE

MURDER INDEX	RAPE INDEX	ROBBERY INDEX	ASSAULT INDEX
22 100 is safest	17 100 is safest	21 100 is safest	6 100 is safest

VIOLENT CRIME COMPARISON (PER 1,000 RESIDENTS)



MY CHANCES OF BECOMING A VICTIM OF A VIOLENT CRIME

1 IN 93 ⚡
in this Neighborhood

1 IN 266
in El Paso

1 IN 243
in Texas

Pooley/Blue Flame Comparison

Poverty Rate: 33.5%
Crime Rate: 10.77

51.9%
22.92

Opportunity at Pooley:

Bus stop out front
Library (.28)
Pharmacy (.32)
Hospital (.46)
Park w/ playground (.59)
Grocery store (.30)

Opportunity at Blue Flame

bus stop around the corner
.60
.26
1.13
.62
.70

Schools:

Clardy Elementary

2014 Met Standard, 4 Distinctions
2015 Met Standard
2016 Met Standard, 1 Distinction

Hart Elementary

Met Standard
Met Standard, 1 Distinction
Met Standard, 2 Distinctions

Henderson Middle

2014 Met Standard
2015 Met Standard
2016 Met Standard

Guillen Middle

Met Standard, 2 Distinctions
Improvement Required
Met Standard

Jefferson High

2014 Met Standard
2015 Met Standard, 4 Distinctions
2016 Met Standard, 2 Distinctions

Bowie High

Met Standard, 2 Distinctions
Met Standard
Improvement Required

Applicant Documents

Undesirable Neighborhood Characteristics Report

Blue Flame

Application #17330



Office of Policy Development and Research (PD&R)
U.S. Department of Housing and Urban Development
Secretary Julián Castro



Search HUD User...

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2016 and 2017 Small DDAs and QCTs

48141001700 Select a State Select a County

Map Options : Clear | Reset | Full Screen

- QCT Legend:**
- Tract Outline
 - LIHTC Project
 - 2017 Qualified Census Tracts
- SADDA Legend (%):**
- FMR Boundary
 - SADDA Boundary
 - 2017 Small DDA (Entire ZIP code)
 - 2017 Small DDA (Part of ZIP code)
 - Non-Metro Area

Hide the overview of SADDA

The 2017 Qualified Census Tracts (QCTs) and Difficult Development Areas (DDAs) are effective January 1, 2017. The 2017 designations use data from the 2010 Decennial census and three releases of 5-year tabulations from the American Community Survey (ACS): 2008-2012; 2009-2013; and 2010-2014. The designation methodology is explained in the federal Register notice published October 17, 2016 (https://www.huduser.gov/portal/Datasets/QCT/QCTDDA2017_Notice.pdf).

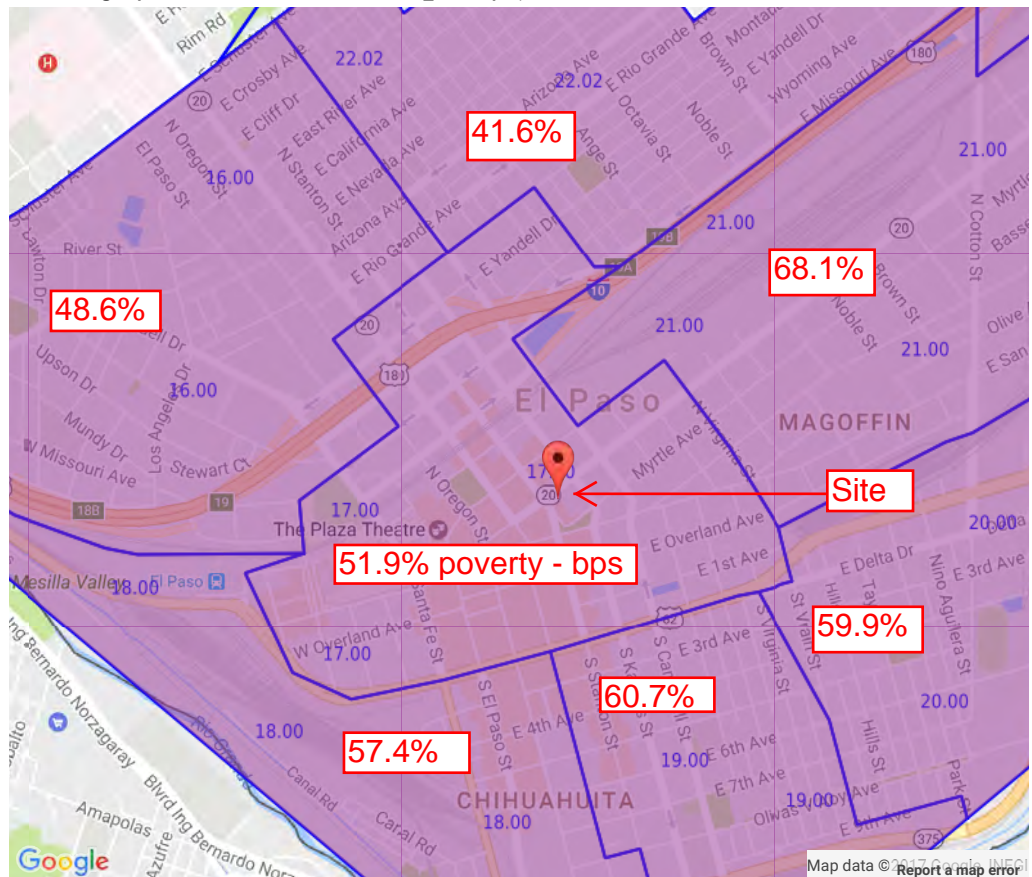
Map Options

- 15 Current Zoom Level
- Show SADDA Outlines (Zoom 10+)
 - Color QCT Qualified Tracts (Zoom 7+)
 - Show Tracts Outline (Zoom 11+)
 - Show FMR Outlines (Zoom 4+)
 - Show LIHTC Projects (Zoom 11+)

[Click here for full screen map](#)

Select Year

- 2017
- 2016



Map data © 2017 Google, INEGI Report a map error



140

About PD&R

- Delegations of Authority and Order of Succession
- Events
- HUD at 50

Initiatives

- Aging Research and Resources
- Aligning Affordable Rental Housing

Research

- Case Studies
- Data Sets
- Periodicals

- **Determination Regarding Neighborhood Boundaries.**

The neighborhood of the Blue Flame building approximately follows the census tract boundary, and is essentially downtown El Paso.

- **Assessment of general land use in the area.**

Blue Flame is located in the Central Business District of downtown El Paso. The area around the building is zoned C-5 – Central Business District. The subject is located in the central portion of downtown El Paso and the neighborhood is characterized by predominantly by commercial uses. To the north of the Blue Flame Building is the O.T. Bassett Tower, a 15 story art deco building currently being converted into an Aloft Hotel. Also to the north is the Wells Fargo Plaza Building, a 21-story commercial building with subterranean parking. To the east is Texas State Bank, to the south is Stanton Tower building, and to the west is the historic International Building, which is being renovated. The area is undergoing significant redevelopment, as further detailed in the attached Downtown El Paso Annual Report.

- **Assessment concerning any of the features of the Undesirable Site Features present in the neighborhood regardless of whether they are within the specified distances referenced in section 10.101(a)(2).**

Crime: The City of El Paso has consistently been ranked as one of the safest cities of its size in the United States since 1997. When compared to the other metro areas within Texas it has the lowest percentage of crime as well. (See Attachment A)

El Paso has a confluence of unique issues that impacts the crime rate for the census tracts in the Downtown area. These small and sparsely populated census tracts receive a disproportionate amount of incidents attributed to them from non-residents because of the following:

1. Opportunity Center (e.g. Homeless Shelter) is located 6 blocks away. This organization provides services to the homeless including mental health and substance abuse counseling. (See Attachment B)
2. Bar district within 3 blocks
3. Entertainment District is located 7-8 blocks away
4. International Border Crossing is located to the immediate South with 30,000 crossings daily.

Unfortunately these activity/population centers give rise to the higher/skewed crime statistics near the Blue Flame property.

Attached is an email from the El Paso Police Department regarding the statistics for this area. (Attachment C) In this email, Commander Pena gives an overview of the statistics and what the EPPD is doing to address the issues. You will note that in general that crime rates in the area have been declining.

We concur with his findings that this area is safe for the future residents of Blue Flame.

Blight: As with most urban areas throughout the country, Downtown El Paso saw a decline and is now experiencing revitalization. While there are buildings in the downtown area that are still vacant and could be considered blighted, the city is focusing their efforts to address the vacancies and arrest any physical decline of these properties.

As outlined in the Downtown 2015 Plan (please refer to revitalization items submitted in the full TDHCA Application), the City of El Paso has outlined strategies to revitalize the area surrounding the Blue Flame development.

As you can see from Attachment F (Annual Report) and Attachment G (Façade Program Annual Report) the Downtown Management District is addressing the physical needs of many of these properties and providing an improved environment to attract additional capital to the area.

We do not believe that the area should be considered blighted for the purposes of this application.

- **Assessment of the number of existing affordable rental units in the Primary Market Area (PMA) including comment on concentration based on the size of the PMA.**

Forthcoming Market Analysis will provide current information on existing affordable units.

- **Assessment of the percentage of households residing in the census tract that have household incomes greater than or equal to the median household income for the MSA or the county where the Development site is located.**

Forthcoming Market Analysis will provide more information on household incomes for the census tract.

- **Assessment of the number of market rate multifamily units in the neighborhood and their current rent and levels of occupancy.**

Forthcoming Market Analysis will provide current information on the current market rate units.

- **Assessment of school performance for each of the schools in the attendance zone containing the development that did not achieve the Met Standard rating for the previous two academic years, that includes TEA Accountability Rating Report, a discussion of performance indicators and what progress has been made over the prior year, and progress relating to the goals and objectives identified in the campus improvement plan in effect.**

School: Bowie High School, located in El Paso, TX missed the Met Standard rating by a single point in the latest TEA assessment – an incident that has not occurred in the prior three years when it had Met Standard.

Attachment D is a detailed letter from Superintendent Cabrera outlining the steps undertaken by the school district to meet the goals identified in the Campus Improvement Plan for Bowie High School (Attachment E).

We believe that the issues related to the school rating are a single year's anomalous event that will hopefully be rectified in the next school ratings.

Attachments

Attachment A – Crime Data

Attachment B – Homeless Information

Attachment C – Crime Letter from El Paso Police Department

Attachment D - Letter from El Paso ISD Superintendent's Office

Attachment E – Bowie High School Campus Improvement Plan

Attachment F – Downtown El Paso 2015 Annual Report

Attachment G – Façade Program 2015 Annual Report

See also Revitalization Plan submitted with Blue Flame Application # 17330

Crime Rate Rankings (Metro)

[Home](#) [Crime Rate Rankings \(Metro\)](#)

Source: FBI Crime in the United States, Federal Bureau of Investigation (Department of Justice)

* Rankings are calculated based on data provided in the FBI's Crimes in the United States publications.

Topic: Crime and Law Enforcement **Category:** General Crimes **Subcategory:** Total Crimes

Product: Local Stats

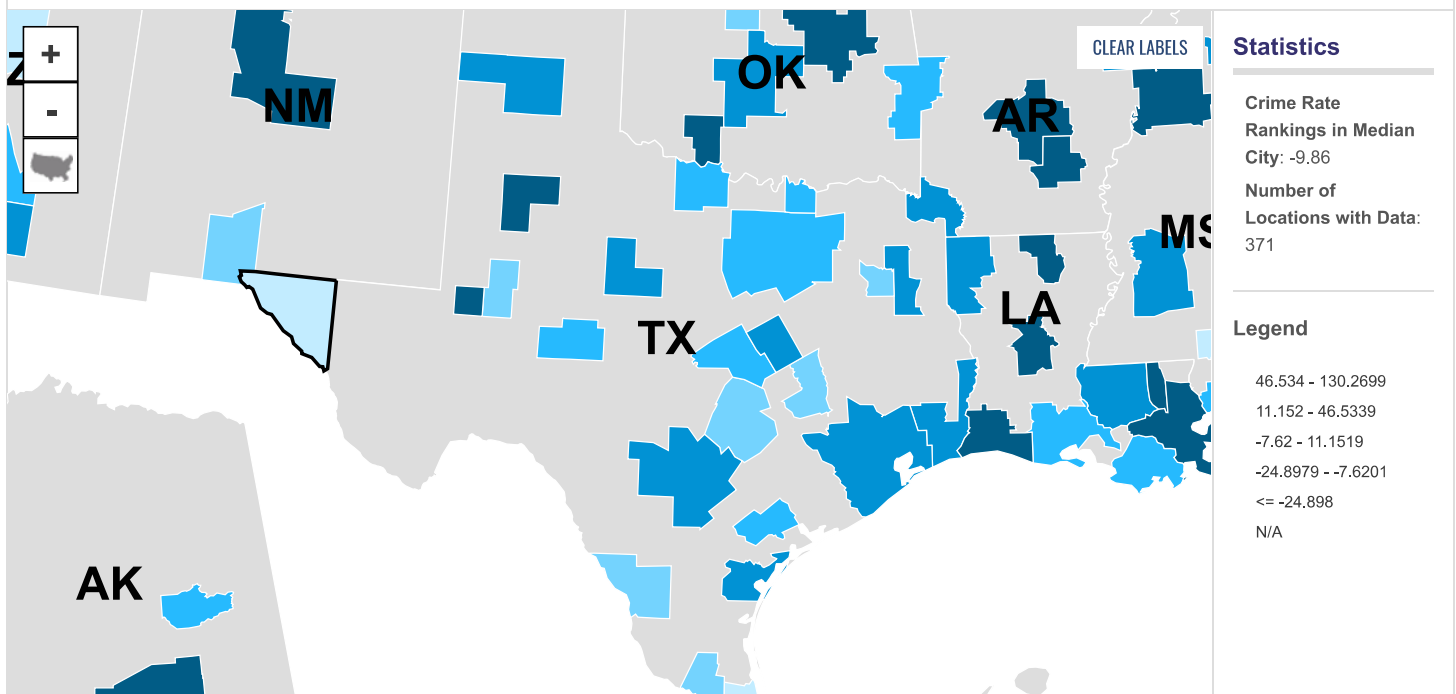
[Compare](#)[Related](#)[Source](#)

SELECT ONE TO COMPARE

[Map](#) [Table](#) [Chart](#)



Crime Rate Rankings (Metro) (2015)

[SAGE Journals](#)[SAGE Research Methods](#)[SAGE Knowledge](#)[CQ Press Library](#)

The ranking is based off of crimes rates for U.S. cities with populations over 500,000. The study was completed by CQ Press, a independent research firm. The company has constantly ranked the city of El Paso among the top three safest cities since 1997.

“These stats clearly demonstrate El Paso ‘breaks the rules’ of traditional criminology and all El Pasoans should be proud of their role in this accomplishment,” read a statement from the El Paso Police Department.

City	Bachelor's Degree or higher*	Median Household Income*	Persons Below Poverty Level*	Unemployment Rate**
El Paso, TX	22.4%	\$40,808	22.3%	8.6
New York, NY	34%	\$51,865	19.9%	9.2
Austin, TX	44.8%	\$52,432	19.4%	5.4
San Diego, CA	41.4%	\$63,990	15.4%	8.9
Los Angeles, CA	30.8%	\$49,745	21.2%	12.1
Charlotte, NC	39.4%	\$52,916	16%	8.2
Portland, OR	43.1%	\$51,238	17.2%	7.6
San Jose, CA	37.2%	\$81,349	11.7%	9.4
Seattle, WA	56.5%	\$63,470	13.2%	6.4
San Antonio, TX	24.2%	\$44,937	20.1%	6.5

*Information obtained from the U.S. Census Bureau

**Information Obtained from the U.S. Department of Labor

Photo: Ceasar Torres / El Paso 411

About the author: Aaron Gonzalez



Aaron is the content manager and writer for elpaso411.com. He can be reached at aarong@elpaso411.com or at 915.224.0411

Recent posts in News



Celebrating 22nd Year! Opportunity Center for the Homeless



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- OC Living Centers
- Who are the Homeless?
- Special Events
- In-kind Donations
- Outcomes and Statistics
- New and Upcoming Projects
- Our Mission Statement
- Strategic Plan
- Womens Resource Center

ABOUT US

The Opportunity Center for the Homeless (OC) consists of two homeless shelters, one for single adult men and one for single adult women, and seven residential centers for the elderly, single women (2), mentally ill, veterans, and men and women in school/work programs. Please visit our OC Living Centers page for more information about each program!

Homeless persons coming to the OC receive services by walk-in or referral 24 hours/day, 365 days/year. We receive the least among the homeless including addicted, elderly, mentally ill, and immigrant; police even drop of homeless at our shelter.

Over the year we served nearly 124,000 meals and provided over 102,000 nights of sleep. We counseled over 2000 men, women, and youth, and transitioned over 1000 into work, training, and school programs.

On average our homeless population is 88% male and 12% female; 57% are Hispanic, 28% Anglo, 12% Black, and 3% Other. In particular, we are seeing an increase in homeless single women.

PROGRAMS

- Assessment and Case Management
- Medical Services
- Mental Health Services
- Substance Abuse Services
- Veterans Services
- Education Program and On-Site Classes
- Employment Services
- Housing Services
- Transportation
- Safe Zone
- Foodshare Committee

The Opportunity Center for the Homeless

Mission Statement

The Opportunity Center exists for all homeless without distinction of race, ethnic origin, language spoken, or, religious beliefs, and regardless of mental, drug and alcohol problems. Through direct contact with the homeless, the Center supports them to move beyond their condition if they are capable; or protects them if they cannot improve their condition in society because of emotional or psychological disorders.

To this end, the Opportunity Center operates a day resource center/emergency overflow night shelter where homeless people can gather and where some members of the El Paso Coalition for the Homeless provide on-site services. The Center also strives to create a system of care for the most needy among this population through the development of transitional and long-term supportive housing.

Quick Contact

(915) 577-0069

[Catch Us in Quick Form](#)

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Celebrating 22nd Year! Opportunity Center for the Homeless



Learn More...

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- Who are the Homeless?
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PROGRAMS

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Quick Contact

(915) 577-0069

[Catch Us in Quick Form](#)

PROGRAMS

OC Programs - Helping the homeless get back home.

Assessment and Case Management

Here is the entry point to social services for the homeless clients. The process begins at the Shelter's front desk or through referrals from Homeless Coalition members. Five social workers respond to client sign-in, or frequent the Shelter entry and waiting areas to help direct clients to the services that they desire. Identification documents (e.g., birth certificate) are the greatest challenge in initiating services since two identification documents are required to receive food stamps, for example. Other valid identification documents are a state ID, social security card, voter's registration, and driver's license. Case workers deal with approximately 15 to 20 new clients/week. ID documents that are not on the client's person are ordered for a fee, and take up to six weeks to receive. It is the case workers who usually first provide the homeless clients with personal care items (e.g., toothbrush) once they are inside the Shelter.

Medical Services

Outpatient medical services, by Centro San Vicente, are offered in a clinical setting (4 examination rooms) containing its own pharmacy. The medical clinic is staffed by two nurse practitioners and four LVNs. This program averages 270 clients/month. The benefits of an on-site medical clinic include the possibilities of practicing preventative medicine and greatly reducing the use of expensive EMS and hospital facilities as surrogate doctor's office facilities.

Mental Health Services

These services consist of two programs, counseling and outpatient psychiatric. Counseling services consist of individual, group, family, and outreach counseling; services offered five days/week. A staff psychiatrist is available for outpatient services four days/week. Combined programs average 180 clients/month. The major benefits of these programs are one stop services to move the clients into satisfactory relationship situations, to break cycles of domestic violence, to break addictive cycles, to keep clients out of the legal system and out of jail, and to keep clients from initiating expensive emergency medical system (EMS) and hospital episodes.

Substance Abuse Services

Aliviane Inc. offers drug screening and an assessment of needs; and case management and referrals to appropriate providers in order to stabilize the homeless substance abuser. Most substance abuse clients have co-occurring disorders, mental illness and substance abuse, that requires significant intervention. This program conducts client site visits and street outreach. The goal of the program is to help stabilize the client into a transitional living environment.

Veterans Services

Homeless persons claiming veteran status are screened to determine if they have a general or honorable discharge. Once military discharge status is verified, these single men are eligible for the Veterans Transitional Living Center (VTLC). [Single women veterans live at the Women's SRO.] The VTLC is a three story facility having 20 rooms. Ten of the rooms are designated for the chronically mentally ill, and ten rooms are designated for those of normal mental health status. Veterans living at the facility must maintain a self-sufficiency plan that is reviewed with their case worker twice per month. The veterans must be in school, training, pending-pension benefits, and/or employed. They may reside at the VTLC for up to two years. Veterans who complete their program are often placed into permanent housing. The VTLC veterans are eligible for medical benefits through the VA hospital component at Beaumont Army Medical Center.

Educational Counseling/On-Site Classes

Clients are tested to determine their level of education, and then placed in classes accordingly. The educational focus of the OC is language and computer skills. Language skills are essential for GED preparation, and computer skills are essential for living and job skill preparation. There are two full-time ESL (English as a Second Language) teachers, and one part-time computer teacher/technician. The educational programs are housed within the shelter facility; there is one large classroom and one large computer lab (approximately 20 computers). Computer classes include training in WORD, Power Point, Access, Excel, and keyboarding. A five day class is required to use Internet services. Outreach classes (provided by visiting instructors) include life skills that focus on everything from Resume writing to interviewing; nutrition regarding healthful cooking and eating; and financial literacy. The educational staff also help with the college entry process including entrance and grant applications. The ESL classes retain approximately 60 out of 100 clients per year. The computer classes average approximately 200 clients per year. El Paso Community College has been a consistent contributor and supporter of the many educational programs at the Opportunity Center.

Employment Services

Homeless clients fill out a work plan if they are interested in employment; they must have valid identification to work. There are local work opportunities for day laborers, and out-of-town companies (e.g., meat packers) looking for unskilled labor. In-town operations such as the Texas Workforce, Labor Ready, and Sears also offer some opportunities for employment for those who will get a certification using a fork lift or being a security guard. Programs are currently being pursued with the El Paso Community College to include training for the trade professions (e.g., plumbing). Once a homeless client is back in the workforce, they regain some confidence in their ability to once again become self sufficient. Employment case management helps the working clients acquire proper work clothes, respond to immediate job referrals, and obtain certifications. There are approximately 30 to 40 new homeless clients seeking work each month.

Housing Services

The OC multiple services approach are to stabilize the homeless by transitioning them from the shelter facility, and placing them into a transitional living setting where they can focus on recovery issues. Referrals for transitional and permanent housing come from every corner of the Homeless Coalition. Limited housing options make transitioning homeless men, in particular, a continuous challenge. It is also important to have access to the local housing authorities because of the very low income clients. Generally, it is the low income clients transitioning into permanent housing. The benefit of this program is moving the homeless beyond the shelter environment, into a place one can again call home.

Transportation

This service operates out of the OC Shelter with two 15-passenger vans, one dispatcher, and three drivers (two part-time). The transportation service operates five days/week between the hours of 5:45 am and 5:30 pm. Clients from all 29 Coalition for the Homeless shelters typically call in to schedule daily rides between the hours of 6 am and 9 am. The Transportation office also keeps an updated advance appointment book that usually schedules weeks in advance, and the dispatcher will make a reminder call the day before the client's appointment. This service averages 100 passengers/day. The transportation program has been in operation since 1999. The vans log well over 100,000 miles/year.

Youth Services

This program targets homeless youth between the ages of 17 and 23 years. Program intake and emergency services are available 24 hours/day, 365 days/year. The program serves about 100 youth/year including their dependents; most of the youth suffer from substance abuse and addictive problems. Youth housing is provided through single room occupancy (SRO) facilities, other Homeless Coalition facilities, or the OC Shelter facilities. This program is oriented toward getting the youth into a supportive, productive environment, and onto a positive life's path. The youth have access to the OC system of client services. Particular program benefits and emphasis are placed upon completing one's education, and maintaining a job.

Safe Zone

Up to 15 recovering alcoholic or addicted single men participate in a very rigorous, minimum, 90-day program in an effort to again become self-sufficient, and become a productive member of the community. Depending on individual recovery circumstances, a man may be in the program 180 days or longer. The recovering men helped create this program, and are closely monitored; they are required to write their own self-sufficiency plan. In addition, these men must volunteer and work within the OC facilities as a way to earn their keep, and use their talents and skills. By the end of their program stay, the men are to be ready for training programs or the job market.



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Attachment C

Sarah Anderson

From: Sarah Anderson <sarah@sarahandersonconsulting.com>
Sent: Sunday, February 26, 2017 11:12 AM
To: 'Sarah Anderson'
Subject: FW: Blue Flame Crime Letter (or Email) Follow Up

From: Pena, Thomas S. [<mailto:1643@elpasotexas.gov>]
Sent: Thursday, February 23, 2017 9:04 AM
To: Bob Blumenfeld <bblu@acaciapark.com>
Cc: Gerold Cichon <gcichon@hacep.org>; Gomez, Martha <mgomez@hacep.org>; Zarur, Victor <1515@elpasotexas.gov>
Subject: RE: Blue Flame Crime Letter (or Email) Follow Up

Mr. Blumenfeld,

Attached you will find crime stats provided by our headquarters Crime Analyst. Stats include numbers for the City, Central and 31 district dating back to 2010. Overall, crime had been decreasing each and every year until 2016 when we had a slight increase in Central as a whole, however 31 district did not and actually lowered in some categories. Over the years mentioned, you will notice a significant increase in sexual assaults, however be advised that there was a change in the Uniform Crime Reporting guidelines that redefined sexual assault reporting criteria. We do not believe there was an increase as noted on stats, it was merely the change that required other offenses to be included that were not in previous years. Everything else remained steady or decreased. There is only one murder noted in our report received from headquarters however there were three incidents where a life was taken with a firearm or knife in 2016. To have three cases in 31 district is not common as in years past, we averaged less than one murder. The reason all three may not show up on a UCR report is possibly due to case status or disposition to date.

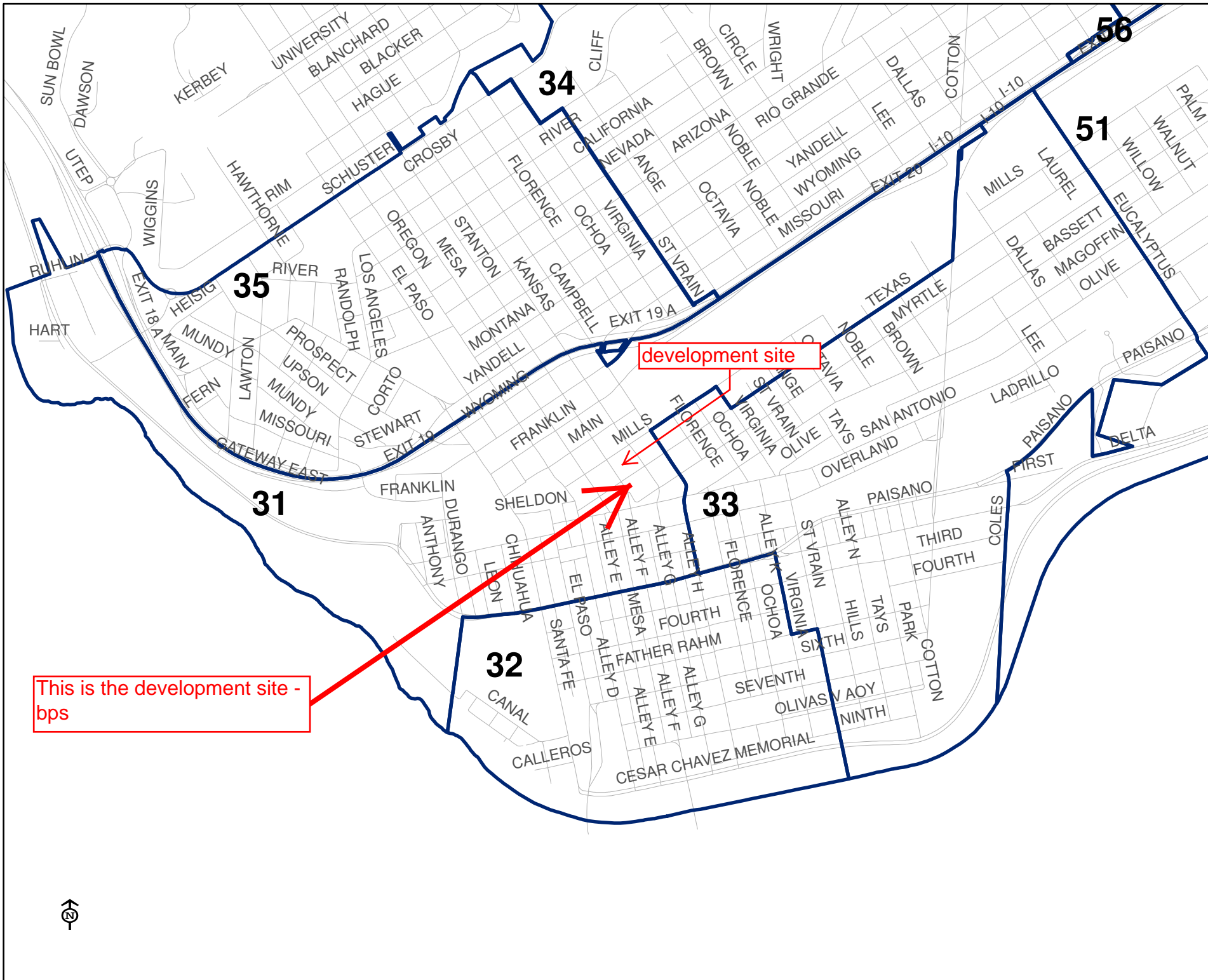
To address your statement that the majority of violent crimes reported in the downtown area were not in the immediate vicinity of the Blue Flame building. You have been provided with the requested statistics and locations of crime in the downtown area. What is Immediate to me may not be the same as immediate to you. We function by using districts and the area you all are inquiring about is encompassed 31 district. I previously proved you with the map of the district which is roughly the same as the plat you requested. Of the areas in 31 district, the area we focus on most are those we have defined as "entertainment" areas where restaurants, theatre, baseball park and nightlife spots are located. Those areas are west of the Blue Flame by a couple blocks. In the daytime, we patrol the downtown business areas north and south of Paisano. I will state that at this time I do not have an immediate concern for the welfare of the citizens who visit downtown or the area you are inquiring about. Meaning I do not believe citizens should have a fear of coming downtown. Crime occurs just as in any other area and as much as I'd like to guarantee that crime would not occur in certain areas, I cannot.

The department has taken steps to ensure the safety of those who live and visit the downtown area with the development of the Metro unit. The unit currently has an authorized staffing of 40 Officers who work on bikes and on foot and primarily work in the entrainment areas at night and downtown business footprint by day. The ultimate goal is to provide a safe and secure downtown so that citizens may come down without fear of being victimized by any type of crime. As downtown continues to grow with revitalization our goal is that the Metro unit will as well.

Sincerely,

Thomas S. Peña #1643

Commander
El Paso Police Department
Central Regional Command
(915) 212-4560
1643@elpasotexas.gov



This is the development site - bps

development site





El Paso Police Department

Mayor

Oscar Leeser

City Council

District 1

Peter Svarzbein

District 2

Jim Tolbert

District 3

Emma Acosta

District 4

Carl L. Robinson

District 5

Dr. Michiel R. Noe

District 6

Claudia Ordaz

District 7

Lily Limón

District 8

Cortney C. Niland

City Manager

Tommy Gonzalez

CITYWIDE	2010	2011	2010-2011 %	2012	2011-2012 %	2013	2012-2013 %	2014	2013-2014 %	2015	2014-2015 %	2016	2015-2016 %
Murder	5	16	220%	23	44%	10	-57%	20	100%	17	-15%	21	24%
Sexual Asslt	176	227	29%	177	-22%	178	1%	310	74%	310	0%	314	1%
Robbery	470	459	-2%	459	0%	451	-2%	398	-12%	400	1%	466	17%
Aslt	11699	10823	-7%	10469	-3%	9512	-9%	8667	-9%	8379	-3%	8341	0%
Burglary	1927	1845	-4%	1789	-3%	1685	-6%	1492	-11%	1402	-6%	1411	1%
Larceny	14020	13088	-7%	13495	3%	12997	-4%	12235	-6%	10999	-10%	10255	-7%
Veh Theft	1488	1388	-7%	1101	-21%	756	-31%	764	1%	752	-2%	813	8%

CENTRAL	2010	2011	2010-2011 %	2012	2011-2012 %	2013	2012-2013 %	2014	2013-2014 %	2015	2014-2015 %	2016	2015-2016 %
Murder	3	2	-33%	5	150%	4	-20%	4	0%	4	0%	8	100%
Sexual Asslt	36	58	61%	40	-31%	42	5%	58	38%	67	16%	65	-3%
Robbery	155	154	-1%	153	-1%	126	-18%	115	-9%	124	8%	153	23%
Aslt	2199	2088	-5%	1930	-8%	1764	-9%	1641	-7%	1501	-9%	1584	6%
Burglary	349	391	12%	324	-17%	364	12%	307	-16%	287	-7%	287	0%
Larceny	2428	2424	0%	2103	-13%	2184	4%	2061	-6%	1756	-15%	1664	-5%
Veh Theft	409	373	-9%	310	-17%	179	-42%	210	17%	189	-10%	166	-12%

	2010	2011	2010-2011 %	2012	2011-2012 %	2013	2012-2013 %	2014	2013-2014 %	2015	2014-2015 %	2016	2015-2016 %
Dist 31													
Murder	0	1	n/c	1	0%	0	-100%	1	n/c	0	-100%	1	n/c
Sexual Asslt	3	6	100%	1	-83%	1	0%	2	100%	4	100%	1	-75%
Robbery	19	22	16%	19	-14%	20	5%	20	0%	17	-15%	16	-6%
Aslt	213	176	-17%	192	9%	153	-20%	189	24%	146	-23%	142	-3%
Burglary	5	15	200%	13	-13%	7	-46%	17	143%	11	-35%	11	0%
Larceny	174	180	3%	176	-2%	230	31%	240	4%	162	-33%	153	-6%
Veh Theft	40	25	-38%	22	-12%	9	-59%	16	78%	14	-13%	14	0%

*UCR based figures derived from Leads Management System

**n/c (figure not calculable)

***As of January 2014 Sexual Assault definition was changed per the UCR standards to include other forms of deviances.

Gregory K. Allen, Chief of Police

Police Headquarters | 911 N. Raynor | El Paso, Texas 79903 | (915) 212-4000

"Delivering Outstanding Services"

Attachment D



EL PASO INDEPENDENT
SCHOOL DISTRICT

Superintendent's Office

Education Center

6531 Boeing Dr.

El Paso, TX 79925

Phone (915) 230-2577

Fax (915) 230-0575

www.episd.org

February 23, 2016

TDHCA

Tim Irvine, Executive Director

221 East 11th Street

Austin, TX 78701

RE: TDHCA Application #17330 (Blue Flame)

Dear Mr. Irvine:

I am writing this letter to outline and provide evidence/documentation regarding current progress towards meeting the goals and performance objectives identified in the Campus Improvement Plan for Bowie High School located in El Paso, Texas.

The Mission of Bowie High School is to ensure all students are provided with a challenging learning environment that prepares them to compete with any other individual in a post-secondary environment. EPISD and Bowie High School have made great strides to ensure Bowie students meet the performance and progress targets set by the Texas Education Agency. Some of the highlights include utilizing high quality recruitment and retention strategies, targeted professional development, curriculum & instruction support, Social Emotional Learning (SEL) as well as utilizing the strengths of a strong school culture and parental involvement.

EPISD has ensured all staff members at Bowie High School have been designated as Highly Qualified. That is, all staff members are licensed in their teaching or auxiliary areas. Those teaching Dual Credit courses have been credentialed by the El Paso Community College, and those assigned Pre-Advanced Placement (AP) or Advanced Placement courses are Gifted and Talented certified. In addition, funds have been allocated to provide high quality staff development for all professional staff members, and through the Active Learning Framework, teachers participate with Active Learning Leaders in activities designed to improve teaching.

Bowie High School is receiving enhanced assistance to support academic achievement in all areas. First, each department at Bowie has gone through the work of determining and analyzing essential standards and developing plans using specific strategies to support differentiated instruction, in particular strategies to assist English Language Learners (ELLs) and Special Education students. All core departments receive focused support from academic and instructional specialists who regularly attend and participate in Professional Learning Communities (PLCs), assist in planning for instruction and interventions, provide job-embedded professional development, lead data review meetings after assessment data has been collected, and co-plan for PLCs. Bowie is increasing its utilization of technology and increasing technology training allowing for more diversity in lessons. Bowie is also offering additional dual credit courses and electives allowing students more flexibility in their schedules. Further, a Reading course for incoming 9th graders and a Writing course for 10th graders has been created to assist struggling, at-risk students. Additional initiatives being implemented at Bowie to provide challenging experiences for our students, is that of active, project-based and blended learning to inspire and support engaging learning experiences in every classroom.

Another initiative is the provision for the development of healthy individuals and schools through social emotional learning (SEL). This initiative allows for the implementation of a campus wide program of Positive Behavior Intervention and Support (PBIS). Through this program, Bowie High School focuses not only on academics but also the social and emotional needs of its students. Professional development opportunities are also provided for teachers to support positive classroom management.

In addition to a strong academic support team, there is also a strong family and community involvement at Bowie. The Alumni Association and the athletic booster clubs offer support in fund-raising and in the support of their athletes and coaches in general. Project Vida offers a teen outreach program for all female students at Bowie. They discuss topics such as life-skills and making a difference through community service. English classes are offered to the Bowie community on a weekly basis through the campus based Parent Liaison. Monthly parent meetings called the Community Action Team/Parent Advisory Committee are offered to provide a forum to communicate and coordinate individual family and community issues such as: housing, positive discipline, law enforcement, and school policy. The school has a master social worker who promotes and supports the educational process by assessing and addressing the needs of the community.

The following is a list of additional support provided to Bowie to implement the Campus Improvement Plan:

- Coaching for the Principal and Leadership Team at Bowie to restructure PLCs to include a focus on data and instruction. PLCs are held weekly that revolve around best practices. Teams have been trained on the Texas Essential Knowledge and Skills and providing specific instruction on essential standards based on student needs.
- An academics/central office support team has been designated to support Bowie teachers and administrators.
- Classroom walkthroughs and weekly meetings are conducted with a reflective meeting with the Principal on best practices by School Leadership representatives.
- A tutoring center/writing lab has been created to provide before and after school tutoring to support students on a daily basis. Credit recovery opportunities are provided for students during zero and 9th period. This allows students the opportunity to regain credit in order to graduate.
- Bowie teachers have visited other campuses to observe best practices.
- Increasing Dual Credit opportunities for students by providing preparation support for Texas Success Initiative (TSI) testing.
- An End of Course class is embedded into the daily schedule for End of Course re-testers.
- Response to Intervention (RTI) training has been provided to teachers. Through this RTI model, student data is used to individualize instruction and provide interventions that address targeted student outcomes.
- Active Learning Leaders (ALL) have been assigned to assist teachers by content areas.
- Interested teachers are seeking English as a Second Language (ESL) certification in order to better serve English Language Learner (ELL) students.
- Teachers are being provided Advanced Placement (AP) training.
- Educational Talent Search tutors are provided to support students.
- Study guides are being developed by content area to support student learning.
- Technology intervention for End of Course and TSI programs.
- Professional Service Provider (PSP) support for the campus.

It is my hope that this letter serves to document some of the great work taking place at Bowie High School and throughout the El Paso Independent School District. We are making improvements to ensure all of our schools, regardless of their socio-economic background, are successful not only in their high school but also in their post-secondary pursuits.

Please feel free to contact me with any additional information you may need.

Sincerely,



Juan E. Cabrera
Superintendent

Attachment E

El Paso Independent School District

Bowie High School

2016-2017 Campus Improvement Plan

Mission Statement

Bowie High School will ensure that all students are provided with a challenging learning environment that prepares them to compete with any other individuals in a post secondary environemnt.

Vision

Bowie High School will become a leading instirution of learning in the binational, bicultural, border region of El Paso, TX. Students graduating from Bowie will have the skills needed to effectively compete with any other students in college or post secondary careers.

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Comprehensive Needs Assessment

Demographics

Demographics Summary

Bowie High School is part of the El Paso Independent School District. It's located across San Marcial Street from Chamizal National Memorial and one block from the Bridge of the Americas linking El Paso with Ciudad Juarez. Bowie High School is in Congressional District 16, State Board of Education District 1 represented by Martha Dominguez, Texas House District 77 represented by Marisa Márquez and Texas Senate District 29 represented by José R. Rodríguez.

Bowie High serves Downtown El Paso and the western half of South Central El Paso; its attendance zone is roughly defined by Interstate 10 on the north, the Rio Grande on the south and west, and Luna Street on the east (Chart1). It is fed by Guillen Middle School and the elementary schools in its feeder pattern include Aoy, Beall, Douglass and Hart. Bowie High also hosts a magnet program for business and international relations which draws students from throughout the district.

According to the United States Census, the Bowie High School feeder pattern serves 8,974 housing units with a population of 26,036 people. The median household income of this area is \$19,388.00. The Census also estimated that of the 26,036 people living in the area, 32 percent are foreign born, and 42 percent of the population live below the poverty line.

Bowie High is an urban school with about 1,465 students. The majority of Bowie's population rests at its ninth grade level comprising 29% of its population. The subsequent grade levels vary: tenth grade comprises 27%, eleventh grade comprises 23%, and twelfth grade comprises 21%.

The ethnic distribution of Bowie is predominately homogenous with 99.4% of its population being Hispanic and 0.6% of its population containing students of African American, White, or other ethnic descent. Bowie also has a rather large ESL population with English language learners consisting of

36.4% of its entire population.

Of the 1,465 students that attend Bowie, 91% of the population are currently classified as economically disadvantaged. Only 9% of the population are considered to be non- economically disadvantaged.

Bowie High also faces some interesting challenges with 78% of its population being classified as At- Risk and 20% of its population classified as Mobility. However, only 8% of its population have disciplinary placements.

Concerning graduation, Bowie had overwhelming success with 91.7% of its graduates graduating under the recommended or distinguished achievement program, and 7.8% of the students being special education graduates. Only 8.3% graduated under the minimum requirement plan.

Demographics Strengths

One of Bowie's greatest strengths is the spirit and attitude of its staff. When polled, the majority of the staff felt like their attitudes and efforts were positive and supportive of the changes happening at Bowie. They also felt that teachers were actively engaged in creating a positive learning environment for our students. Administration has done a good job unifying the teachers and maintaining a positive working environment for the teachers. Activities like faculty breakfasts, and policies like focusing on the positive and not the negative helped make the staff at Bowie feel supported.

Staff development was also very successful. Almost seventy-five percent of the entire population agreed that Bowie strongly promoted the educational growth and development of our teachers. Everything from writer's workshops to technology in-services helped our teachers gain a better understanding of the 21st century classroom and the needs of a 21st century learners.

Lastly, Bowie has done a wonderful job seeing that 91 percent of our students graduate under the recommended or distinguished achievement plan, and only 8.3 percent graduated under the minimum requirement plan.

Demographics Needs

One of the greatest concerns for the Bowie High School feeder pattern is how to identify the needs of our economically disadvantaged students and how deal with their needs effectively. Currently, forty-two percent of the people living in the Bowie area are living below the poverty line and classified as "At-Risk." Because of this, Bowie must ensure that the students have the educational, nutritional, and emotional scaffolding and support to succeed. Students should be

aware of programs like free breakfast and free lunch. They must also be given a schedule that makes sure they are aware of the after school tutoring and support given. Finally, students should have a clear understanding of the resources available to them in regards to medical issues and counseling. By informing the students of the support systems, they are more likely to utilize these support structures to succeed.

Traditionally, the largest classes at Bowie have been the 9th grade classes. In any given year, the freshman class can consist of upwards around 550 students. Along with the issues that arise with sheer numbers, incoming freshman deal with a myriad of other educational, transitional and emotional obstacles. By finding a way to ease the gap from middle to high school, we can reduce confusion and stress during that crucial transitional time, and set the proper tone for the next four year. Programs like freshman orientation, big brother and big sister, and teacher mentor programs can be a viable options that aid in freshman success.

Lastly, Bowie needs to make sure that the lines of communication between parents and the school are open and working. Due to the nature of area, housing and contact information can sometimes be problematic. The school must stress the importance of having a working contact number or address. Also, having programs that welcome positive and frequent parent-teacher interaction can reduce issues in the classroom and strengthen the support base for the student.

Student Achievement

Student Achievement Summary

Bowie High School performance on EOC is as follows for the 2013-2014 school year: Algebra 1 (68%), Biology (84%), English 1 and 2 at (33%), and US History at (73%) for all students. We performed above the state suggested passing rate in each area for overall performance. Since our population is 98% Hispanic, these percentages reflect their performance. Our Economically disadvantaged students performed as: Algebra 1 (69%), Biology (84%), Eng 1 (33%), English 2 (31%), and USH (72%). Our Special Education students performed as: Algebra 1 (36%), Biology (33%), English 1 (0%), and English 2 (17%). Our ESL students performed as: Algebra 1 (17%), Biology (39%), English 1 (14%), English 2 (13%), and US History (58%).

Bowies ranked in Q3 for AP English performance with a score of 17.6 and Q2 for Math with a score of 22.2. We were ranked in the top Quartile for students participating in SAT/ACT; however, scored in the bottom for performance on ACT/SAT in English and Q3 for math. Bowie ranked in Q1 for projected progress in English and Q2 for math.

Bowie scored in Index 1 with (62%), Index 2 (12%), Index 3 (71%), and Index 4 (87%).

Student Achievement Strengths

Bowie did meet all state passing percentages for overall performance with students on EOC. We were also above state standards for all four index. We were also successful with our LEP population in algebra 1 and biology for they scored above stated standard.

Bowie has 62% of students in Phase 1, 12% in Phase 2, and 2% in Phase 3 for all subjects combined for Index 1. Index 1 state standard was at 50, and we exceeded by 12 points. We scored a (25%) in Index 2 that exceeded state standard of (17%). We scored in Index 3 a (71%) which is 16 points above state average of a (55%). We also scored an (87%) in Index 4 that exceeded the stated standard (75%).

Student Achievement Needs

1) We scored above the expected minimum state standard for all student performance; however did not obtain the district and state average. Math: Bowie (68%), district (81%), state (81%) / Science: Bowie (84%), district (89%), state (91%) / Social Studies: Bowie (73%), district (90%), state (92%) / English 1: Bowie (33%), district (58%), state (62%) / English 2: Bowie (33%), district (62%), state (66%). We must meet the average that our district and state has already established beside the minimum.

2) We were below expectations for our SPED population for all academic areas. We will strengthen our approach academically within the school day.

3) We were below minimum expectation for our LEP population in English 1 and 2. At the same time so was the district and state as a whole. Despite this we still scored below the district and state average.

School Culture and Climate

School Culture and Climate Summary

Bowie High School is characterized by a distinct school culture with proud traditions. Results of a climate survey administered in March 2014 to staff and students indicate that a number of the Bowie High School stakeholders agree that Bowie has undergone positive change in the past two years. The psychometric instrument employed was comprised of a series of statements based on 12 of the 16 criteria of the National School Change Award paradigm. The statements were provided for survey participants to rate on a Likert scale. The survey also gave respondents an opportunity to make optional comments on each statement. Third and fourth-year enrolled students were also surveyed on similar statements geared more from the vantage point of a student.

Approximately 68 percent of the total number of surveys distributed were completed and submitted. The staff percentage of participation was 47% with the teacher category at 63%. Thirty-three percent of the professional support staff, 20 % of the classified staff, and 60% of the administrators participated in the survey. Senior and junior students were also surveyed. Seventy percent of the seniors and sixty percent of the juniors participated. Surveys were voluntary and names were optional. Junior and senior English teachers administered the surveys to their students. Surveys were voluntary and names optional for students as well.

The total percentage of Strongly Agree and Agree responses for the summary results are listed below.

School Staff Summary Results

- Bowie has changed significantly for the better. **(57%)**
- Staff and student attitudes, values, and beliefs seem to have changed positively. **(58%)**
- Teacher behaviors and attitudes reflect engagement in the change. **(60%)**
- Teachers and students enjoy coming to school and staying at the school beyond the school day. **(51%)**
- New procedures, processes, and systems have improved the operational and instructional aspects of the school. **(48%)**
- School decision-making reflects positive changes in instruction, organization, and accountability, **(55%)**
- There is a perception among staff members, students, and parents that positive change has taken place at Bowie. **(56%)**
- There is a perception in the community that positive change has taken place at Bowie. **(48%)**
- Teaching has improved at Bowie. **(58%)**
- Innovative methods and best practices are used more widely in the classroom than in previous years. **(43%)**
- Professional development, training, and research are promoted at Bowie. **(66%)**

Juniors and Seniors Summary Results

- Bowie has changed significantly for the better. **(65%)**
- Student attitudes, values, and beliefs about Bowie seem to have changed positively. **(61%)**
- Teachers and students enjoy coming to school and staying at the school beyond the school day. **(42%)**
- New rules and expectations have improved the school. **(44%)**
- My parents believe that Bowie is a good school for me. **(74%)**
- Teaching has improved at Bowie. **(61%)**

Most telling perhaps are the comments, from the positive to the negative. A professional support staff member remarks: “I really believe the top school administrator truly has Bowie and students as a priority and is really working to change things at school”. The respondent continues to say that the positive change at Bowie “is actually seen in the reduced tension and more non-threatening environment at school”. On the other end of the spectrum, a teacher writes: “Staff and students alike still remain negative and doubtful”. The same teacher posits that there “is still a lot of work to do”. Another teacher agrees that there has been positive change, but “it is starting to fall off as we slack off on what we started”. Other teachers comment on how overwhelmed they are with what they view as the extraneous details of teaching.

Students provided some poignant responses. A junior agrees that student attitudes, values, and beliefs seem to have changed positively, but qualifies her rating with “students from here, yes. Students from other schools still keep thinking we are all trashy and ghetto because it is “la Bowie” to them because of the negative, unrealistic feedback from the news”. Another student strongly disagrees with the same statement and writes: “Students interfere with people’s learning”. Despite these comments, Bowie students who completed the survey seem to agree that Bowie has improved during their years at the school.

Bowie High School is undergoing positive change. Continued, unrelenting focus on school improvement is in order to further enhance the school culture and climate.

School Culture and Climate Strengths

The strengths of the school culture and climate at Bowie High School are as follows:

- Active, engaged alumni organizations that support the school goals and objectives.
- Active, engaged community groups that provide support.
- Improved staff commitment to school change and improvement.
- Improved administrative organizational plan.

School Culture and Climate Needs

The identified school culture and climate needs at Bowie High School are as follows:

- Additional professional development and curricular support for teachers in meeting student academic needs.
- Further staff participation in the refinement and enforcement of school policies and procedures.
- Improved parental engagement and participation in the educational process.
- Improved staff commitment to the school improvement process.
- Improved staff participation and interest in the philosophical underpinnings and outcomes of the school academic goals and objectives.
- Improved and revitalized school and community perceptions about the school.

Staff Quality, Recruitment, and Retention

Staff Quality, Recruitment, and Retention Summary

All staff members at Bowie High School have been designated as Highly Qualified. That is, all staff members are licensed in their teaching or auxiliary areas. Those teaching Dual Credit on-site courses have been credentialed by El Paso Community College. Teachers who are assigned Pre-AP or AP courses are required to have GT certification and yearly updates thereafter. As there has been an emphasis on offering Dual Credit courses for students, teachers have been apprised of the district reimbursement incentives to become credentialed to teach those courses. Funds have been allocated to provide quality staff development for all professional staff members.

Staff Quality, Recruitment, and Retention Strengths

The strengths with regard to Staff Quality, Recruitment, and Retention are as follows:

- All teachers, administrators, support staff, and paraprofessionals at Bowie High School are Highly Qualified.
- Teachers are afforded opportunities to participate in quality staff development. Those activities include GT and AP training as well as Dual Credit credentialing. Through the professional coaching model, teachers can participate in activities designed to improve teaching.

Staff Quality, Recruitment, and Retention Needs

Identified needs in the areas of Staff Quality, Recruitment, and Retention are as follows:

- Individualized staff development activities for professional staff members who participate in specific programs and initiatives.
- Individualized staff development activities and plans for the staff at large. (As opposed to one size fits all.)
- Feeder pattern staff development activities to address the general needs of the clientele.

Curriculum, Instruction, and Assessment

Curriculum, Instruction, and Assessment Summary

Bowie High School, with its high ELL population, promotes a rigorous curriculum with built-in support systems for its students. Staff development for all content teachers, instructional coaches, and administration provides relevant, quality strategies. These include writing across the curriculum, technology, time management, and vertical alignment. In addition, PLC's are used to analyze/assess data from EOC results, common assessments, and grading periods in order to address the needs of all students.

An increase in Dual Credit classes and electives is being offered to facilitate student improvement and acceleration as well as supporting the International Business Academy.

Curriculum, Instruction, and Assessment Strengths

Instruction is more unified through common planning during PLC and staff development time. Assistance through a variety of agencies (Region 19, TLI, Title 1 Support Personnel, etc.) helps address needs of Tier 2 and 3 students. The bell schedule allows teachers the opportunity to have direct contact 4 days out of the week. An increase in technology and technology training allows for more diversity in lessons. Offering additional dual credit courses and electives allows students more flexibility in their schedules drawing more students to our Academy. A Reading course for incoming 9th and a Writing course for 10th graders has been created to assist struggling, at-risk students.

According to the school climate survey, faculty, staff, and students overwhelmingly feel the school is making progress and working in a positive direction in the classrooms.

The "Bowie Gardens" provide a unique means for project-based instruction.

Curriculum, Instruction, and Assessment Needs

In order to meet the needs of its high ELL student population, Bowie needs to strengthen the following areas:

Ensuring bell-to-bell, rigorous lessons are being implemented daily in all content areas.

Increasing writing across the curriculum (Writing to learn)

Applying various teaching methodologies, including technology

Consistency in RTI

Continuing quality professional development for all content areas, administration, counselors, and academic coaches.

Promoting of our increased Dual Credit opportunities

Family and Community Involvement

Family and Community Involvement Summary

The population and community served at Bowie High is one with particular and identifiable needs. Our location in the 79905 zip code indicates the pervasively low economic situation in the area, as well as our proximity to the U.S./Mexico International Border. Because of the social, cultural, and economic factors that contribute to our demographics, over 90% of our population receives assistance in the form of free or reduced lunch status. Many of our students are English language learners and among the first generation in their families to graduate from high school or attend college. Because of these factors, Bowie faculty and staff are committed to close any cultural and social economic gaps that prevent students from achieving their goals.

Family and Community Involvement Strengths

Here at Bowie H.S. the Alumni Association gives of their time and money. The athletic booster clubs offer support in fund-raising and in the support of our athletes and coaches in general. Project Vida offers a teen outreach program for all female students at Bowie H.S. They discuss topics such as life-skills and making a difference through community service. English classes are offered to the Bowie community on a weekly basis through our parent liason. Monthly parent meetings called the Community Action Team/Parent Advisory Committee are offered to provide a forum to communicate and coordinate individual family and community issues such as; housing, positive discipline, law enforcement, school policy, etc. The school has a master social worker who promotes and supports the educational process by assessing and addressing the needs of the community. Administration created a transparency committee where the community can address any issues or concerns. During this time the community is provided with updates.

Finally, we have a Bowie community garden that is actively engaged in by community members, students, faculty and staff.

Family and Community Involvement Needs

Here at Bowie H.S. we need to work on increasing parental communication and participation with faculty, staff, and administration. Customer service needs to improve. Community awareness of drugs, alcohol, pregnancy and student drop-outs need are issues to improve. Parent education regarding instructional practices that they can use to support their child's educational goals are of utmost importance.

School Context and Organization

School Context and Organization Summary

At Bowie H.S. we made sure that vertical alignment was done throughout our campus and feeder pattern, keeping in mind our compliance with district and state mandates throughout the process. Restructuring of systems were put into place to ensure that all district and state policies were adhered to. At all phases in this process, the instructional needs and the safety of our students were our top priorities.

School Context and Organization Strengths

- Active Campus Improvement Team
- Professional Learning Communities by Department
- Department Vertical Alignment
- Hybrid Schedule to maximize time on task
- Tutoring programs are offered throughout the campus in all areas

School Context and Organization Needs

- Improving the perception of the school between the community members and the school faculty and staff itself

- Continue to improve the campus processes to ensure efficiency and productivity

Technology

Technology Summary

When evaluating Bowie High School's technology's state, we considered availability of technology, proliferation of the internet, and teacher training for incorporation of said technology into the curriculum. Bowie currently has a population of 120 teachers teaching ninth through twelfth grade. Bowie has successfully equipped each educator with a projector and a laptop. Many other teachers have document cameras and interactive white boards. In order to support and facilitate the use of technology, Bowie has equipped its classrooms with additional internet access points that can handle multiple uses throughout the day without interruption or delay. To ensure that teachers can adequately create high rigor activities which challenge students to establish digital citizenship, the school has provided multiple trainings on various hardware and software. Bowie High has provided trainings on hardware such as the iPad, ELMO, laptop, Smartboard, and Promethean Board, as well as a plethora of software applications.

Technology Strengths

In regards to Bowie High School's technological strengths, Bowie has made tremendous leaps in the availability and integration of technology into the classroom. Since last year, steps have been made to outfit the every classroom with an interactive white board, a ceiling mounted projector, and brand new magnetic white boards.

Bowie High School has also worked with members of the Instructional Technology team to ensure that every teacher has a functional laptop and the programs necessary to use said technology. Administration has held PLC's in which scaffolding was provided on how to integrate technology into teacher lesson plans. Teachers have also been provided training and support for how to create activities and incorporate the SMART Board into lessons.

With technology more in demand in the classroom, as well as teachers having a greater need to access the Internet, Bowie has also made strides in expanding Internet proliferation. A greater number of access points have been added throughout the campus. With these access points, Bowie High School servers will be more able to handle the traffic of multiple classrooms accessing data and uploading information without interruption.

All these additions have made Bowie High School much more technology friendly. The additions of the access point have ensured that teachers will not be fighting for bandwidth or experiencing lag time or signal interruptions that could interfere with lesson administration.

Technology Needs

While Bowie has made tremendous leaps in the availability of technology, there is still much work to be done. Currently, B building and other peripheral buildings still need to be outfitted with ceiling mounted projectors and interactive white boards. Positively, the hardware such as the projectors and SMART Boards are already in the classrooms, so all that remains is the logistics of funding where and when to mount the technology.

With the proliferation of the Internet doing so well, we must begin to have training on classroom management in the 21st Century. If teachers are to be expected to have students using technology in the classroom, then there must be a common set of standards and expectations of what an online classroom looks like. Administration and teachers must work together to develop a common rubric for the effective use of technology in the classroom. Using that rubric, teachers would then have a better understanding of how to maintain proper 21st Century Classroom management, and administration would have a better understanding of what to look for when doing walkthroughs.

In the fast paced world of technology and media, Bowie High School must be careful that our integration of technology is not for technology' sake, but for the enrichment of instruction. With this in mind, the greatest link in the chain of education is the teacher. And as we ease further into the 21st century, we must keep in mind that our teachers are having to adapt and learn like much our students. We must ensure that our teachers feel comfortable using technology, and that they have the proper support and training to incorporate these new methodologies into their instructional techniques.

Comprehensive Needs Assessment Data Documentation

The following data were used to verify the comprehensive needs assessment analysis:

Improvement Planning Data

- District goals
- Campus goals
- Current and/or prior year(s) campus and/or district improvement plans
- Campus and/or district planning and decision making committee(s) meeting data

Accountability Data

- Texas Academic Performance Report (TAPR) data
- Performance Index Framework Data: Index 1 - Student Achievement
- Performance Index Framework Data: Index 2 - Student Progress
- Performance Index Framework Data: Index 3 - Closing Performance Gaps
- Performance Index Framework Data: Index 4 - Postsecondary Readiness
- System Safeguards and Texas Accountability Intervention System (TAIS) data

Student Data: Assessments

- STAAR Released Test Questions
- STAAR ELL Progress Measure data
- Texas English Language Proficiency Assessment System (TELPAS) results
- Texas Primary Reading Inventory (TPRI), Tejas LEE, or other alternate early reading assessment results
- Advanced Placement (AP) and/or International Baccalaureate (IB) assessment data
- SAT and/or ACT assessment data
- Local diagnostic reading assessment data
- Local diagnostic math assessment data
- Student failure and/or retention rates
- Observation Survey results

Student Data: Student Groups

- Race and ethnicity data, including number of students, academic achievement, discipline, attendance, and rates of progress between groups
- Economically Disadvantaged / Non-economically disadvantaged performance and participation data
- Special education population, including performance, discipline, attendance, and mobility
- At-Risk population, including performance, discipline, attendance, and mobility
- ELL or LEP data, including academic achievement, support and accommodation needs, race, ethnicity, gender, etc.
- Response to Intervention (RtI) student achievement data

Student Data: Behavior and Other Indicators

- Attendance data

Employee Data

- Professional Learning Communities (PLC) data
- Staff surveys and/or other feedback
- Campus department and/or faculty meeting discussions and data

Parent/Community Data

- Parent surveys and/or other feedback
- Community surveys and/or other feedback

Support Systems and Other Data

- Processes and procedures for teaching and learning, including program implementation
- Budgets/entitlements and expenditures data

Goals




Goal 1: Strategic Priority - Active Learning:









El Paso ISD will ensure that our community has a successful, vibrant, culturally responsive school in every neighborhood that successfully engages and prepares all students for graduation and post-secondary success.

Performance Objective 1: INITIATIVE #1: ACTIVE, PROJECT-BASED AND BLENDED LEARNING: Inspire and support engaging learning experiences in every classroom, every day.

Evaluation Data Source(s) 1:

Summative Evaluation 1:

Strategy Description	Title I	Staff Responsible for Monitoring	Evidence that Demonstrates Success	Reviews			
				Formative			Summative
				Oct	Jan	Mar	June
Critical Success Factors CSF 1 CSF 2 CSF 4 1) Implement a blended learning environment pilot program in which students access online curriculum through UT High School and its learning management system.	2	Warmack	Student registration with UT High School, student course grades, and survey data				
Funding Sources: 211 ESEA Title I (Campus) - 5000.00							
Critical Success Factors CSF 1 CSF 2 CSF 4 CSF 6 2) Survey students taking courses that use UT High School curriculum and learning management system	2		Warmack				
Funding Sources: 211 ESEA Title I (Campus) - 2400.00							
State System Safeguard Strategy Federal System Safeguard Strategy Critical Success Factors CSF 1 CSF 6 3) Purchase supplies and materials to promote active, project based curriculum in the classrooms	1, 2		Warmack, Burruel				
Funding Sources: 211 ESEA Title I (Campus) - 42315.00							

4) Purchase supplies and equipment to promote project based learning in the classrooms at Bowie High School.		Department Chairs; Chavez, Iniguez, Vasquez-Loya, Currey, Magni, Vasquez	Record of purchases, as well as, classroom observations.				
Funding Sources: 211 ESEA Title I (Campus) - 15000.00, 185 SCE (Campus) - 15000.00							
Critical Success Factors CSF 1	1, 2						
Funding Sources: 185 SCE (Campus) - 3000.00							
State System Safeguard Strategy Federal System Safeguard Strategy Critical Success Factors CSF 1 CSF 2	1, 4						
Funding Sources: 211 ESEA Title I (Campus) - 4000.00							
 = Accomplished  = Considerable  = Some Progress  = No Progress  = Discontinue							








Goal 1: Strategic Priority - Active Learning:

El Paso ISD will ensure that our community has a successful, vibrant, culturally responsive school in every neighborhood that successfully engages and prepares all students for graduation and post-secondary success.

Performance Objective 2: INITIATIVE #2: SOCIAL EMOTIONAL LEARNING (SEL): Provide for the development of healthy individuals and schools.

Evaluation Data Source(s) 2:

Summative Evaluation 2:

Strategy Description	Title I	Staff Responsible for Monitoring	Evidence that Demonstrates Success	Reviews			
				Formative			Summative
				Oct	Jan	Mar	June
<p>Critical Success Factors CSF 4 CSF 6</p> <p>1) Implement a campus wide program of Positive Behavior Intervention and Support. The committee will meet regularly to identify campus needs and to create intervention to address needs. Resources needed include the costs of printing posters and providing positive incentives to students for attendance and academic performance.</p>	2	Lydia Lizarraga, AP	Meeting agendas and sign-in sheets, improved daily attendance, fewer discipline referrals, and student survey data.				
Funding Sources: 211 ESEA Title I (Campus) - 4000.00							
<p>Critical Success Factors CSF 4 CSF 6 CSF 7</p> <p>2) Provide professional development opportunities for teachers to support positive classroom management.</p>	2, 4						
Funding Sources: 211 ESEA Title I (Campus) - 2000.00							
 = Accomplished  = Considerable  = Some Progress  = No Progress  = Discontinue							

Goal 1: Strategic Priority - Active Learning:

El Paso ISD will ensure that our community has a successful, vibrant, culturally responsive school in every neighborhood that successfully engages and prepares all students for graduation and post-secondary success.

Performance Objective 3: INITIATIVE #3: COLLEGE AND CAREER READINESS AND SCHOOL OPTIONS: Ensure students are prepared for their future and that families have choices for school experiences.

Evaluation Data Source(s) 3:

Summative Evaluation 3:

Goal 1: Strategic Priority - Active Learning:

El Paso ISD will ensure that our community has a successful, vibrant, culturally responsive school in every neighborhood that successfully engages and prepares all students for graduation and post-secondary success.

Performance Objective 4: INITIATIVE #4: POWER UP: Innovations that transform teaching and learning for a future-ready digital environment.

Evaluation Data Source(s) 4:

Summative Evaluation 4:

Goal 1: Strategic Priority - Active Learning:

El Paso ISD will ensure that our community has a successful, vibrant, culturally responsive school in every neighborhood that successfully engages and prepares all students for graduation and post-secondary success.

Performance Objective 5: INITIATIVE #5: DUAL LANGUAGE: Provide opportunities to achieve literacy and proficiency in English and Spanish.

Evaluation Data Source(s) 5:

Summative Evaluation 5:

Goal 1: Strategic Priority - Active Learning:










El Paso ISD will ensure that our community has a successful, vibrant, culturally responsive school in every neighborhood that successfully engages and

prepares all students for graduation and post-secondary success.

Performance Objective 6: INITIATIVE #6: CURRICULUM AND ASSESSMENT IMPROVEMENT: Ensure aligned content, processes, and instruction for optimal learning.

Evaluation Data Source(s) 6:

Summative Evaluation 6:

Strategy Description	Title I	Staff Responsible for Monitoring	Evidence that Demonstrates Success	Reviews			
				Formative			Summative
				Oct	Jan	Mar	June
State System Safeguard Strategy Federal System Safeguard Strategy Critical Success Factors CSF 1 CSF 2 CSF 4 1) Implement a Response to Intervention model in which student data is used to individualize instruction and provide interventions that address targeted student outcomes.	2, 4, 9						
Funding Sources: 211 ESEA Title I (Campus) - 15000.00							
Critical Success Factors CSF 1 CSF 2 2) Provide professional development opportunities for teachers to learn the RTI framework.	2, 9						
Funding Sources: 211 ESEA Title I (Campus) - 8000.00							
State System Safeguard Strategy Federal System Safeguard Strategy 3) Provide professional growth opportunities for campus administrators to attend RTI training	2, 4						
Funding Sources: 211 ESEA Title I (Campus) - 4000.00							
4) Provide teachers with in core content areas with professional growth opportunities in the area of instructing English Language Learners (ELLs)		Warmack/Roberts/ORdaz					
Funding Sources: 211 ESEA Title I (Campus) - 5000.00							
 = Accomplished  = Considerable  = Some Progress  = No Progress  = Discontinue							

Goal 1: Strategic Priority - Active Learning:

El Paso ISD will ensure that our community has a successful, vibrant, culturally responsive school in every neighborhood that successfully engages and prepares all students for graduation and post-secondary success.

Performance Objective 7: Student performance, in the SPED, ELL, Migrant, Economically Disadvantaged and At-Risk demographic groups, will improve by XX%, on the STAAR Reading 3rd, 4th, 6th and 7th grade exams, by June 2017.

Evaluation Data Source(s) 7:

Summative Evaluation 7:

Goal 1: Strategic Priority - Active Learning:

El Paso ISD will ensure that our community has a successful, vibrant, culturally responsive school in every neighborhood that successfully engages and prepares all students for graduation and post-secondary success.

Performance Objective 8: Student performance, in the SPED, ELL, Migrant, Economically Disadvantaged and At-Risk demographic groups, will improve by XX%, on the STAAR Writing 4th and 7th grade exams, by June 2017.

Evaluation Data Source(s) 8:

Summative Evaluation 8:


Goal 1: Strategic Priority - Active Learning:

El Paso ISD will ensure that our community has a successful, vibrant, culturally responsive school in every neighborhood that successfully engages and prepares all students for graduation and post-secondary success.

Performance Objective 9: Student performance, in the SPED, ELL, Migrant, Economically Disadvantaged and At-Risk demographic groups, will improve by XX%, on the English I and II end-of-course exams, by June 2017.

Evaluation Data Source(s) 9:

Summative Evaluation 9:

Strategy Description	Title I	Staff Responsible for Monitoring	Evidence that Demonstrates Success	Reviews			
				Formative			Summative
				Oct	Jan	Mar	June
State System Safeguard Strategy Critical Success Factors CSF 1 1) Create a tutoring center/writing lab where students can get help with writing assignments. The writing center will be supplied for computers for students to use.	1, 2, 9	Warmack / Ordaz		✓	✓	✓	
Funding Sources: 185 SCE (Campus) - 10000.00							
							

Goal 1: Strategic Priority - Active Learning:

El Paso ISD will ensure that our community has a successful, vibrant, culturally responsive school in every neighborhood that successfully engages and prepares all students for graduation and post-secondary success.

Performance Objective 10: Student performance, in the SPED, ELL, Migrant, Economically Disadvantaged and At-Risk demographic groups, will improve by XX%, on the STAAR Math 3rd, 4th, 6th and 7th grade exams, by June 2017.

Evaluation Data Source(s) 10:

Summative Evaluation 10:

Goal 1: Strategic Priority - Active Learning:

El Paso ISD will ensure that our community has a successful, vibrant, culturally responsive school in every neighborhood that successfully engages and prepares all students for graduation and post-secondary success.

Performance Objective 11: Student performance, in the SPED, ELL, Migrant, Economically Disadvantaged and At-Risk demographic groups, will improve by XX%, on the Algebra I end-of-course exam, by June 2017.

Evaluation Data Source(s) 11:

Summative Evaluation 11:

Goal 1: Strategic Priority - Active Learning:

El Paso ISD will ensure that our community has a successful, vibrant, culturally responsive school in every neighborhood that successfully engages and prepares all students for graduation and post-secondary success.

Performance Objective 12: Student performance, in the SPED, ELL, Migrant, Economically Disadvantaged and At-Risk demographic groups, will improve by XX%, on the STAAR Science 5th and 8th grade exams, by June 2017.

Evaluation Data Source(s) 12:

Summative Evaluation 12:

Goal 1: Strategic Priority - Active Learning:

El Paso ISD will ensure that our community has a successful, vibrant, culturally responsive school in every neighborhood that successfully engages and prepares all students for graduation and post-secondary success.

Performance Objective 13: Student performance in the SPED, ELL, Migrant, Economically Disadvantaged and At-Risk demographic groups, will improve by XX%, on the Biology end-of-course exam, by June 2017.

Evaluation Data Source(s) 13:

Summative Evaluation 13:

Goal 1: Strategic Priority - Active Learning:

El Paso ISD will ensure that our community has a successful, vibrant, culturally responsive school in every neighborhood that successfully engages and prepares all students for graduation and post-secondary success.

Performance Objective 14: Student performance, in the SPED, ELL, Migrant, Economically Disadvantaged and At-Risk demographic groups, will improve by XX%, on the STAAR 8th grade Social Studies exam, by June 2017.

Evaluation Data Source(s) 14:

Summative Evaluation 14:

Goal 1: Strategic Priority - Active Learning:

El Paso ISD will ensure that our community has a successful, vibrant, culturally responsive school in every neighborhood that successfully engages and prepares all students for graduation and post-secondary success.

Performance Objective 15: Student performance in the SPED, ELL, Migrant, Economically Disadvantaged and At-Risk demographic groups, will improve by XX%, on the U.S. History end-of-course exam, by June 2017.

Evaluation Data Source(s) 15:

Summative Evaluation 15:

Goal 1: Strategic Priority - Active Learning:

El Paso ISD will ensure that our community has a successful, vibrant, culturally responsive school in every neighborhood that successfully engages and prepares all students for graduation and post-secondary success.

Performance Objective 16: The four-year graduation rates for students identified as Ever ELL in High School, ELL, At-Risk, and Special Education, will improve by XX% by July 2017.

Evaluation Data Source(s) 16:

Summative Evaluation 16:







Goal 1: Strategic Priority - Active Learning:

El Paso ISD will ensure that our community has a successful, vibrant, culturally responsive school in every neighborhood that successfully engages and prepares all students for graduation and post-secondary success.

Performance Objective 17: The district will develop and implement a systemic Response to Intervention (RtI) model to support struggling students in all demographic categories and academic support programs, by June 2017.

Evaluation Data Source(s) 17:

Summative Evaluation 17:

Strategy Description	Title I	Staff Responsible for Monitoring	Evidence that Demonstrates Success	Reviews			
				Formative			Summative
				Oct	Jan	Mar	June
State System Safeguard Strategy Federal System Safeguard Strategy Critical Success Factors CSF 1 1) Establish an after school tutoring program for all core subjects which provides additional support for students as determined by data. Purchase supplies and snacks as needed to ensure a good students turn out as well as innovative instruction.							
Funding Sources: 185 SCE (Campus) - 5000.00							
 = Accomplished  = Considerable  = Some Progress  = No Progress  = Discontinue							

Goal 1: Strategic Priority - Active Learning:

El Paso ISD will ensure that our community has a successful, vibrant, culturally responsive school in every neighborhood that successfully engages and prepares all students for graduation and post-secondary success.

Performance Objective 18: District-level Title I funded departments and personnel will provide supplementary support to campuses to facilitate improved academic performance.

Evaluation Data Source(s) 18:

Summative Evaluation 18:

Goal 1: Strategic Priority - Active Learning:

El Paso ISD will ensure that our community has a successful, vibrant, culturally responsive school in every neighborhood that successfully engages and prepares all students for graduation and post-secondary success.

Performance Objective 19: Library resources and collections will be upgraded districtwide in order to meet state standards and to promote literacy.

Evaluation Data Source(s) 19:

Summative Evaluation 19:

Goal 1: Strategic Priority - Active Learning:

El Paso ISD will ensure that our community has a successful, vibrant, culturally responsive school in every neighborhood that successfully engages and prepares all students for graduation and post-secondary success.

Performance Objective 20: Advanced Academics and Innovation - By July 2016, El Paso ISD will provide students with Summer enrichment opportunities to enhance student preparedness for college.

Evaluation Data Source(s) 20:

Summative Evaluation 20:

Goal 1: Strategic Priority - Active Learning:

El Paso ISD will ensure that our community has a successful, vibrant, culturally responsive school in every neighborhood that successfully engages and prepares all students for graduation and post-secondary success.

Performance Objective 21: Ensure that all students enrolled in PE/PE equivalents in grades 3-12 are assessed using Fitnessgram.

Evaluation Data Source(s) 21:

Summative Evaluation 21:

Goal 1: Strategic Priority - Active Learning:

El Paso ISD will ensure that our community has a successful, vibrant, culturally responsive school in every neighborhood that successfully engages and prepares all students for graduation and post-secondary success.

Performance Objective 22: Advanced Academics and Innovation - Increase Dual Credit offerings by offering at least one dual credit course for each core area at every High School to ensure equitable dual credit opportunities across the district.

Evaluation Data Source(s) 22:

Summative Evaluation 22:

Goal 1: Strategic Priority - Active Learning:

El Paso ISD will ensure that our community has a successful, vibrant, culturally responsive school in every neighborhood that successfully engages and prepares all students for graduation and post-secondary success.

Performance Objective 23: Advanced Academics and Innovation - Develop a plan for implementing a High School Readiness program for middle school students that will include social-emotional development.

Evaluation Data Source(s) 23:

Summative Evaluation 23:

Goal 1: Strategic Priority - Active Learning:

El Paso ISD will ensure that our community has a successful, vibrant, culturally responsive school in every neighborhood that successfully engages and prepares all students for graduation and post-secondary success.

Performance Objective 24: Advanced Academics and Innovation - The Gifted and Talented program will be implemented with high fidelity in 60% of

classrooms.

Evaluation Data Source(s) 24:

Summative Evaluation 24:

Goal 1: Strategic Priority - Active Learning:

El Paso ISD will ensure that our community has a successful, vibrant, culturally responsive school in every neighborhood that successfully engages and prepares all students for graduation and post-secondary success.

Performance Objective 25: Advanced Academics and Innovation - Expand GT opportunities for high school students.

Evaluation Data Source(s) 25:

Summative Evaluation 25:

Goal 1: Strategic Priority - Active Learning:

El Paso ISD will ensure that our community has a successful, vibrant, culturally responsive school in every neighborhood that successfully engages and prepares all students for graduation and post-secondary success.

Performance Objective 26: Advanced Academics and Innovation - Recruit teachers to refine GT and AP curricula, particularly for K-3 and School-wide Enrichment 4-5 to include fine arts opportunities.

Evaluation Data Source(s) 26:

Summative Evaluation 26:

Goal 1: Strategic Priority - Active Learning:

El Paso ISD will ensure that our community has a successful, vibrant, culturally responsive school in every neighborhood that successfully engages and prepares all students for graduation and post-secondary success.

Performance Objective 27: Advanced Academics and Innovation - Explore the possibility of expanding the CONNECTIONS program (grades 4/5) to a larger number of elementary schools.

Evaluation Data Source(s) 27:

Summative Evaluation 27:

Goal 1: Strategic Priority - Active Learning:

El Paso ISD will ensure that our community has a successful, vibrant, culturally responsive school in every neighborhood that successfully engages and prepares all students for graduation and post-secondary success.

Performance Objective 28: Advanced Academics and Innovation - Increase number of students participating in advanced classes by planning for implementation of a Pre-AP English course in the middle schools, and expand participation in Algebra 1 course in 8th grade by 5% in 2015-16.

Evaluation Data Source(s) 28:

Summative Evaluation 28:

Goal 1: Strategic Priority - Active Learning:

El Paso ISD will ensure that our community has a successful, vibrant, culturally responsive school in every neighborhood that successfully engages and prepares all students for graduation and post-secondary success.

Performance Objective 29: Advanced Academics and Innovation - Increase Number of Qualifying Scores on AP Exams by 5% in 2015-16.

Evaluation Data Source(s) 29:

Summative Evaluation 29:

Goal 1: Strategic Priority - Active Learning:

El Paso ISD will ensure that our community has a successful, vibrant, culturally responsive school in every neighborhood that successfully engages and prepares all students for graduation and post-secondary success.

Performance Objective 30: Advanced Academics and Innovation - Increase number of students taking AP Exams by 5% in 2015-16.

Evaluation Data Source(s) 30:

Summative Evaluation 30:

Goal 1: Strategic Priority - Active Learning:

El Paso ISD will ensure that our community has a successful, vibrant, culturally responsive school in every neighborhood that successfully engages and prepares all students for graduation and post-secondary success.

Performance Objective 31: Connecting Languages/Early Childhood-Develop, implement and maintain research based curriculum and programs for all PreK to 2nd grade students

Evaluation Data Source(s) 31:

Summative Evaluation 31:

Goal 1: Strategic Priority - Active Learning:

El Paso ISD will ensure that our community has a successful, vibrant, culturally responsive school in every neighborhood that successfully engages and prepares all students for graduation and post-secondary success.

Performance Objective 32: Advanced Academics and Innovation - To coordinate the No Excuses University Summer Institute training.

Evaluation Data Source(s) 32: Registration, sign-in sheets

Summative Evaluation 32:

Goal 2: Strategic Priority - Great Community Schools

El Paso ISD will ensure that our students and community are served by effective employees in safe and supportive learning environments.

Performance Objective 1: (FOCUS AREA: BUILD STRONG SUPPORTS) INITIATIVE #3: TALENT DEVELOPMENT: Recruit and develop effective employees.

Evaluation Data Source(s) 1:

Summative Evaluation 1:

Goal 2: Strategic Priority - Great Community Schools

El Paso ISD will ensure that our students and community are served by effective employees in safe and supportive learning environments.

Performance Objective 2: The number of student discipline referrals will decrease by 10% by June 2017.

Evaluation Data Source(s) 2:

Summative Evaluation 2:

Goal 2: Strategic Priority - Great Community Schools

El Paso ISD will ensure that our students and community are served by effective employees in safe and supportive learning environments.

Performance Objective 3: SEL Implementation PLACEHOLDER

Evaluation Data Source(s) 3:

Summative Evaluation 3:

Goal 2: Strategic Priority - Great Community Schools

El Paso ISD will ensure that our students and community are served by effective employees in safe and supportive learning environments.

Performance Objective 4: El Paso ISD will ensure that campuses develop strategies and a communication model to improve student attendance so average daily attendance improves by .3% by June 2016.

Evaluation Data Source(s) 4:

Summative Evaluation 4:

Goal 2: Strategic Priority - Great Community Schools

El Paso ISD will ensure that our students and community are served by effective employees in safe and supportive learning environments.

Performance Objective 5: Special Education will provide support to campuses to facilitate more inclusive best practices for Special Education Students to improve academic performance.

Evaluation Data Source(s) 5:

Summative Evaluation 5:

Goal 3: Strategic Priority - Lead with Character and Ethics:

El Paso ISD will demonstrate fiscal and ethical responsibility as well as a deep commitment to service and support in all district operations.

Performance Objective 1: (FOCUS AREA: BUILD STRONG SUPPORTS) INITIATIVE #1: TIERED SYSTEM OF SUPPORT: Alignment of district resources to provide school support.

Evaluation Data Source(s) 1:

Summative Evaluation 1:

Goal 3: Strategic Priority - Lead with Character and Ethics:

El Paso ISD will demonstrate fiscal and ethical responsibility as well as a deep commitment to service and support in all district operations.

Performance Objective 2: (FOCUS AREA: BUILD STRONG SUPPORTS) INITIATIVE #2: COMMUNICATION AND FEEDBACK: Engage internal and external stakeholders in two-way communication to promote transparency and build trust.

Evaluation Data Source(s) 2:

Summative Evaluation 2:

Goal 3: Strategic Priority - Lead with Character and Ethics:

El Paso ISD will demonstrate fiscal and ethical responsibility as well as a deep commitment to service and support in all district operations.

Performance Objective 3: Develop adequate planning processes, plans, implementation strategies, action steps and communication protocols to guide district initiatives, program direction and system operations. (CMSi Standard 1)

Evaluation Data Source(s) 3:

Summative Evaluation 3:

Goal 3: Strategic Priority - Lead with Character and Ethics:

El Paso ISD will demonstrate fiscal and ethical responsibility as well as a deep commitment to service and support in all district operations.

Performance Objective 4: Mandate that the district department/division plans demonstrate connectivity to one another and to the DIP to create a central

system of support for all efforts to achieve equity across the district. Require all department plans and Campus Improvement Plans to be similarly constructed and align to the DIP. (CMSi Standard 3, Action Step 3.1.3)

Evaluation Data Source(s) 4:

Summative Evaluation 4:

Goal 3: Strategic Priority - Lead with Character and Ethics:

El Paso ISD will demonstrate fiscal and ethical responsibility as well as a deep commitment to service and support in all district operations.

Performance Objective 5: Develop and implement a plan of action to systematically eliminate disparities, learning gaps and inequities affecting students learning success in all sub-populations across the district and incorporate the plan into the DIP. (CMSi Standard 3, Action Step 3.1.1)

Evaluation Data Source(s) 5:

Summative Evaluation 5:

Goal 3: Strategic Priority - Lead with Character and Ethics:

El Paso ISD will demonstrate fiscal and ethical responsibility as well as a deep commitment to service and support in all district operations.

Performance Objective 6: Ensure that areas of greatest need receive commensurate support in terms of additional financial and human resources. (CMSi Standard 3.1, Action 3.1.2)

Evaluation Data Source(s) 6:

Summative Evaluation 6:

Goal 3: Strategic Priority - Lead with Character and Ethics:

El Paso ISD will demonstrate fiscal and ethical responsibility as well as a deep commitment to service and support in all district operations.

Performance Objective 7: Strategy and Evaluation SCE/Title funded personnel will provide supplementary support in a variety of district evaluation efforts to facilitate improved academic performance of students identified as At Risk.

Evaluation Data Source(s) 7:

Summative Evaluation 7:

Goal 4: Strategic Priority - Community Partnerships

El Paso ISD will maintain positive and productive partnerships with parents and state and community organizations to facilitate the success of all students.

Performance Objective 1: (FOCUS AREA: BUILD STRONG SUPPORTS) INITIATIVE #4: ENGAGEMENT: Collaborate with families and community agencies to provide wrap-around services for students. COMMUNITY SCHOOLS PLACEHOLDER

Evaluation Data Source(s) 1:

Summative Evaluation 1:

Strategy Description	Title I	Staff Responsible for Monitoring	Evidence that Demonstrates Success	Reviews			
				Formative			Summative
				Oct	Jan	Mar	June
State System Safeguard Strategy Critical Success Factors CSF 5 CSF 6 1) Hire a full-time Master Social Worker to work with students and parents in need of additional support services, to include migrant, homeless, and limited English proficient students.	1, 6	Warmack	Number of students served	✓			
	Funding Sources: 211 ESEA Title I (Campus) - 72710.00						
2) Provide professional growth opportunities for Master Social Worker to include attendance at an annual conference	4	Warmack	event registration				
	Funding Sources: 211 ESEA Title I (Campus) - 2000.00						
= Accomplished = Considerable = Some Progress = No Progress = Discontinue							







Goal 4: Strategic Priority - Community Partnerships

El Paso ISD will maintain positive and productive partnerships with parents and state and community organizations to facilitate the success of all students.

Performance Objective 2: Parents will be engaged in academic support activities and workshops at the campus, district, or via regional service center events at least once every month during the school year.

Evaluation Data Source(s) 2:

Summative Evaluation 2:

Strategy Description	Title I	Staff Responsible for Monitoring	Evidence that Demonstrates Success	Reviews			
				Formative			Summative
				Oct	Jan	Mar	June
<p>Critical Success Factors CSF 5</p> <p>1) Provide parents the opportunity to attend GED classes at Bowie High School in coordination with El Paso Community College</p>	1, 6, 10	Andrade	Registrations/Purchase Order/Parent Graduations				
Funding Sources: 211 ESEA Title I (Campus) - 5000.00							
<p>  = Accomplished  = Considerable  = Some Progress  = No Progress  = Discontinue </p>							

Goal 4: Strategic Priority - Community Partnerships

El Paso ISD will maintain positive and productive partnerships with parents and state and community organizations to facilitate the success of all students.

Performance Objective 3: In collaboration with the Texas Consortium for Male Students of Color, each middle and comprehensive high school will have a student mentorship program that emphasizes leadership, academic persistence, and life coaching by the end of the 2016-2017 school year.

Evaluation Data Source(s) 3:

Summative Evaluation 3:

Goal 4: Strategic Priority - Community Partnerships

El Paso ISD will maintain positive and productive partnerships with parents and state and community organizations to facilitate the success of all students.

Performance Objective 4: Advanced Academics and Innovation - Parents of gifted students will engage in bilingual information sessions and provide input to improve the GT program at least five times by the end of the 2015-16 school year.

Evaluation Data Source(s) 4:

Summative Evaluation 4:

Goal 4: Strategic Priority - Community Partnerships

El Paso ISD will maintain positive and productive partnerships with parents and state and community organizations to facilitate the success of all students.

Performance Objective 5: In collaboration with the El Paso Community Foundation and the EPISD Education Foundation, EPISD Fine Arts Department will establish programs that will support the integration of fine arts into the elementary core classrooms for the 2015-2016 academic year. Sessions will take place at the beginning of the fall semester with follow-up sessions during campus PLC.

Evaluation Data Source(s) 5:

Summative Evaluation 5:

Goal 4: Strategic Priority - Community Partnerships

El Paso ISD will maintain positive and productive partnerships with parents and state and community organizations to facilitate the success of all students.

Performance Objective 6: EPISD Fine Arts will facilitate community involvement in all areas of fine arts with information of events, accomplishments and broadcasting of events for 2015-2016 academic year. EPISD Fine Arts Department will provide access and information to events through various media. This will include video streaming of events, electronic newsletter, active facebook page, active twitter accounts and department webpage.

Evaluation Data Source(s) 6:

Summative Evaluation 6:

State System Safeguard Strategies

Goal	Objective	Strategy	Description
1	1	3	Purchase supplies and materials to promote active, project based curriculum in the classrooms
1	1	6	Provide teachers an opportunity to plan and collaborate vertically within the Bowie Feeder Pattern
1	6	1	Implement a Response to Intervention model in which student data is used to individualize instruction and provide interventions that address targeted student outcomes.
1	6	3	Provide professional growth opportunities for campus administrators to attend RTI training
1	9	1	Create a tutoring center/writing lab were students can get help with writing assignments. The writing center will be supplied for computers for students to use.
1	17	1	Establish an after school tutoring program for all core subjects which provides additional support for students as determined by data. Purchase supplies and snacks as needed to ensure a good students turn out as well as innovative instruction.
4	1	1	Hire a full-time Master Social Worker to work with students and parents in need of additional support services, to include migrant, homeless, and limited English proficient students.

Federal System Safeguard Strategies

Goal	Objective	Strategy	Description
1	1	3	Purchase supplies and materials to promote active, project based curriculum in the classrooms
1	1	6	Provide teachers an opportunity to plan and collaborate vertically within the Bowie Feeder Pattern
1	6	1	Implement a Response to Intervention model in which student data is used to individualize instruction and provide interventions that address targeted student outcomes.
1	6	3	Provide professional growth opportunities for campus administrators to attend RTI training
1	17	1	Establish an after school tutoring program for all core subjects which provides additional support for students as determined by data. Purchase supplies and snacks as needed to ensure a good students turn out as well as innovative instruction.

Campus Funding Summary

185 SCE (Campus)					
Goal	Objective	Strategy	Resources Needed	Account Code	Amount
1	1	4		185.11.6399	\$15,000.00
1	1	5	Books	185.11.6329	\$3,000.00
1	9	1	New Computers and RAM to upgrade olde computers	185.11.6395	\$10,000.00
1	17	1	snacks	185.11.6499	\$2,000.00
1	17	1	supplies	185.11.6399	\$3,000.00
Sub-Total					\$33,000.00
211 ESEA Title I (Campus)					
Goal	Objective	Strategy	Resources Needed	Account Code	Amount
1	1	1	Pay fee for students to register with UT High School	211.11	\$5,000.00
1	1	2	Implement survey and analyze findings	211.11	\$2,400.00
1	1	3	Supplies and Materials	211.11.6399	\$42,315.00
1	1	4	Supplies to Enhance Project Based Instruction	211.11.6399	\$15,000.00
1	1	6	Substitutes	211	\$4,000.00
1	2	1	Incentives and printing costs	211.11.6399	\$4,000.00
1	2	2	substitutes	211.11.6117	\$1,000.00
1	2	2	registration fees	211.11.6499	\$1,000.00
1	6	1	Provide staff with Professional Development in the use of an RTI model	211.13.6499	\$15,000.00
1	6	2	Substitues for teacher PD	211.11.6112	\$8,000.00
1	6	3	Travel expenses for RTI conference	211.23.6412	\$4,000.00
1	6	4	Substitutes	211	\$5,000.00
4	1	1	Fund master social worker position	211.32	\$72,710.00
4	1	2	Travel and registration costs	211.32.6499	\$2,000.00
4	2	1	GED Classes through EPCC	211.61.6299	\$5,000.00

	Sub-Total	\$186,425.00
	Grand Total	\$219,425.00



**DOWNTOWN
MANAGEMENT DISTRICT**
E L P A S O

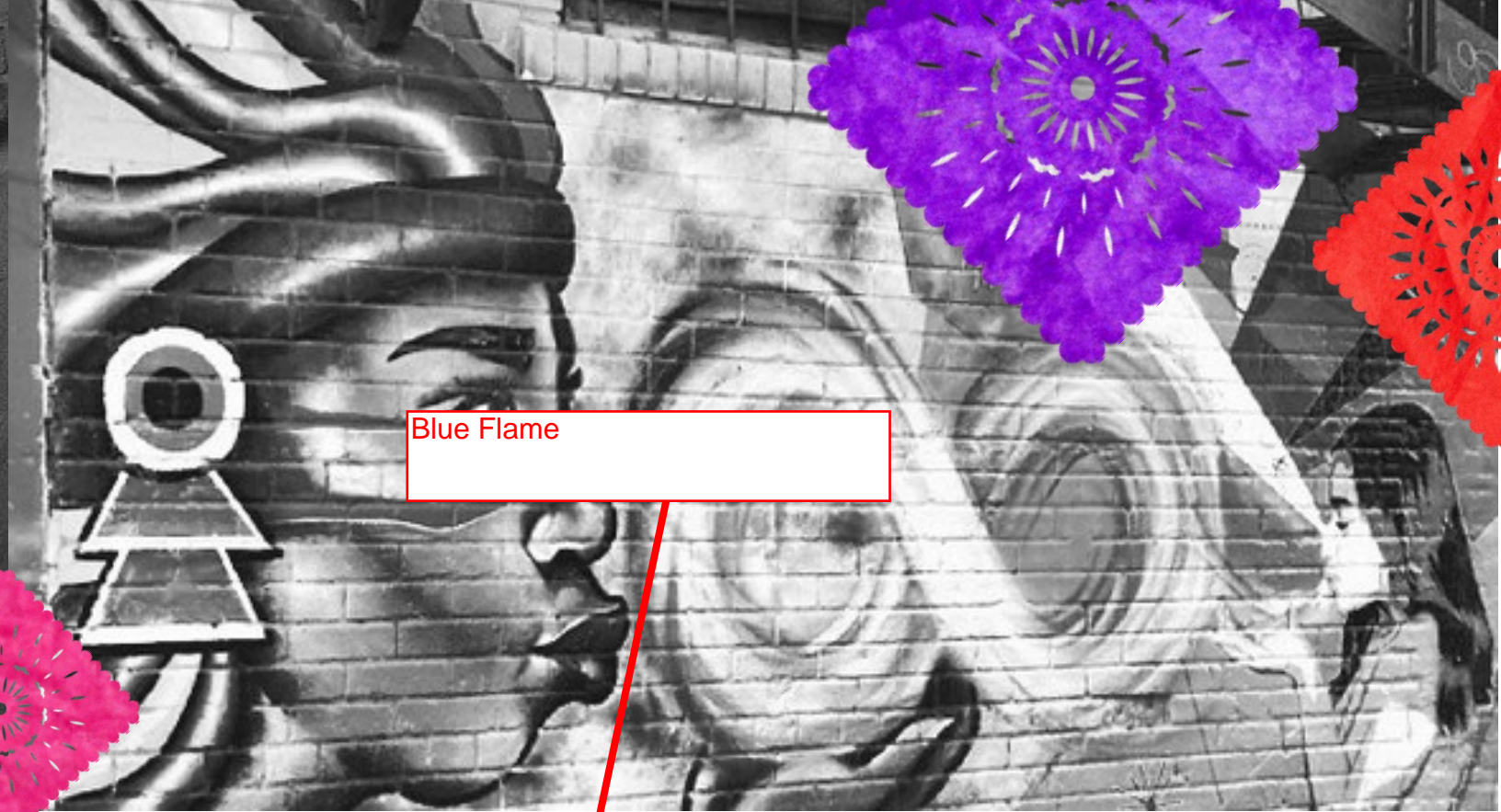
ANNUAL REPORT 2015



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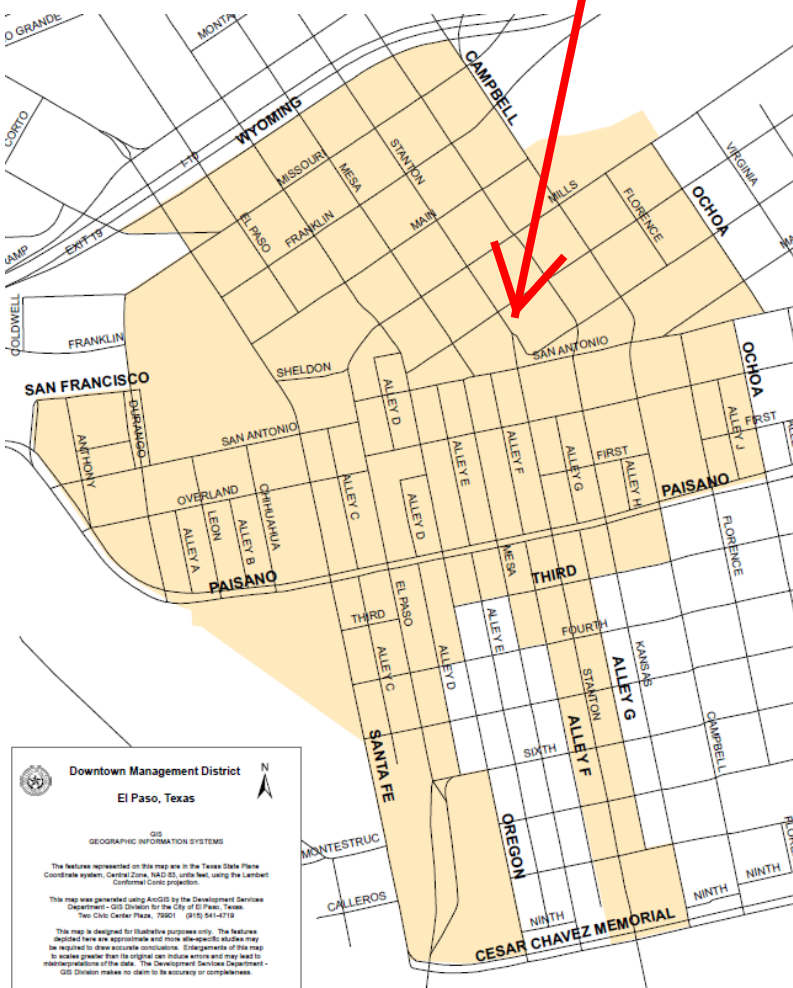


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Blue Flame

The Downtown Management District (DMD)



Mission- Make Downtown El Paso the center of commercial, civic, and cultural activity in the region.

Overview- The Downtown Management District is a municipal government district focused on economic development-driven initiatives, programs and services within Downtown El Paso, and supplemental municipal services to create a more vibrant, welcoming environment. The DMD is governed by a 21-member Board of Directors which adopts the annual budget and provides strategic guidance to achieve the organization's mission. The organization is primarily funded by assessment revenue from property within the district and supplemented through collaboration on specific projects and programs with the City, County, and other local organizations and individuals. The FY 2015-2016 assessment rate was \$0.12 per \$100 of property valuation, the same as the year the DMD was created (1997).

FROM THE DMD BOARD

With an eye towards the future, the Downtown Management District Board of Directors is positioning itself to capitalize on recent public and private investments, to support ongoing development and to create the environment for future growth as new projects get underway.

First, we're looking internally to ensure we have the people, tools, processes, procedures, vision and mission to deliver. We've taken the following steps:

In August, the DMD nominated and the City Council approved the appointment and reappointment of the following seven individuals to new three year terms on the DMD Board of Directors: Jon Law; George Salom, Jr.; Juan Gonzalez Garza; Mike McQueen; Jorge Hernandez; Bill Burton; and Eric Pearson.

From November through January, DMD staff conducted numerous sessions to refine internal processes and establish production goals.

In February and March, DMD Board members will conduct a board and self-assessment, and participate in a strategic planning session to refine its vision and mission, and to develop goals for the next three to five years.

Second, we're looking externally to identify best practices and new opportunities from other success stories. In September, a delegation of DMD staff and board members attended the International Downtown Association Annual Meeting. Each of us brought back a wealth of knowledge and a better understanding on how to deliver high quality services and projects to downtown stakeholders.

Third, we're looking to our stakeholders to help guide our strategies. In July, we conducted a non-scientific survey to better understand the outlook, needs and priorities of property and business owners, employees, visitors and residents. We'll continue this practice to ensure that our work remains in line with the desires of the people who are making our downtown stronger.

Lastly, as we near our 20th year in existence we continue to deliver exceptional services while maintaining an assessment rate equal to what was first levied in 1997. To minimize the impact our assessment on property owners, we will look to keep our rate flat as we develop our 2016-2017 budget. That said, the time is fast approaching where a rate increase will be necessary to maintain our level of services and to accelerate efforts to further strengthen our downtown. We hope at that time, you will recognize the value of the work we provide and support the needed increase.

We are proud of the work we have accomplished in the past year, and look forward to working with you to build an even brighter future for our downtown and community as a whole.

Sincerely,

Jamie Gallagher, President
DMD Board of Directors

DMD BOARD

JAMIE GALLAGHER- **PRESIDENT**
JON LAW- **VICE PRESIDENT**
MICHAEL MCQUEEN- **SECRETARY**
LAURA POPLE- **TREASURER**
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ERIC PEARSON
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GEORGE SALOM JR.
Y.I. SANTOSCOY
JASON SHAFFER
WAYNE SOZA
PETER SPIER
BRAD TAYLOR
RUBEN TORRES



FROM THE DMD EXECUTIVE DIRECTOR

Downtown El Paso continued to ride a wave of great momentum throughout 2015 and into 2016. Ongoing public and private investment led to the opening/completion of projects such as the Digital Wall at the Museum of History, the Pedestrian Pathway, Union Plaza's newest mixed use development Essex Alley, Sun Cycle Bike Sharing program, the Indigo Hotel, and Deadbeach Brewery. These projects have helped fuel a new enthusiasm for Downtown El Paso and generated new investments that will lead to many ribbon cuttings and celebrations in 2016 and beyond. These newly initiated or soon to be completed projects including the historic street-car system, ArtSpace, the Martin Building's new residences, the Stanton Boutique Hotel, and the Basset Tower Aloft Hotel, The Savoy apartments, the International bar and San Jacinto Plaza will bring even greater investment, employment, cultural, entertainment and lifestyle options to our downtown community.

The Downtown Management District works to create the environment where these opportunities can flourish. Through our sanitation services, façade grant program, security patrols, marketing, promotions, pedestrian amenities, asset management and advocacy on issues such as public parking, street/sidewalk vending, and historic preservation, we work to effectively and efficiently utilize the resources in the most meaningful way to benefit our stakeholders and the greater El Paso Community. In order to be more responsive, the DMD initiated its first unscientific public input survey aimed at assessing the public's views on the current condition of downtown, future priorities and the performance of the DMD. Nearly 650 people completed the online survey and provided valuable insight into our efforts, including 75% of respondents saying downtown is progressing (more results are described later in this report).

In the coming year, we will host another survey, and continue to listen to our stakeholders and the El Paso community in order to further develop the downtown environment reflective of our citizens, our culture and our history. We look forward to the coming year and look forward to even greater success in 2016.

Joe Gudenrath
Executive Director



DMD STAFF (LEFT TO RIGHT)

FRANK HERNANDEZ- OPERATIONS MANAGER

JOE GUDENRATH- EXECUTIVE DIRECTOR

RUDY VASQUEZ- MARKETING & COMMUNICATIONS MANAGER

TERRY MAIS- OFFICE & PROJECT COORDINATOR

LILY GONZALEZ - OFFICE & MARKETING ASSISTANT

Year in Review

This Annual Report is a summary of the efforts, services, projects, and programs supported by the Downtown Management District throughout 2015. While the DMD may not be responsible for building buildings, hosting large-scale events, or operating a store or restaurant, we are focused on creating an environment where people can enjoyably live, work, play, shop, dine, visit and invest.

Over the past year, the DMD worked aggressively and tirelessly to support, initiate and fuel the great momentum recently established within Downtown El Paso. While this report will breakdown our contributions in greater detail, here are some highlights of how we have worked to build a stronger downtown:

- Developed an efficient and responsive 2015-2016 budget that utilizes available funds to focus on service delivery and stakeholder needs.
- Conducted the first unscientific Public Input Survey to solicit feedback from DMD stakeholders and the El Paso community and to help identify future priorities.
- DMD Staff engaged in a comprehensive effort to review and improve internal processes and procedures, and to develop internal and individual performance goals and measures.
- Six properties received Downtown Commercial Façade Improvement Grants totaling over \$140,000. The grant funds will be matched by the property owner.
- The number of public, outdoor events permitted by the DMD increased from 20 to 29. Overall attendance at these events saw a year over year increase of 6,000 people.
- 45,477 work hours were dedicated to keeping downtown El Paso clean, inviting and attractive. Through a contract with El Paso County, 39,483 of those hours were provided free of charge by West Texas CSCD equaling \$409,044 worth of savings for the DMD.
- During specific high traffic times, the DMD hired off-duty police officers to patrol the El Centro Shopping District and the Union Plaza Entertainment District. These patrol added additional eyes on the street and promoted and safe and inviting area for customers and employees.
- Following the establishment of our downtown district branding efforts, the DMD focused its efforts on brand awareness. Over 1 million impressions were delivered through the El Paso Times, El Paso Chihuahuas and social media.
- Hosted the first Downtown Social events to encourage networking, conversation and relationship building between downtown stakeholders.
- Built partnerships to leverage DMD resources and enhance the benefits received by Downtown stakeholders and visitors.

Enjoy our Annual Report.





Budget

Final 2014-2015, Approved 2015-2016

(Final Actual FY 2014-2015)

Annual Revenue

Assessment	\$365,520
Interlocal Agreements	\$270,130
Interest Income/Other Income	\$3,329
Total Income/Revenues	\$638,979

Annual Expenses

General Administration	\$38,620
Economic Development	\$116,668
Infrastructure/Security	\$76,857
Marketing	\$113,310
Sanitation	\$277,547
Transport & Parking	\$53,962
Total Expenses	\$696,964

(Approved FY 2015-2016 Budget)

Annual Revenue

Assessment	\$389,361
Interlocal Agreements	\$257,220
Interest Income/Other Income	\$3,399
Total Income/Revenues	\$649,980

Annual Expenses

General Administration	\$37,801
Economic Development	\$122,301
Infrastructure/Security	\$85,497
Marketing	\$151,612
Sanitation	\$308,040
Transport & Parking	\$43,952
Total Expenses	\$749,203

The DMD’s budget consistently focuses on service, program, and project delivery that provides highly visible, effective and efficient results for downtown stakeholders. It is the organization’s goal to strategically identify budget priorities and prudently utilize available funds to address those priorities.

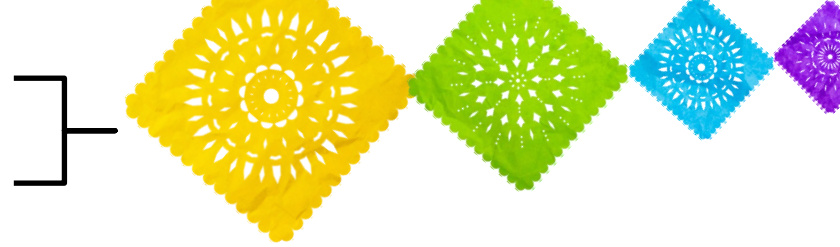
DMD revenues continue to be supported primarily by property taxes followed by interlocal agreements with the City of El Paso and carry over funding. This funding is supplemented with additional revenues generated through our Special Event Permitting, Banner Program and various partnerships.

Property tax revenue rebounded in 2015 following a dip in property values in 2014. Total taxable value of properties within the DMD boundaries increased to \$339,778,184 in 2015. The graph to the right represents the general growth in value over the last 10 years and the recent volatility.

The majority of revenues are dedicated to Sanitation Services followed by Economic Development/Promotion, Marketing & Education, Transport & Parking, and Infrastructure/Security. The 2015-2016 budget is balance by available carry over funding. Minimal carry over funds will be available for the 2016-2017 budget year.

The 2015-2016 budget once again prioritizes a variety of projects, programs and services while maintaining administrative costs. The process for creating the 2016-2017 DMD Budget will begin in June and be brought before the DMD for approval in August.

Façade Program



While the DMD plays a critical role in creating an environment where people are willing to invest, Downtown El Paso's success will depend on property and business owners who make the investment. The Downtown Commercial Façade Improvement Program brings both the DMD and downtown property/business owners together in an effort improve the appearance of downtown buildings.

Under DMD management, from 2011 through September 2015, the program has provided downtown property owners and business tenants 38 grants totaling \$714,456 for façade improvements to their buildings. Each of these dollars were matched and often multiplied by the property owners' investment.

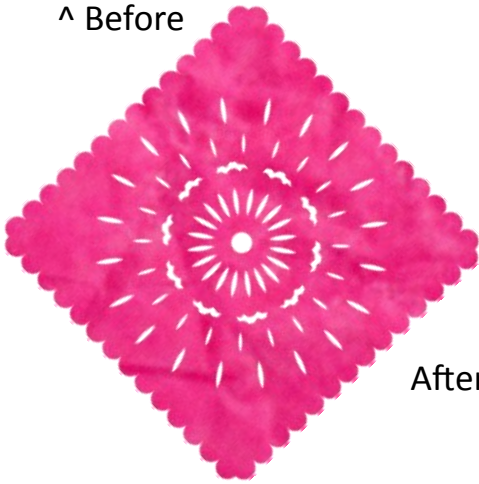
From October 2014 to September 2015, over \$140,336 was granted to six applicants. The grants are resulting in over \$926,000 worth of improvements to downtown buildings. This year's projects include:

Property Address	Applicant Name	Property Owner	Amount Granted	Total Project Improvements
909 E. San Antonio	Jerry Villanueva	Lomaland West, LLC	\$25,000	\$635,000
500 San Francisco	Robert Chen	Lampshade Coco, LLC	\$25,000	\$100,000
215 E. San Antonio	Roger Brown	Brown Coles Wilcox	\$25,000	\$50,000
504 San Francisco	Andrea Gates-Ingle	Creative Kids, Inc.	\$24,112.50	\$50,000
502 N. Oregon	Stan Okies	502 N. Oregon, LLC	\$16,224.42	\$41,000
702 Myrtle	Mario, Jr. & Angelina Chavez	Mario, Jr. & Angelina Chavez	\$25,000	\$50,000



504 San Francisco

^ Before

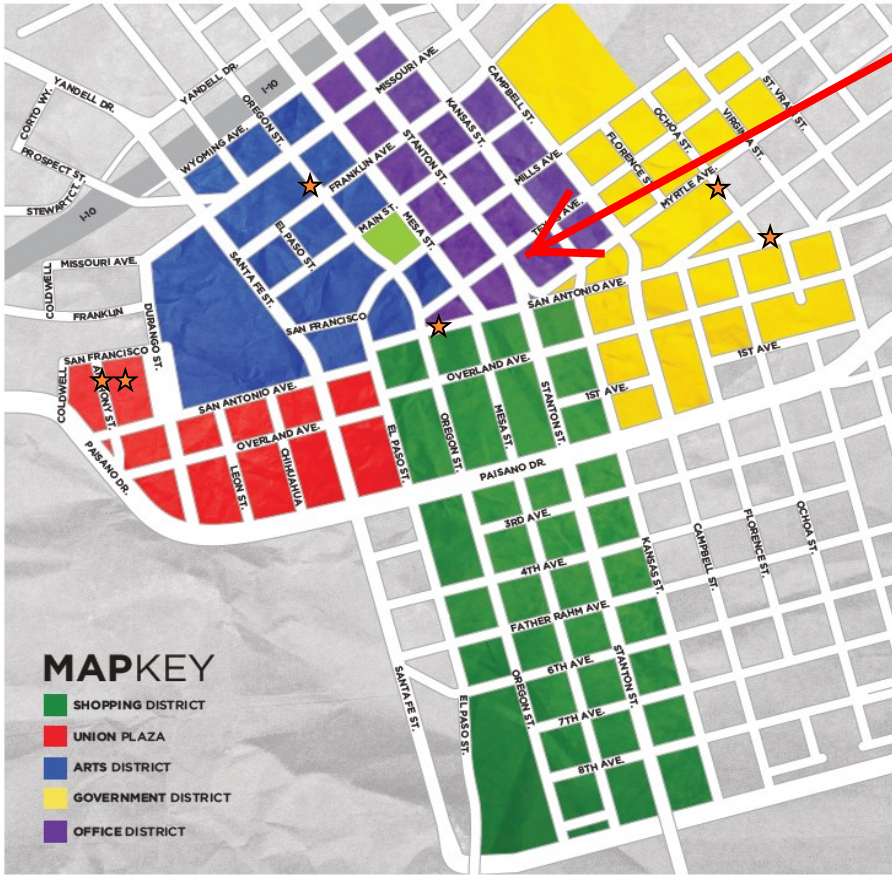


After >



Façade Program Continued...

subject property



Approved Façade Grants October 2014—September 2015

- ★ 909 E. San Antonio
- ★ 500 San Francisco
- ★ 215 E. San Antonio
- ★ 504 San Francisco
- ★ 502 N. Oregon
- ★ 702 Myrtle

The program has continued into the current 2014-2015 program year with additional funding provided by TIRZ #5 and the DMD. Interested property owners and business tenants can contact the DMD to apply.



^ Before

909 E. San Antonio

After >



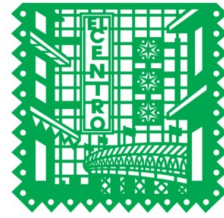
502 N. Oregon

< Before

After >



Marketing Program and Social Media



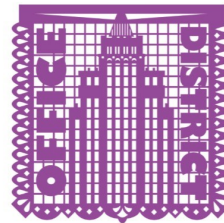
EL CENTRO
Shops On The Border



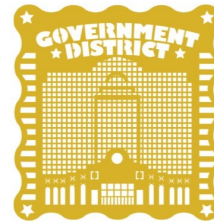
UNION PLAZA
*Nightlife and
Entertainment*



LAS PLAZAS
Arts District



**OFFICE
DISTRICT**



**GOVERNMENT
DISTRICT**

District Branding

In 2015, the DMD's district branding effort progressed into a brand awareness campaign. Paid advertising with the El Paso Times (print and digital), El Paso Chihuahuas (in game video board and voice overs), El Paso y Mas, and Spanish radio provided well over 1 million impressions with countless additional impressions provided through social media, direct emails, newsletters, earned media, and streetlight banner displays.





Social Media

Our social media, INSIDER email newsletter and website content continue to serve as the DMD's most cost effective way to communicate. Traffic on www.downtownelpaso.com, "likes" on Facebook, subscribers to the INSIDER and followers on Instagram and Twitter continue to grow at a steady pace. Future marketing efforts will continue to capitalize on these effective tools.

By the numbers....

- DWNTWN El Paso Facebook "likes" = 12k
- DWNTWN Twitter Followers = 6k
- DWNTWN Instagram Followers = 12.4k
- Downtown INSIDER Subscribers = 3k

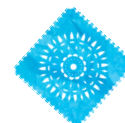
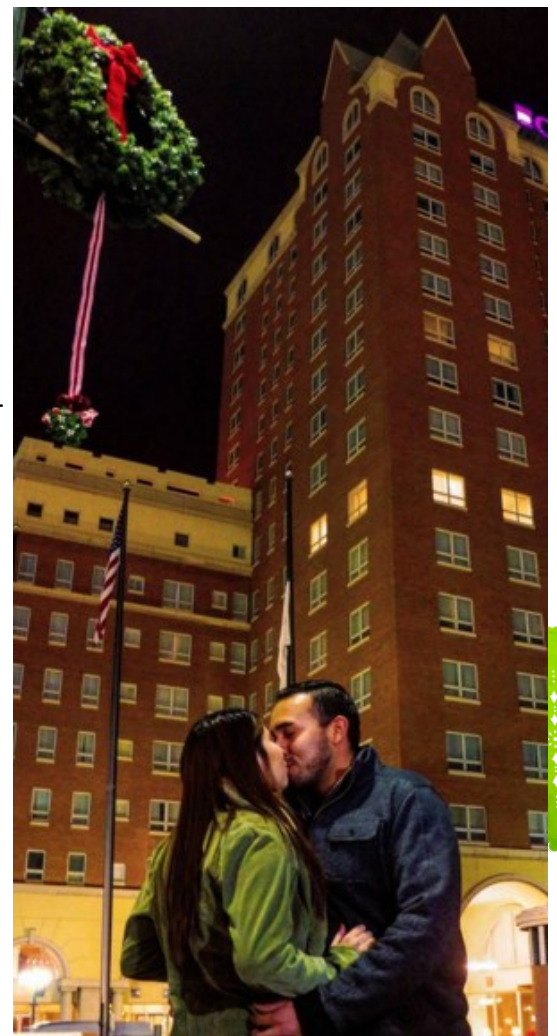
Promotions

Efforts to engage our stakeholders through promotional activities and prize give aways expanded in 2015. These efforts help spark renewed interest in downtown, generated earned media coverage from local news organizations and provided a call to action for employees, customers and visitors.

In 2015 the DMD doubled the number of promotions to include Hidden Hearts; I Scream for Public Art; Back to School/ Tax Free Weekend; Small Business Saturday; and the 2nd Annual Mistletoe Kiss

Assets

Downtown banners, trash receptacles, and kiosks continue to be attractive ways to promote events, community celebrations, and public awareness campaigns. In 2015, over 300 sponsor banners were displayed along with DMD district and holiday banners. The banner program helped celebrate the U.S. Bowling Championship, the Paso del Norte Health Foundation's 20th Anniversary, Tom Lea Month, the Triple A Baseball Championship Game, along with fine dining and other major events. The banner program generated over \$35,000 in sponsorship revenue for the DMD.



Event Permitting

Downtown Special Event Permitting

Downtown's outdoor, public events are growing in frequency, size and quality. These events are a critical component of a thriving, vibrant downtown. A wide array of events attract a diverse section of event goers and expose the downtown to all demographics and interests. Through close collaboration with the City of El Paso's public safety, health and recreation departments, the DMD's nationally recognized Event Permitting process helps event organizers navigate the permit process.

The DMD's commitment to events does not end with a permit. The DMD provides technical and logistical support to event organizers from submission of the permit application to tear down of the event. We share event information to excite and inform the public about the activity throughout the year, provide traffic and parking updates, and share messaging through downtownelpaso.com and our social media outlets.

In 2015, 29 special event permits were issued within Downtown El Paso by the DMD. This represents an increase of nine event permits. Overall attendance also grew by 6,000 people to a total of 197,000. This growth reflects an ongoing trend in the frequency and size of public events.

The DMD assisted with the permitting of the following special events in 2015:

MARDI GRAS BLOCK PARTY

MORNING AFTER BRUNCH (x6)

EARTH DAY EVERYDAY COMMUNITY CELEBRATION

6TH WALL OF GIANTS

NEON DESERT

SACRED HEART BAZAAR

I SHINE YOUTH EVENT

MOTHER OF PEARL BLOCK PARTY

NATIONAL CONFERENCE OF WOMEN IN BUSINESS

GROFIT/TRAP FEST

INDIAN FOOD FESTIVAL

THANKSGIVING EVE CELEBRATION

SUSAN G. KOMEN RACE FOR THE CURE

KIDSPALOOZA

BACONFEST

MARIACHI FESTIVAL

SUN CITY PRIDE FEST

STREETFEST

PLAZA CLASSIC FILM FESTIVAL

UTEP AWARDS SUMMIT

MEXICAN FOOD COOK-OFF

CHALK THE BLOCK

FEMALE ART SHOW

LATIN HEAT WAVE HOLIDAY COOL DOWN





Downtown Programs

The DMD is always looking for creative and innovative ways to meet the needs of our stakeholders and to lead efforts for major improvements within Downtown El Paso. Over the past year we've been working on a number of efforts including security services, public parking improvements, and expanded holiday decorations.

Security

El Paso is an extremely safe city and the downtown is no different. To maintain that image and to provide a safe and welcoming area for visitors, the DMD worked with local off-duty officers to establish patrols during high traffic periods in select parts of the downtown. Patrols were dedicated to the Union Plaza Entertainment District and the El Centro Shopping District during periods of high activity. The effort was appreciated and commended by business owners. So much so, funds to maintain the patrols were included in the 2015-2016 budget.

Downtown Socials

In 2015, the DMD hosted its first Downtown Socials. These periodic events provide an opportunity to bring together downtown stakeholders, community leaders, elected officials, and downtown advocates in an informal setting to meet, learn about each other, and find common ways to further strengthen Downtown El Paso. Each event is hosted by a sponsor. Mithoff Burton Partners and Destination El Paso hosted the first Downtown Socials.

Holiday Decorations

In 2014, the DMD lined the El Paso Street corridor with holiday wreaths and banners to welcome holiday shoppers to the area. Due to the overwhelming positive response, this effort was expanded to the Stanton Street corridor. The DMD looks to continue to expand these efforts in the coming years to include additional corridors.

Union Plaza Art Project

Public art can impact any public space. With that in mind, the DMD partnered with Creative Kids to displace some of the amazing work of local young artists in kiosks located throughout the Union Plaza Entertainment District.

Sanitation Program

An attractive, vibrant, clean downtown is extremely important in our efforts to attract investment. As a result, the DMD's Sanitation Program is one of our most important services. Over 40% of our annual budget goes to providing service seven days a week and most evenings to keep downtown streets, sidewalks, and alleyways clean and litter free.

This effort is augmented by the DMD's agreement with the County of El Paso's Community Supervision and Correction Department that provides personnel to staff our crews at no charge. Crews are comprised of defendants required to meet court mandated community service obligations. The DMD funded supervisors utilize the man-power as a resource for highly visible sanitation teams. This arrangement with the County saved the DMD over \$400,000 in hourly wages in 2015. DMD crews also provide select municipal sanitation services as directed through an inter-local agreement with the City of El Paso.

Additional sanitation services include graffiti clean-up and removal, power washing sidewalks, gum busting, trash container collection and maintenance, and a variety of other tasks that are necessary to maintain a clean environment. Keeping downtown clean is a constant challenge for our partners and a significant use of resources, but this work is critical to elevating the standards of downtown and will continue to be a major focus of the DMD.

By the numbers for 2015.....

- 39,483 community service hours
- 5,994 paid supervisor hours
- \$409,044 saved through the DMD's agreement with the County (based on \$10.36 per hour)
- 4,142 alleys cleaned
- 558 cases of graffiti cleared
- 805 trailer loads of trash removed from the district

DMD SUPERVISORS

MANNY LUCAS

EDDIE SIDA

JOE SANCHEZ

STEVE (SUB)

PONCE (SUB)

Join the DMD in helping keep downtown clean. Report illegal dumping, noncompliant business owners to 915.599.6290

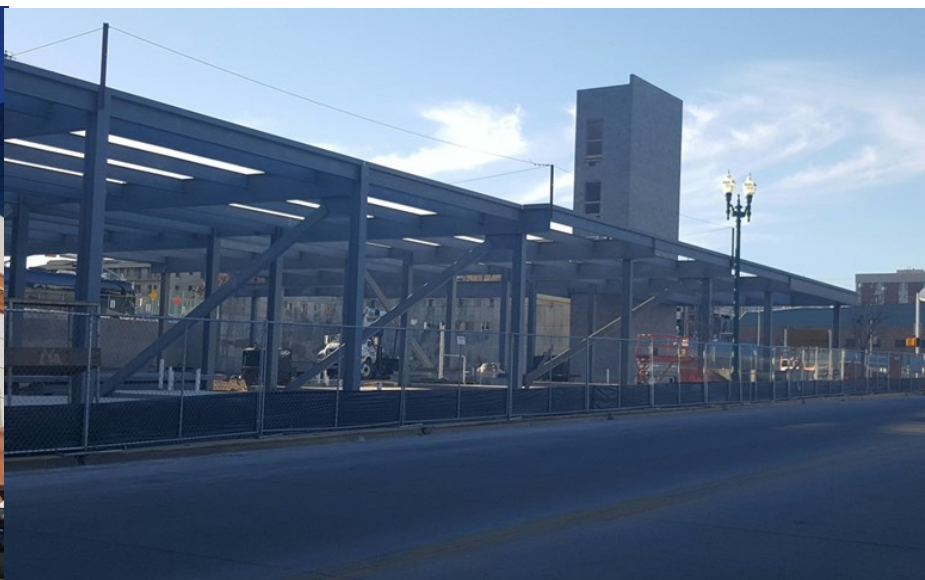




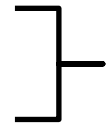
Looking Ahead

The DMD works to maximize assessment funding through the establishment of partnerships and relationships that benefit our downtown stakeholders. As noted throughout this report, many of our efforts involve one or more partnerships. We value these relationships and continue to foster teamwork throughout the downtown.

Looking toward the future, we will continue to work to not only deliver basic services effectively and efficiently, but to also look for ways to enhance delivery and build a higher standard for Downtown El Paso. We will advocate on behalf of downtown stakeholders and support efforts to enhance Downtown El Paso including the development and construction of Artspace, the Arena, Hispanic Cultural Center, Children's Museum, parking facilities, the downtown streetcar, housing, restaurants, and other business investment. Most importantly, we will work to make Downtown El Paso the center of commercial, civic, and cultural activity in the region.



Stakeholder Survey



In order to better gauge the perspective and interests of downtown stakeholders, the DMD conducted an unscientific, online survey. The survey asked participants to answer 10 questions pertaining to the current state of the downtown, the future of downtown, and the performance of the DMD. Results of the survey indicate that a strong majority of respondents (75%) see Downtown El Paso progressing.

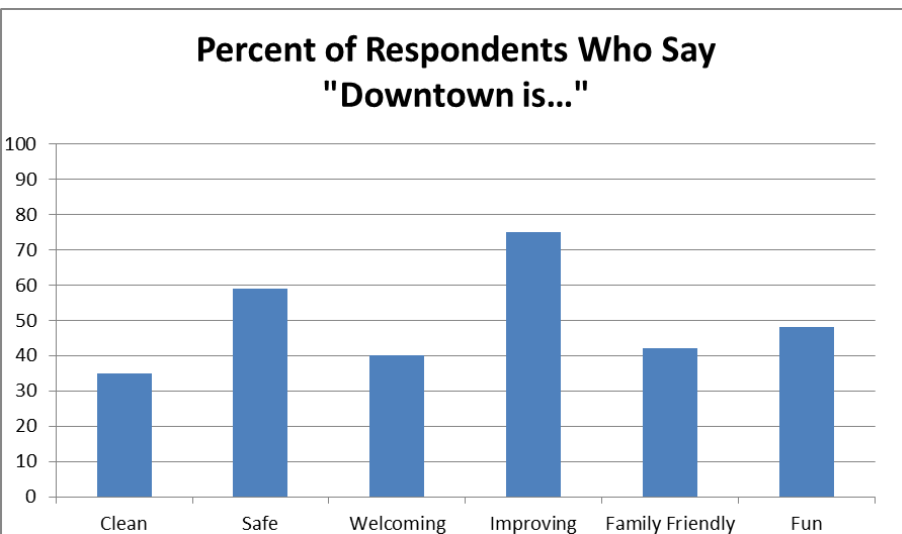
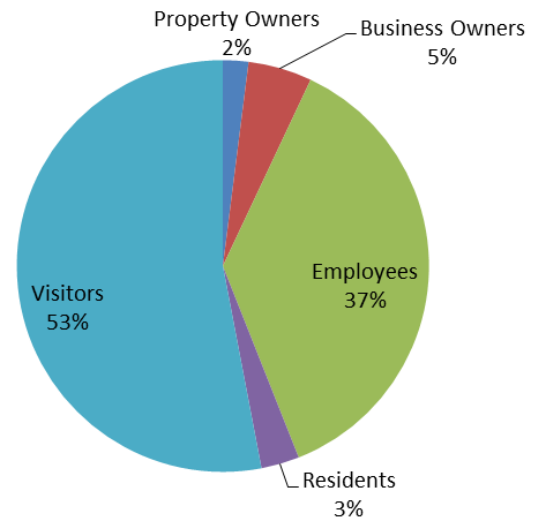
The survey made available during the month of July was available in both English and Spanish. A total of 647 people took the survey. The respondents represented downtown property owners, downtown businesses, downtown employees, downtown residents, and visitors to the downtown.

In addition to identifying ongoing downtown progress, respondents identified room for improvement and that cleanliness, safety/security and building restoration & construction are top priorities for the future of Downtown El Paso. The DMD received high marks in terms of recognition and performance.

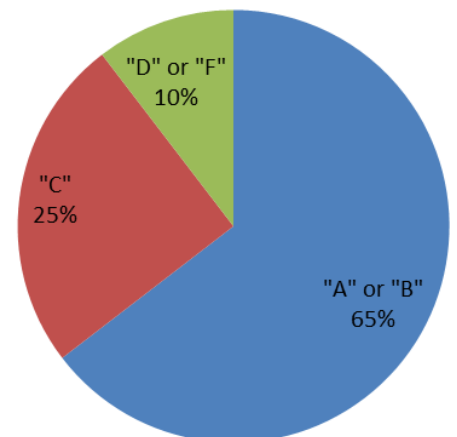
The survey was distributed via local media, social media and direct e-mails in the month of July. Respondents also had the opportunity to register for a chance to win a \$100 gift certificate to a downtown restaurant of their choice. Leah Eskew was the lucky winner and received a gift certificate from The Green Ingredient.

When asked about the future development of Downtown El Paso, respondents indicated that the most important elements included: Cleanliness; Safety/Security; Building Restoration & Construction; Diverse Retail & Shopping Options; Parking; and a Family Friendly Atmosphere.

Survey Participants



Grade the DMD





— [Downtown Partners] —

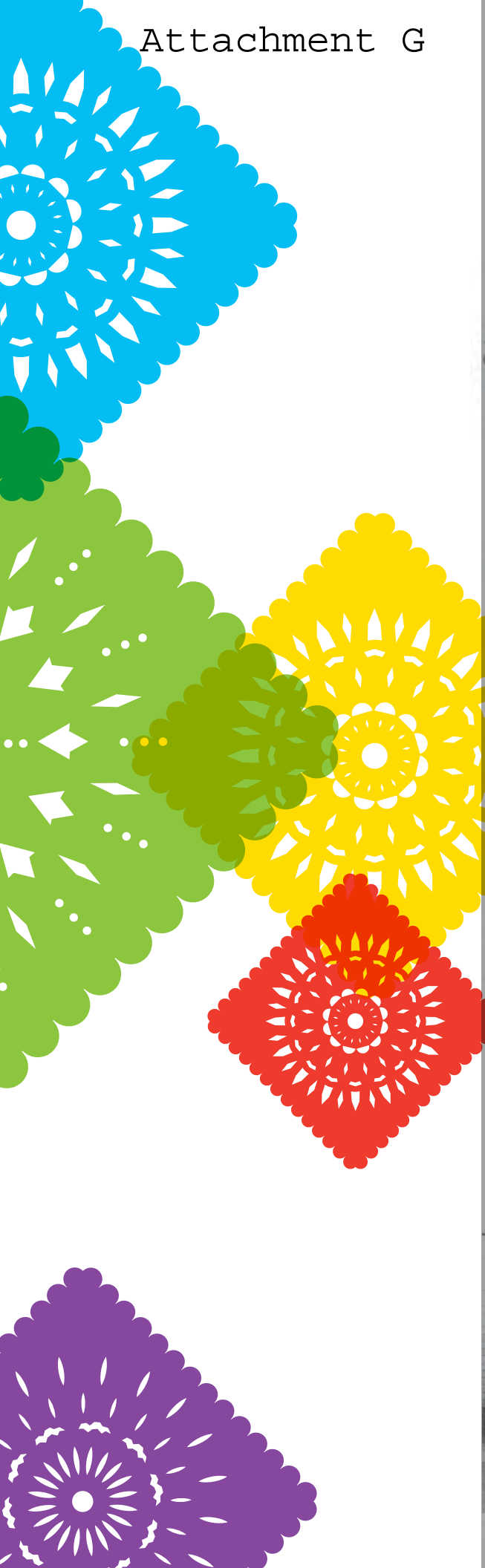
We would like to thank the following partners who have gone above and beyond to support our efforts over the past year. We could not have accomplished nearly as much as we did without your support and we apologize if we missed anybody!

EL PASO MAYOR AND CITY REPRESENTATIVES
EL PASO COMMUNITY FOUNDATION
DESTINATION EL PASO
CITY ENVIRONMENTAL SERVICES DEPT.
CITY CAPITAL IMPROVEMENTS DEPT.
CITY MUSEUM AND CULTURAL AFFAIRS
CITY ONE STOP SHOP
CITY ECONOMIC DEVELOPMENT DEPT.
POLICE DEPT./CENTRAL REGIONAL COMMAND
EL PASO CENTRAL BUSINESS ASSOCIATION
UNITED BANK
MITHOFF BURTON PARTNERS
EL PASO LIVE!
NOLITA CORNER BISTRO
STARR WESTERN WEAR
ANSON 11
TABLA
EL PASO PRO-MUSICA
DOWNTOWN DELI
TCBY/Mrs. Fields
Continental Dry Goods
House of Pizza Downtown

EL PASO COUNTY/WEST TEXAS CSCD
SUN METRO
THE GARDEN
MANCHOT
CREATIVE KIDS
THE GREEN INGREDIENT
TAX INCREMENT REINVESTMENT ZONE NO. 5
CITY STREET & MAINTENANCE DEPT.
EL PASO FIRE DEPT.
CITY INTERNATIONAL BRIDGES DEPT.
DESTINATION EL PASO
MAC'S PLACE
HOUSE OF PIZZA
THE TAP BAR AND RESTAURANT
EL PASO CHIHUAHUAS
501 BAR AND BISTRO
EL PASO PEDICABS
LA HUERTA RESTAURANT
CRAFT AND SOCIAL
360 Cocina Urbana
Ruben Gomez Photography



El Paso Downtown Management District
201 E. Main Suite 107
El Paso, TX 79901
915.400.2294
WWW.DOWNTOWNELPASO.COM



FACADE PROGRAM

ANNUAL REPORT
December 2012-November 2013



FAÇADE PROGRAM ANNUAL REPORT

Executive Summary

This report examines the past year of the Commercial Façade Improvement Program administered by the El Paso Downtown Management District (DMD) and serves as the Annual Report provided to the City of El Paso per the Interlocal agreement between the two governing bodies. The report evaluates the rate of return (RoR) on investment of grant funds. The rate of return is calculated by dividing the increase in property value from one year to another (2012 to 2013) by the amount granted (Façade Program Contribution). For properties whose values did not change, or whose value decreased in instances where construction was or is on-going, the private investment that the grant leveraged is provided. The simple rate of return calculation does not take into account factors like sales tax generation, tenancy after a vacancy or the effect the improvement had on neighboring properties, which demonstrate added positive impact. The economic impact of grant funds is evident. The *visual* impact that the grant funds made is very encouraging and adds more momentum to El Paso's Downtown revitalization efforts.

Nine applications were approved during the 2012-2013 fiscal year totaling over \$177,000 of reimbursement grants. This money leveraged over nine million dollars of private investment and resulted in an average RoR of \$12.75. This year's totals represent growth for the program. Less grant money was awarded but private investment on redevelopment projects remained constant. During fiscal year 2011-2012 the program granted \$270,762 which resulted in a RoR of \$7.06 and also leveraged over nine million dollars of private investment. Consider the following: in 2011-2012, the public funding dollar was multiplied 35 times in private investment dollars. Incredibly, it was even higher in 2012-2013 with public money leveraging over 52 times more in project costs.

The average RoR amount includes properties that actually decreased in value, or did not change at all. In most cases, static or decreasing property values are due to incomplete improvement projects, or other factors that we cannot quantitatively take into account. Nevertheless, the RoR in this case is higher than it was during the 2011-2012 fiscal year. Current demand for program funds from developers, retailers, property owners and tenants indicate that the program could easily continue the positive trends, transforming Downtown one building at a time.

The El Paso Downtown Management District supports projects that improve tenant retention rates and expanded services and amenities Downtown to attract more visitors and locals to the center of the city. Projects ranged from simple repairs to complete rehabilitations. Downtown property owners invested in a Downtown that includes well-kept facades, innovation and enterprise. The DMD also supports entrepreneurial endeavors that strengthen the Downtown economy with fresh ideas and new investment and is encouraged by the queries and applications in the queue for 2013.

FAÇADE PROGRAM ANNUAL REPORT

December 2012-November 2013

The El Paso Downtown Management District (DMD) was established with the mission to transform Downtown El Paso into the center of commercial, civic and cultural activity. To this end, the organization has created partnerships and relationships that maximize the effects of public and private investment in Downtown acting a steward of both resources and information. The Commercial Façade Improvement Grant program is an example of collaboration between the public and private sector for the betterment of Downtown. In 2012, the DMD Facade Program Annual Report reported over 5 years' worth of information, spanning from the program's creation in 2007 through the DMD's first year administering it in fiscal year 2011-2012. This report examines the past year only, from December of 2012 to November of 2013. However, it will include references to data gleaned from last year's study which should reveal the program's continued success in leveraging added value to private investment.

Program Overview

The Facade Program was formed 2007 and was administered by the City of El Paso's Economic Development Department. It was a dollar for dollar match grant program with reimbursements of up to \$10,000. When the DMD entered into an interlocal agreement with the City in October of 2011 to administer the program, the maximum grant amount was increased to \$25,000. Only applicants within the DMD boundaries, the Tax Increment Reinvestment Zone No. 5 (TIRZ) and the Downtown 2015 Plan area were eligible to apply. Eligible expenses included exterior renovation, restoration, preservation, and/or rehabilitation of commercial properties within these areas on a reimbursement basis.

The program guidelines were formulated to produce tangible, visible and beneficial results focused on the revitalization and improvement of downtown buildings to positively impact the aesthetics, marketability and perception of the Downtown area. Because development does not occur in a vacuum, the program strives to incentivize and catalyze private sector investment. The guidelines also protect the distinctive architectural details of existing buildings and do not seek to sacrifice these assets for the sake of new redevelopment. In fact, each application goes through a stringent approval process that includes review by the Façade Review Committee, which is composed of DMD Board Members and City Development Department staff.

The DMD is driven by results-oriented programs that continue and accelerate the pace of Downtown revitalization. The collaboration between the City of El Paso and the DMD has produced value-added services with encouraging results – something that the organization hopes to continue. Most importantly, the partnership has facilitated the visible and tangible improvement of dozens of Downtown buildings and has garnered the trust of property owners, tenants and other Downtown stakeholders. The DMD is committed to this partnership and will continue seeking additional funding streams to amplify the beneficial effects of collaboration through the Commercial Facade Improvement Program.

112 MILLS AVENUE FAC 12-11

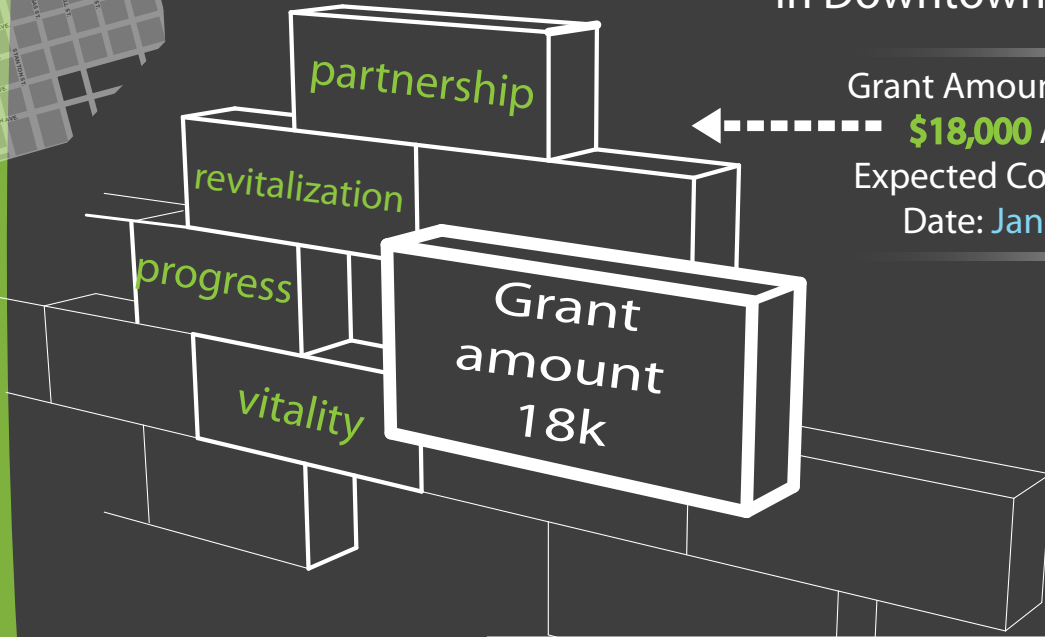
Located directly in front of the iconic San Jacinto Plaza and nestled between sections of the historic Kress Building, this project, in more ways than one, reflected the progress underway in Downtown El Paso.



112 mills avenue

Grant Amount & Date:
\$18,000 April 2013
Expected Completion
Date: **January 2014**

grant leveraged
\$2.96
for every \$1
of grant funding



before

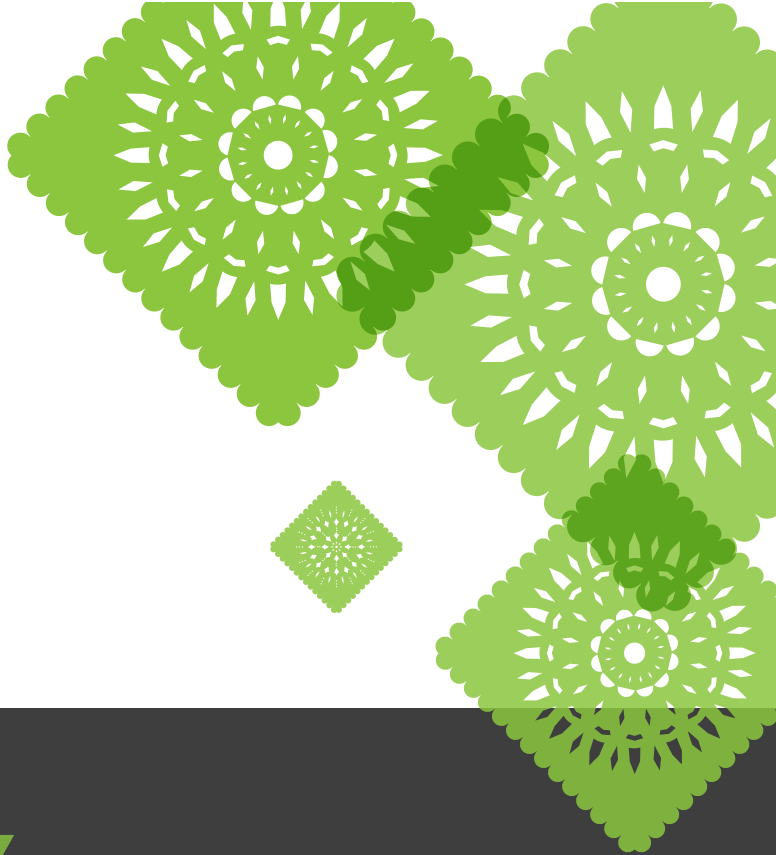


3



after





Downtown is on the verge
of fulfilling its potential as the
center of cultural and economic
life for the city.

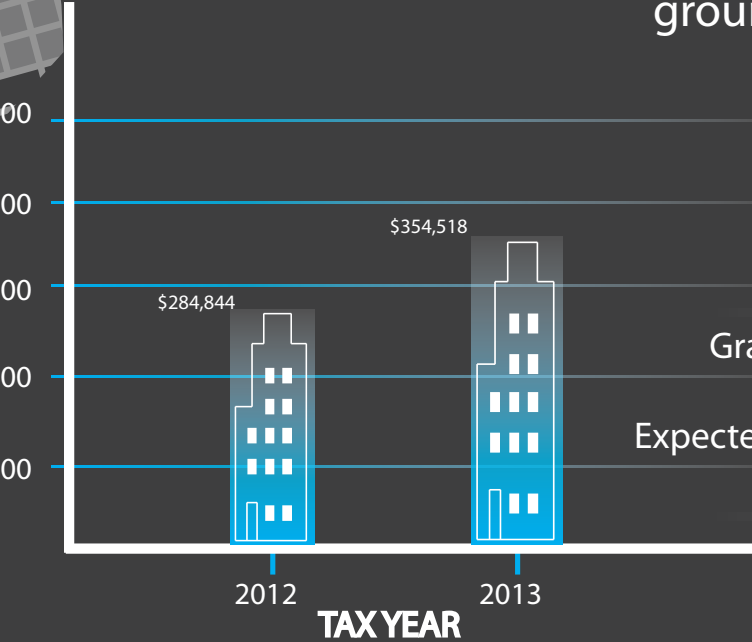
Robert S. Ayoub,
DMD Board President

316 S. STANTON

FAC 12-10



The improvements to this property include the rehabilitation of its ground floor façade and the addition of a new second floor. The grant only covered expenses incurred for the improvement of the original ground-floor façade.



A 7.06
rate
of return
per grant
dollar

Grant Amount & Date:
\$18,248 April 2013
Expected Completion Date:
February 2014

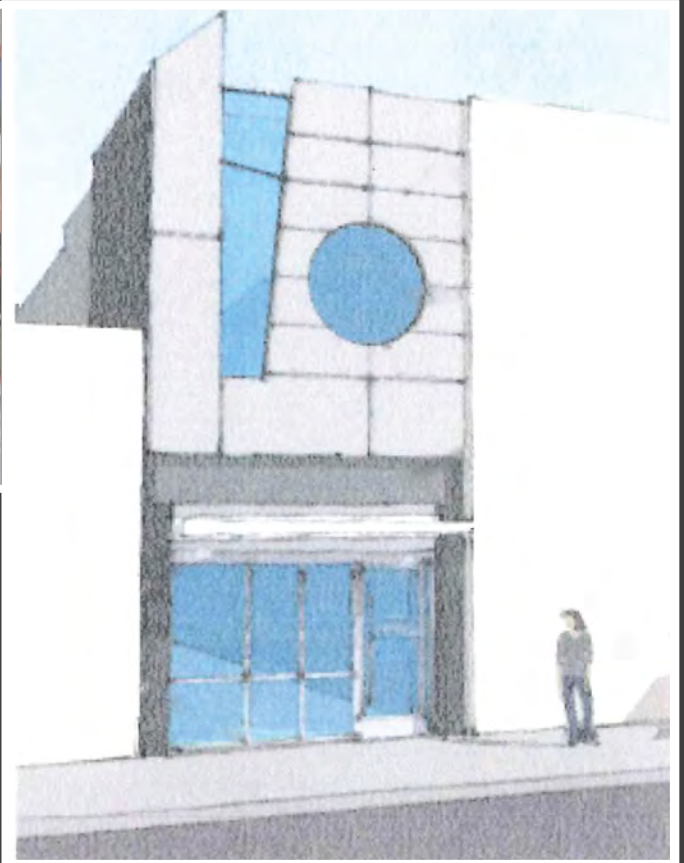
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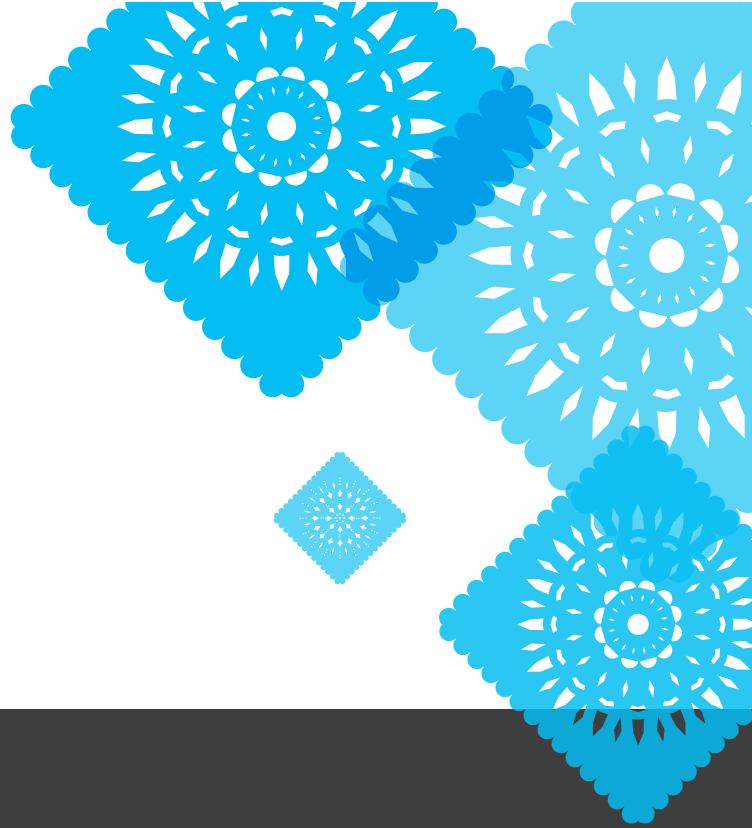


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after



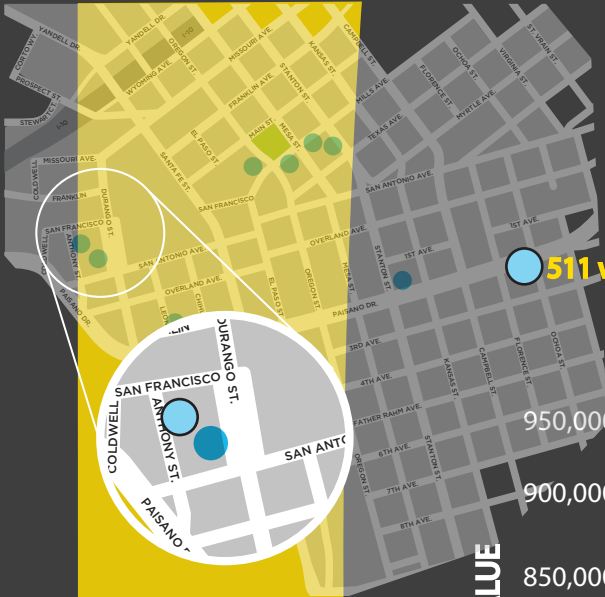


**The DMD is committed to
achieving the goals of the façade program:
to serve as a catalyst for continued
private sector investment through
visible improvements**

– Façade Program Guidelines

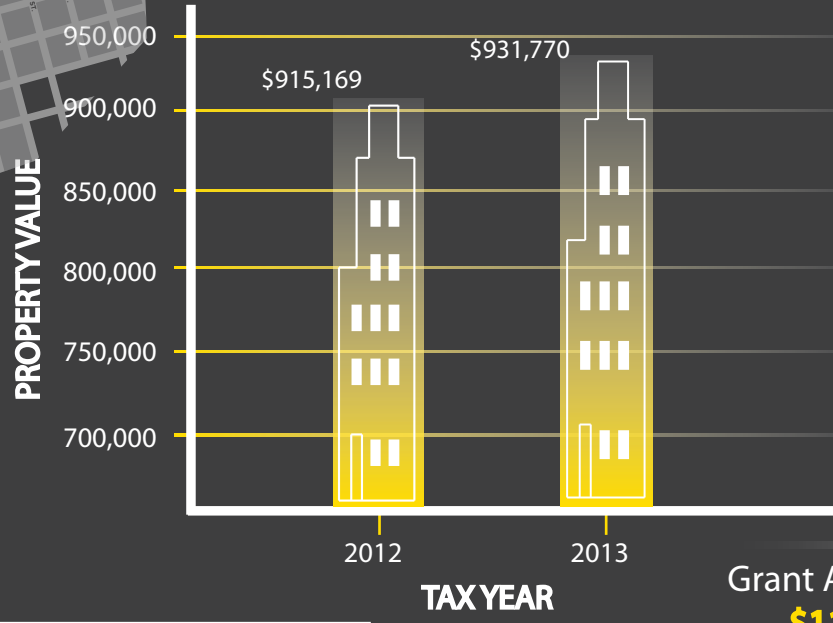
511 WESTERN

FAC 12-12



This particular project surrounded a restaurant bar with plenty of activity. The improvement now indicates the quality service and ambience that visitors can expect from Downtown entertainment venues.

A 1.51
rate
of return
per grant
dollar



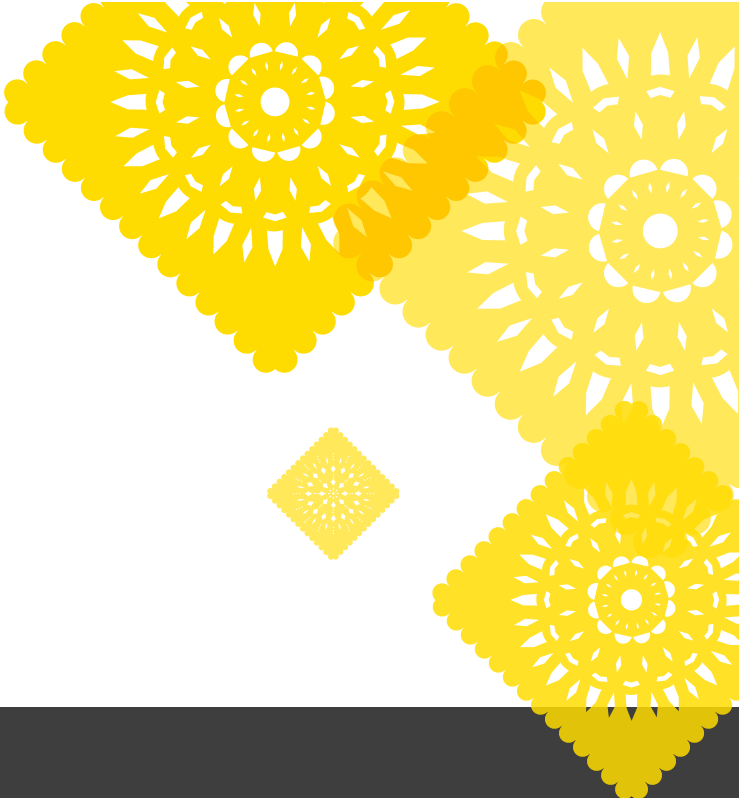
Grant Amount & Date:
\$11,000 June 2013
Completion Date:
August 2013

before



after

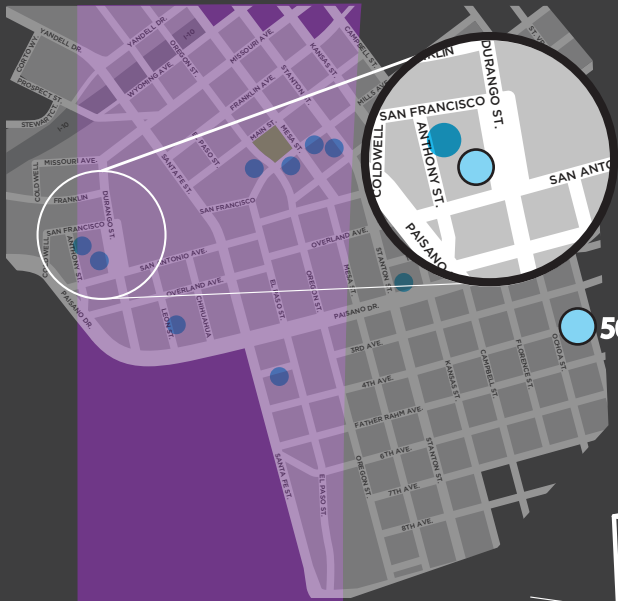




The Façade Grant Program
continues to reap the benefits of additional
economic investment as the DMD strives to lead with
excellence and show value
to our many stakeholders.

– Verónica R. Soto,
DMD Executive Director

501 W. SAN ANTONIO FAC 12-14



501 w. san antonio

This impressive project not only promises to renovate the building's façade, it completely rehabilitates the building's interior for future use as premier office and retail space. The total investment estimated amounts to over 2 million dollars.

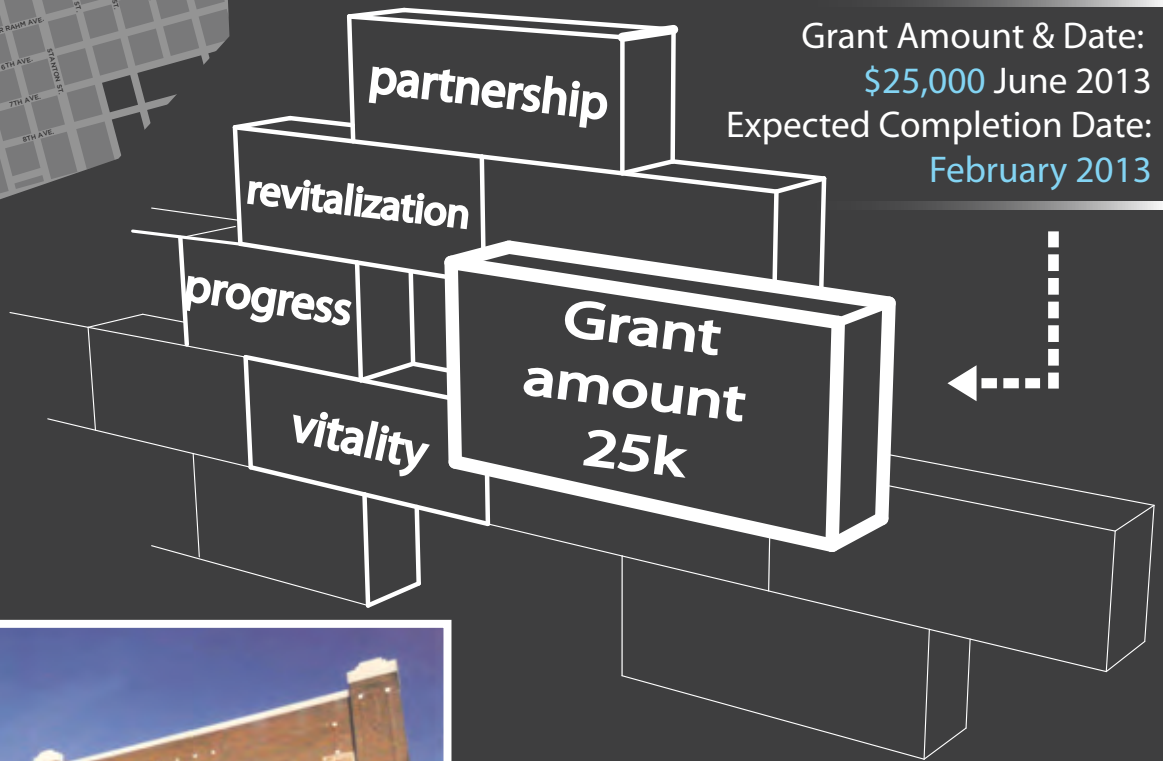
Grant Amount & Date:

\$25,000 June 2013

Expected Completion Date:

February 2013

grant leveraged
\$81.83
for every \$1
of grant funding



before

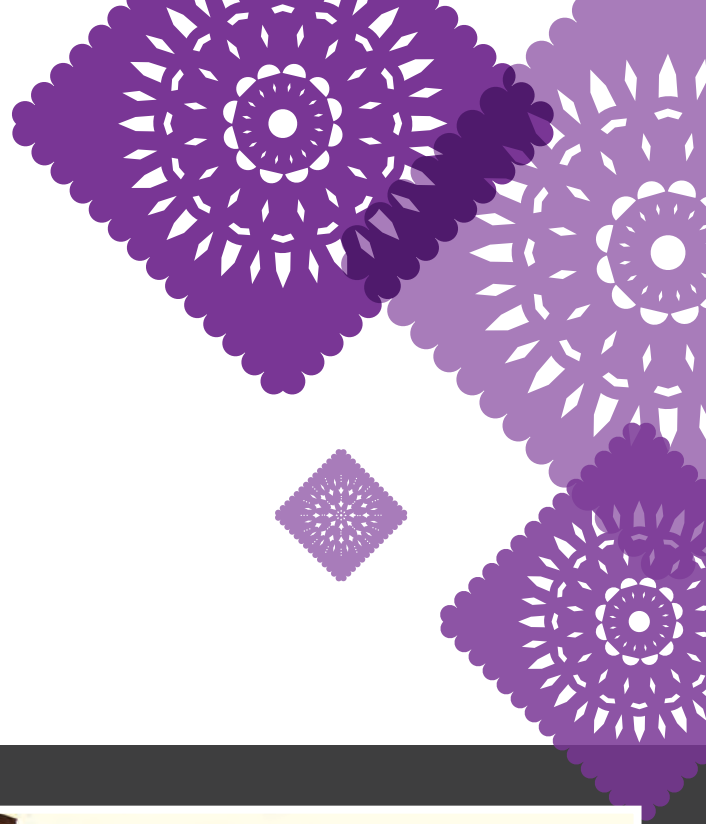


9



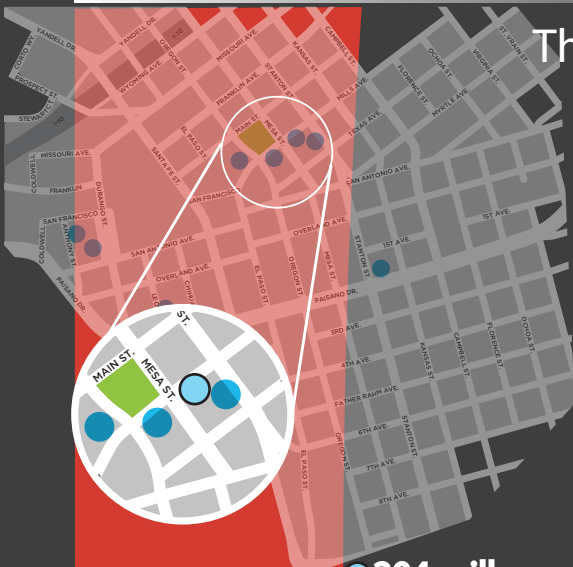
after





Progress Photos

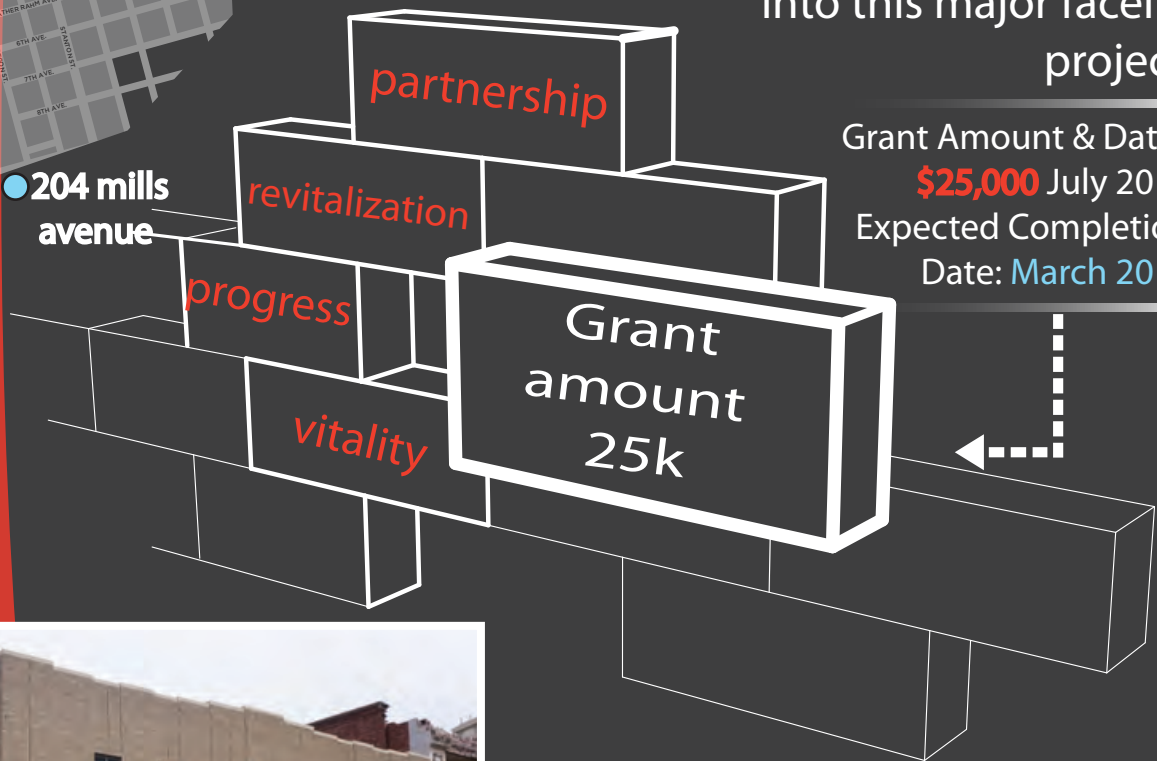
204 MILLS AVENUE FAC 12-15



This project promises to breathe fresh air into Mills Avenue, just one block east of the historic San Jacinto Plaza. The project will complement another housing development down the street with mixed use retail and lifestyle space. The applicant expects to invest over 2 million dollars into this major facelift project.

● 204 mills avenue

grant leveraged \$10 for every \$1 of grant funding



Grant Amount & Date: **\$25,000** July 2013
 Expected Completion Date: **March 2014**

before

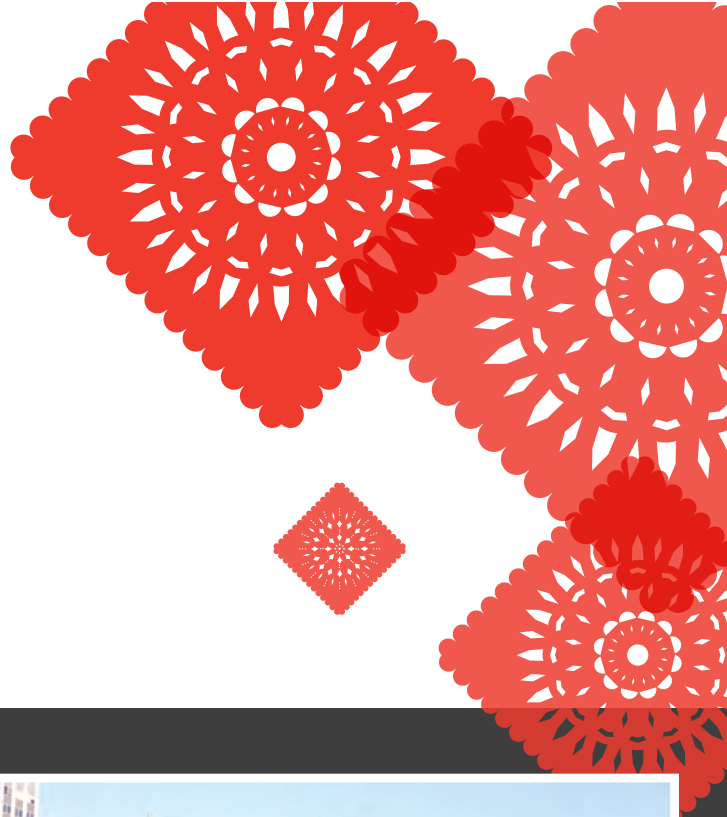


11



after

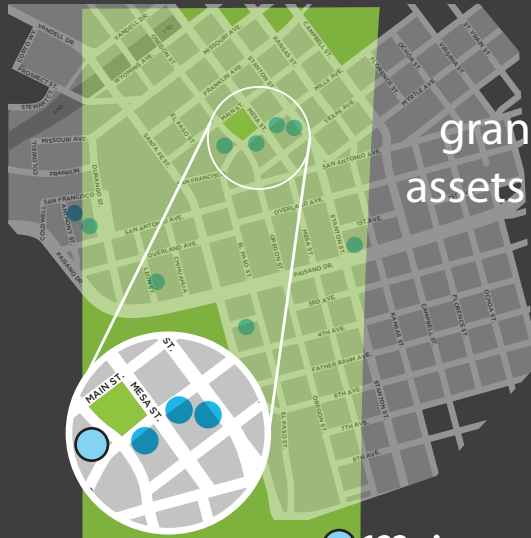




Progress Photos

123 PIONEER PLAZA FAC 12-16

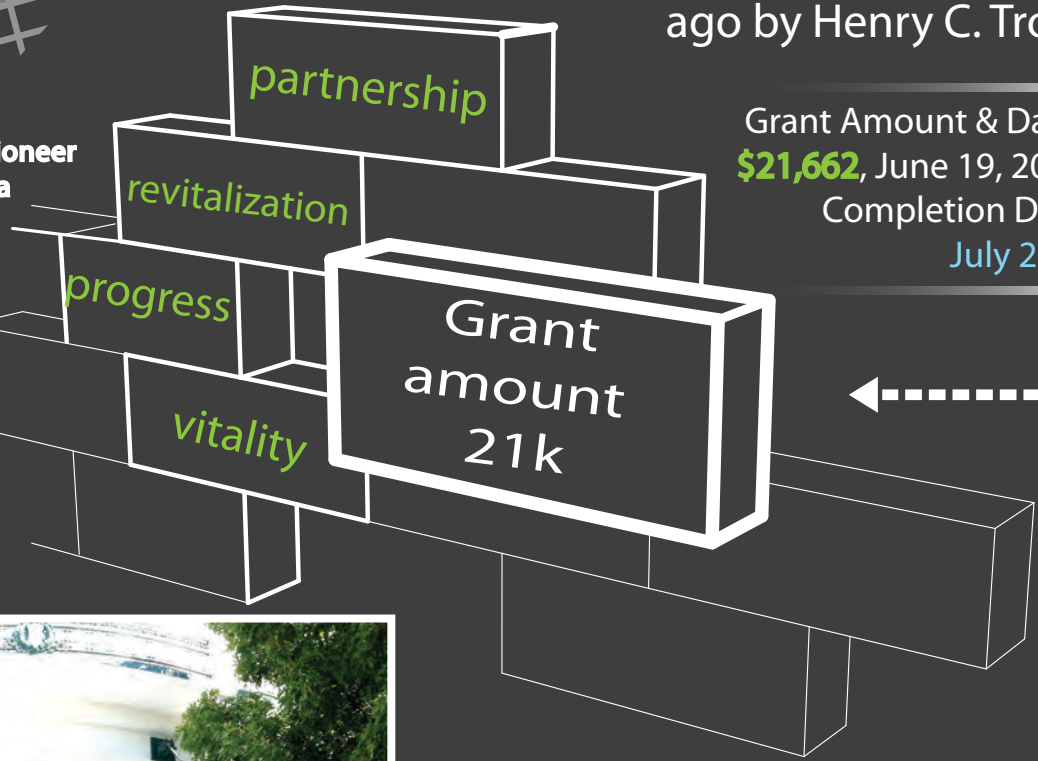
One of the main goals of the façade improvement grant program is to enhance the historical architectural assets that exist Downtown. The improvement facilitated by this grant replaced a dilapidated canopy with a replica of the original canopy following the original designs created over 100 years ago by Henry C. Trost.



123 pioneer plaza

grant leveraged \$2 for every \$1 of grant funding

Grant Amount & Date: **\$21,662**, June 19, 2013
Completion Date: July 2013



before

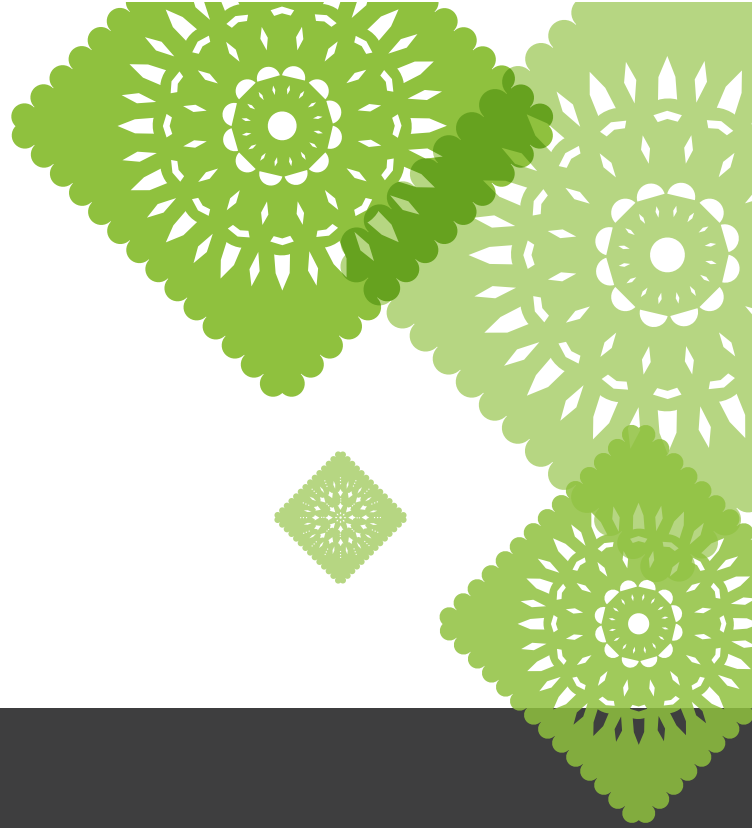


13



after





The program prioritizes
the restoration of distinctive architectural
details that promote preservation and rehabilitation
improvements that will enhance and
beautify the structure

– Façade Program Guidelines

209 N. STANTON

FAC 12-18

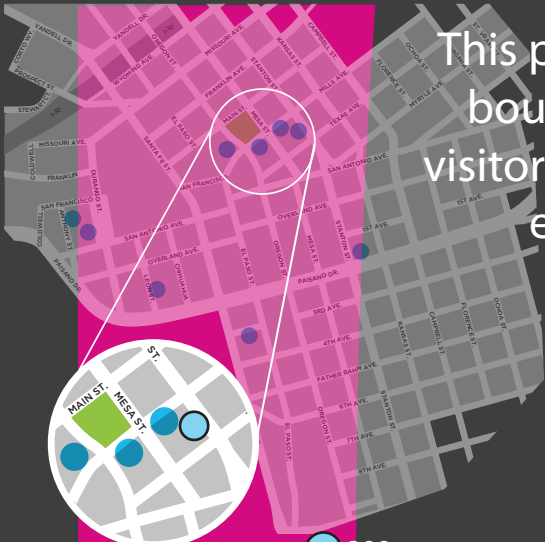
This project will transform a long-vacant building into a boutique hotel with retail space providing Downtown visitors with even more lodging options. The developers estimate over \$200,000 will be spent on the façade only and over \$6 million on the entire project.

Grant Amount & Date:

\$25,000, October 2013

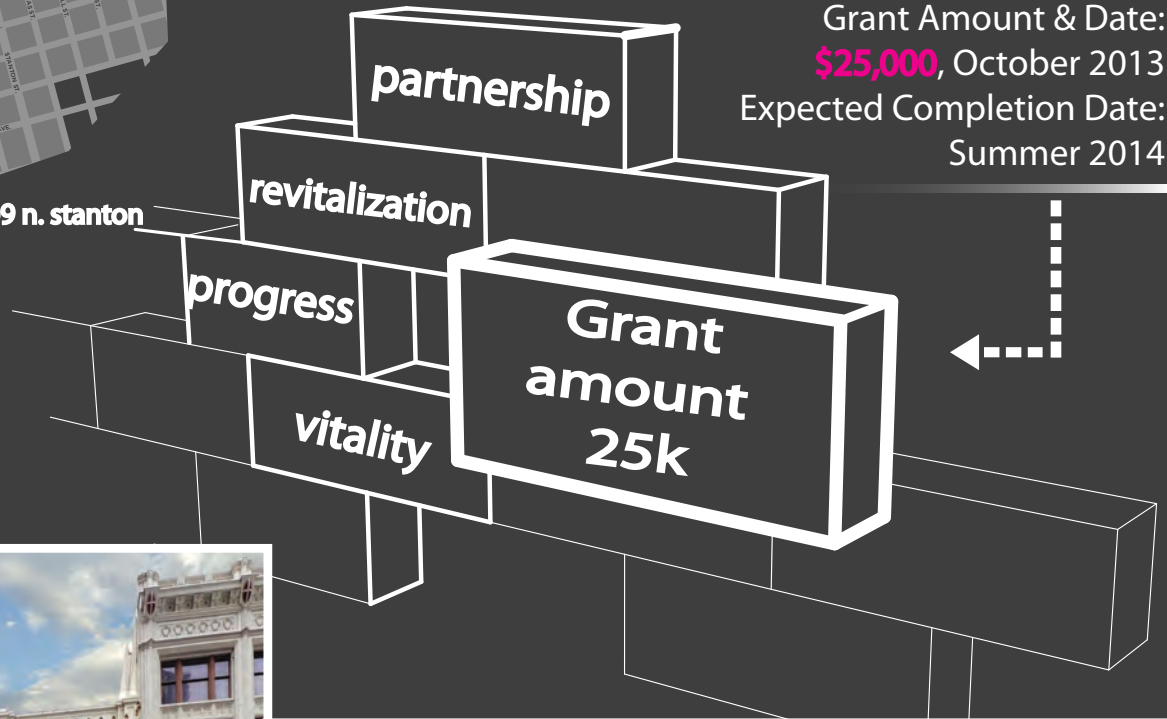
Expected Completion Date:

Summer 2014



● 209 n. stanton

grant leveraged **\$257.24** for every \$1 of grant funding



before

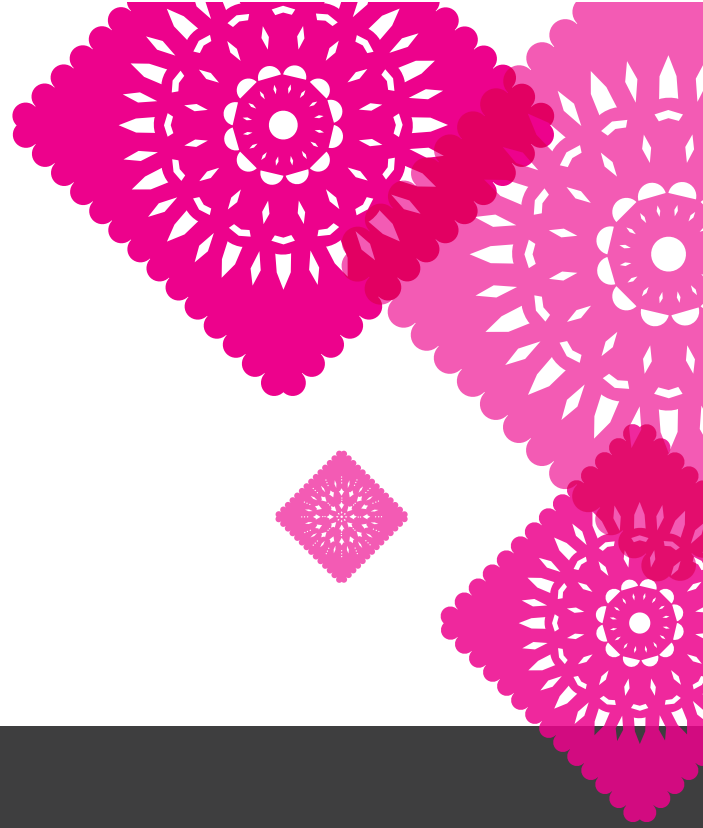


15



after

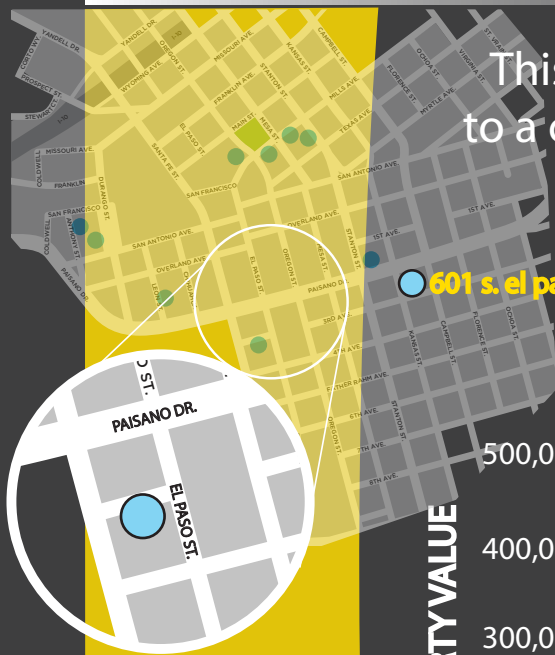




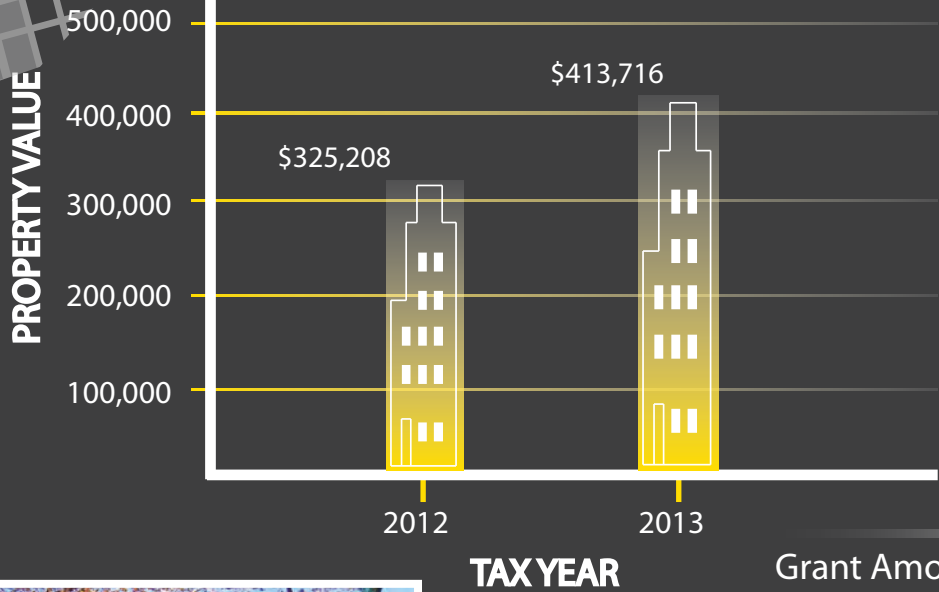
The redevelopment of Downtown buildings is made possible with collaboration between the City and the Downtown Management District. Public funding contributes towards the feasibility of large-scale projects that would otherwise remain unused and dilapidated.

– Nickole Heater,
Economic Development Liaison,
City of El Paso

601 S. EL PASO FAC 12-09



This project features extensive Façade improvements to a corner property on South El Paso Street, a corridor with high foot traffic including shoppers and international travelers. A tenant approached the owner and proposed to build a restaurant. Today, the once-vacant building serves as a bustling buffet.



A **3.54** rate of return per dollar increased **property value** by **\$88,502.00**

Grant Amount & Date:
\$25,000, February 2013
 Completion Date:
 September 2013

before

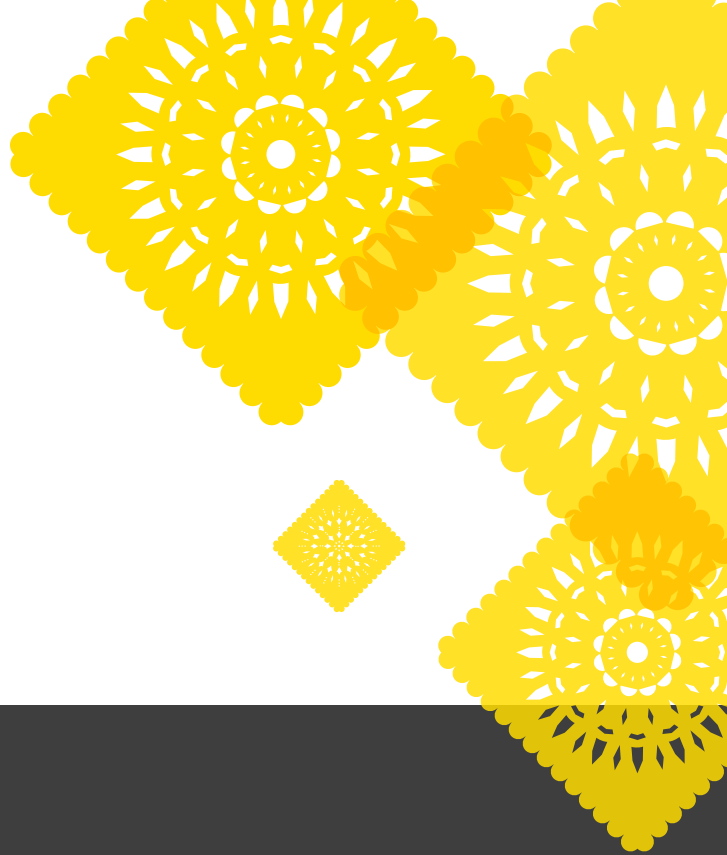


17



after



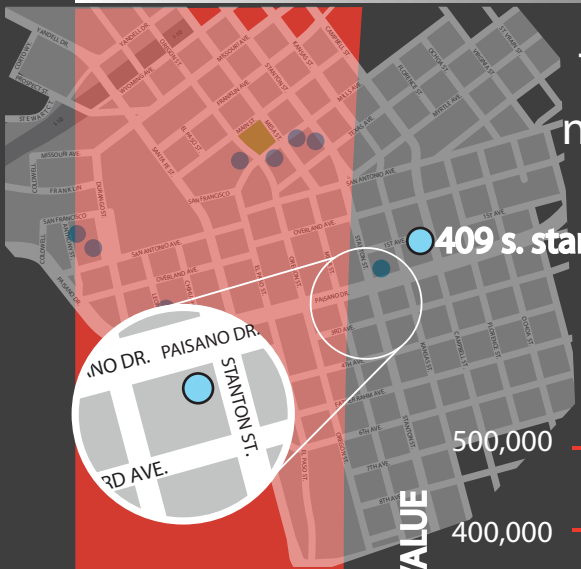


El Paso's character is found in its compact, connected, walkable historic neighborhoods... El Paso could improve its quality of life and gradually construct a better human habitat by growing a more complete downtown.

– Plan El Paso: Downtown

409 S. STANTON

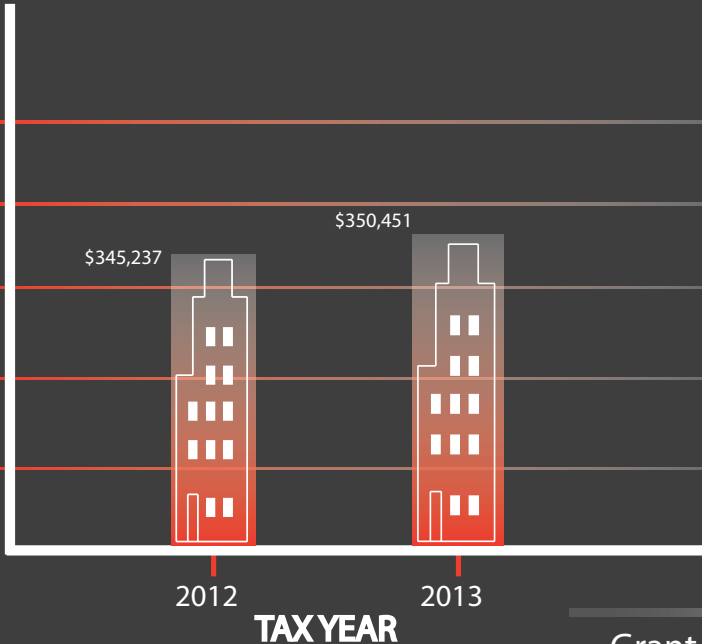
FAC 12-02



The property will improve its aspect by installing new security doors and an attractive canopy. AQS Jeans will enhance its storefront in order to make it more appealing and inviting for customers.



PROPERTY VALUE



grant leveraged **\$2.52** for every \$1 of grant funding

Grant Amount & Date: **\$17,121**, August 2012
Expected Completion Date: April 2014

before

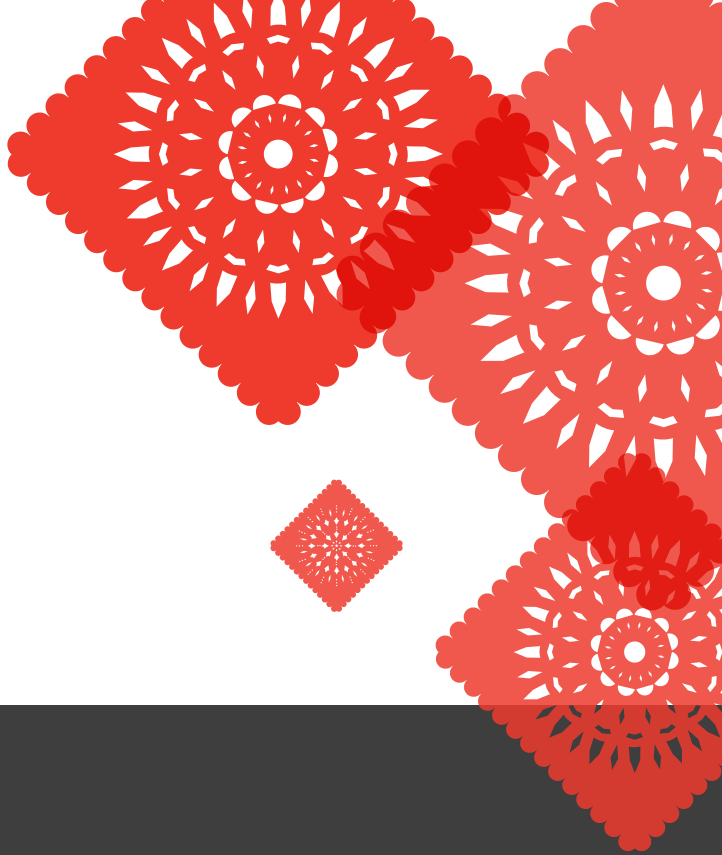


19



after





Instead of remote corporate campuses,
businesses should be encouraged to reoccupy city centers.
In time, other uses will again follow.

-Plan El Paso: Economic Development

List of Applications (FY 2012-13 VALUES)

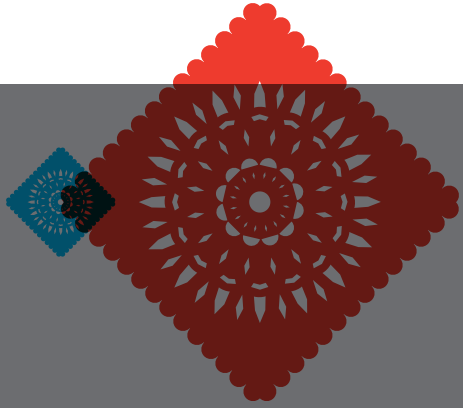
Application #	Property Address	Application Submitted	Total Project Cost	Amount Granted	Tax Year	Property Value	Property Value Increase	Rate of return per dollar	Leverage
1	FAC 12-09 601 S El Paso	1/14/2013	\$250,753	\$25,000	2012 2013	\$325,208 \$413,710	\$88,502	\$3.54	\$10.03
2	FAC 12-10 316 S Stanton	2/6/2013	\$50,319	\$9,868	2012 2013	\$284,844 \$354,518	\$69,674	\$7.06	\$5.10
3	FAC 12-11 112 Mills	2/7/2013	\$53,334	\$18,000	2012 2013	\$212,226 \$212,226	\$-	\$-	\$2.96
4	FAC 12-12 511 Western	3/26/2013	\$103,000	\$11,000	2012 2013	\$915,169 \$931,770	\$16,601	\$1.51	\$9.36
5	FAC 12-14 501 W San Antonio	3/5/2013	\$2,045,649	\$25,000	2012 2013	\$1,024,678 \$911,116	\$(113,562)	\$(4.54)	\$81.83
6	FAC 12-15 204 Mills	5/6/2013	\$250,000	\$25,000	2012 2013	\$348,091 \$348,091	\$-	\$-	\$10.00
7	FAC 12-16 123 Pioneer Plaza	5/16/2013	\$43,325	\$21,662	2012 2013	\$4,218,000 \$6,598,189	\$2,380,189	\$109.88	\$2.00
8	FAC 12-18 209 N Stanton	6/8/2013	\$6,431,000	\$25,000	2012 2013	\$450,200 \$375,803	\$(74,397)	\$(2.98)	\$257.24
9	FAC 12-02*	9/20/2013	\$43,209	\$17,121	2012 2013	\$345,237 \$350,451	\$5,214	\$0.30	\$2.52

Yearly Total \$9,270,589 \$177,651

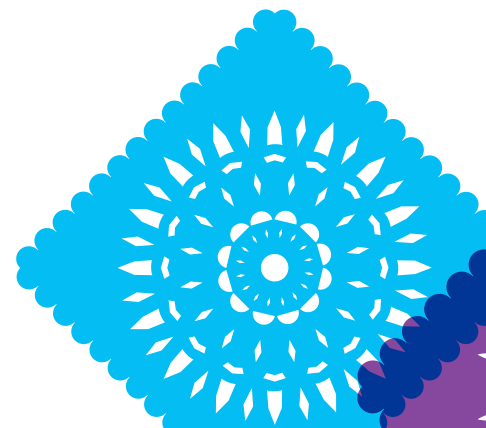
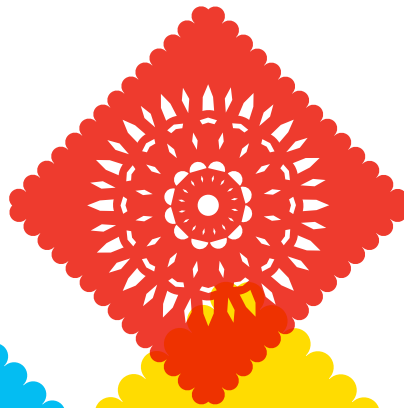
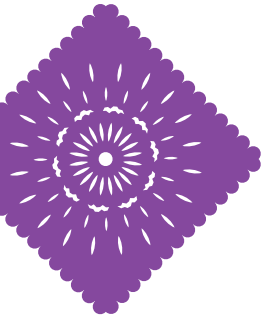
List of Applications (FY 2011-12 VALUES)

	Application #	Property Address	Application Submitted	Total Project Cost	Amount Granted	Tax Year	Property Value	Property Value Increase	Rate of return per dollar	Leverage
1	FAC 11-02	516-518 San Antonio	1/12/2011	\$900,000	\$25,000	2011 2013	\$726,156 \$1,110,084	\$383,928	\$15.36	\$36.00
2	FAC 11-03	401. E Main	8/31/2011	\$8,000,000	\$25,000	2011 2013	\$1,320,929 \$3,526,474	\$2,205,545	\$88.22	\$320.00
3	FAC 11-05	603 S. El Paso	12/6/2011	\$10,662	\$5,331	2011 2013	\$384,057 \$357,377	\$(26,680)	\$(5.00)	\$2.00
4	FAC 11-06	605 S. El Paso	12/6/2011	\$7,896	\$3,948	2011 2013	\$1,161,730 \$1,102,714	\$(59,016)	\$(14.95)	\$2.00
5	FAC 11-08	607-609 S. El Paso	12/6/2011	\$16,451	\$8,226	2011 2013	\$79,153 \$87,068	\$7,915	\$0.96	\$2.00
6	FAC 11-09	615 S. El Paso	12/6/2011	\$14,346	\$7,173	2011 2013	\$440,821 \$440,821	\$440,821	\$-	\$2.00
7	FAC 11-11	617-619 S. El Paso	12/6/2011	\$19,037	\$7,449	2011 2013	\$47,211 \$59,721	\$12,510	\$1.68	\$2.56
8	FAC 11-13	412-414 S. El Paso	12/28/2011	\$52,720	\$12,712	2011 2013	\$315,718 \$358,585	\$42,867	\$28.21	\$4.15

	Application #	Property Address	Application Submitted	Total Project Cost	Amount Granted	Tax Year	Property Value	Property Value Increase	Rate of return per dollar	Leverage
9	FAC 11-14	411-413 S. Stanton	12/28/2011	\$25,462	\$12,731	2011 2013	\$342,375 \$421,920	\$79,545	\$6.25	\$2.00
10	FAC 11-15	818-820 S. El Paso	12/28/2011	\$57,900	\$25,000	2011 2013	\$880,773 \$709,196	\$(171,577)	\$(6.86)	\$2.32
11	FAC 12-01	214 W. Franklin	2/24/2012	\$15,107	\$7,553	2012 2013	\$227,578 \$275,000	\$47,422	\$6.28	\$2.00
12	FAC 12-04	500 Stanton	8/6/2012	\$132,582	\$25,000	2012 2013	\$429,032 \$429,032	\$-	\$-	\$5.30
13	FAC 12-05	328 Leon	8/31/2012	\$89,297	\$24,433	2012 2013	\$74,250 \$75,423	\$1,173	\$0.05	\$3.65
14	FAC 12-06	717 S El Paso St	9/9/2012	\$21,659	\$10,829	2012 2013	\$471,866 \$471,866	\$-	\$-	\$2.00
15	FAC 12-07	305 Leon	10/1/2012	\$40,240	\$20,112	2012 2013	\$158,686 \$140,376	\$(18,310)	\$(0.91)	\$2.00
16	FAC 12-08	210 E Paisano	10/2/2012	\$36,855	\$18,428	2012 2013	\$120,026 \$117,668	\$(2,358)	\$(0.13)	\$2.00
			Yearly Total	\$9,440,214	\$270,762					

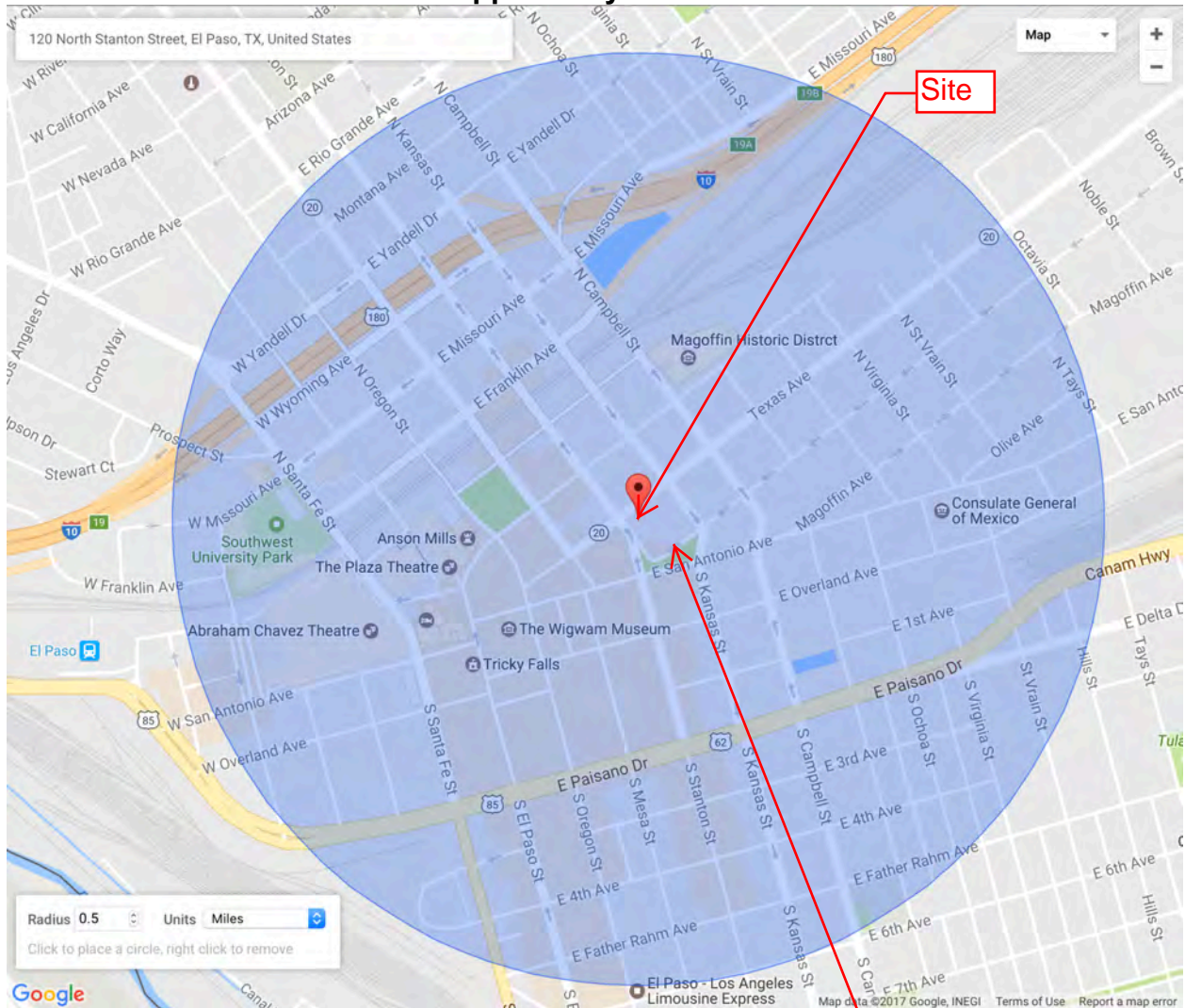


El Paso Downtown Management District
201 E. Main Suite 107
El Paso, TX 79901
915.400.2294
WWW.DOWNTOWNELPASO.COM



The following Opportunity
Index amenity information was
not included in the original
Application.

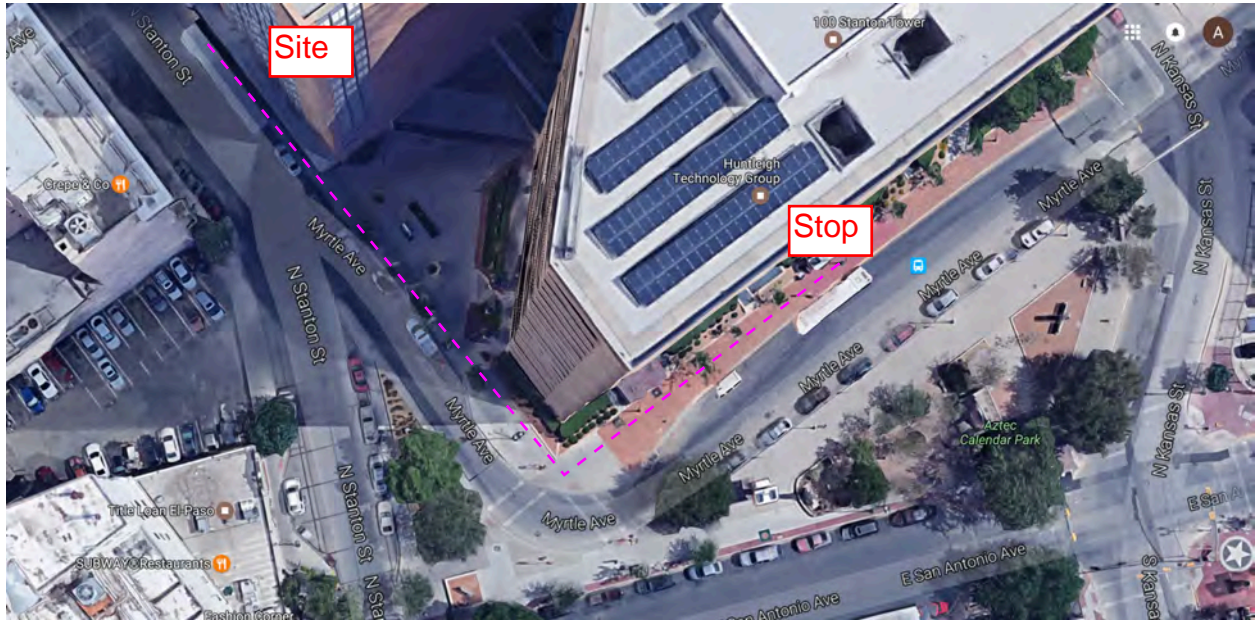
**Blue Flame
Concerted Revitalization Plan
Development is in an area that would score
10 of 13 Opportunity Index Amenities**



Site

(II) Site located less than 1/2 mile on accessible sidewalk route from Bus Stop serving Routes 55, 59, and others with service M-F, Sat and Sunday

Photo of Accessible Route
Wide, flat, continuous sidewalks from Development Site to Bus Stop





55 Eastside Terminal

Downtown Transfer Center Bay M
Five Points Transfer Center Bays C & D
Eastside Transfer Center Bay F

LEGEND

- ① Time Point
- ▬ Bus Route
- Route Direction

DOWNTOWN ROUTES
1, 3, 4, 9, 10, 11, 14, 15, 18, 21, 22, 23, 24, 33, 34, 35, 36, 42, 50, 59, 61, 62, 65, 66, 83, Brio

FIVE POINTS TRANSFER CENTER
25, 30, 32, 33, 34, 35, 41, 50

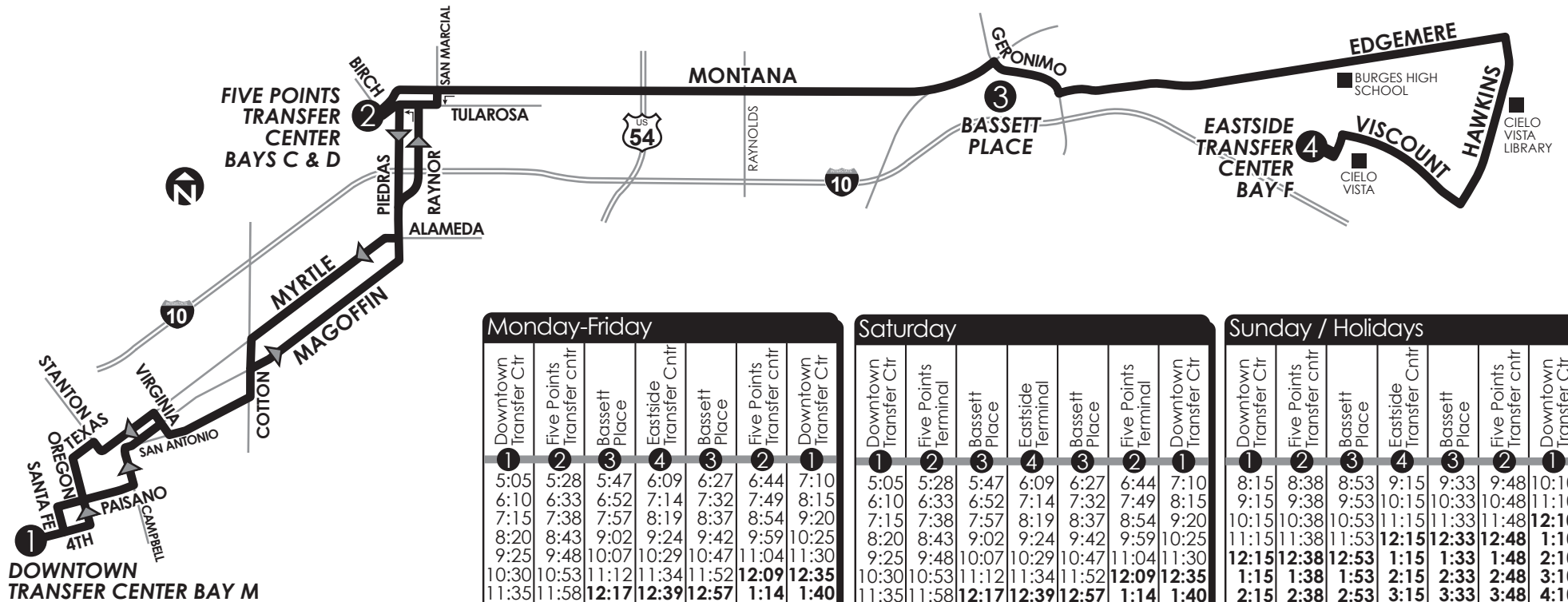
VISCOUNT & HAWKINS
7, 25, 50, 51, 52, 53, 58, 63, 71, 72, 73, 74

EASTSIDE TRANSFER CENTER
7, 25, 31, 50, 51, 52, 53, 58, 59, 63, 70, 71, 72, 73, 74, CR 20

SAN ANTONIO TERMINAL
4, 21, 22, 61, 62, 66

CONNECTING POINTS TO ROUTES

- Downtown
- Magoffin & Piedras (21, 22, 62)
- Alameda & Piedras (21, 22, 25, 61, 62, 66)
- Five Points Transfer Center
- Montana & Copia (35, 50)
- Montana & Raynolds (21, 22, 50)
- Montana & Chelsea (21, 22, 50)
- Montana & Geronimo (7, 25, 33, 50)
- Bassett Place (7, 25, 33)
- Myrtle & Stanton (1, 4, 21, 22, 42, 59, 62, 75)
- Eastside Transfer Center
- Viscount & Hawkins
- San Antonio Terminal



Monday-Friday

Downtown Transfer Ctr	Five Points Transfer Cntr	Bassett Place	Eastside Transfer Cntr	Bassett Place	Five Points Transfer Cntr	Downtown Transfer Ctr
①	②	③	④	③	②	①
5:05	5:28	5:47	6:09	6:27	6:44	7:10
6:10	6:33	6:52	7:14	7:32	7:49	8:15
7:15	7:38	7:57	8:19	8:37	8:54	9:20
8:20	8:43	9:02	9:24	9:42	9:59	10:25
9:25	9:48	10:07	10:29	10:47	11:04	11:30
10:30	10:53	11:12	11:34	11:52	12:09	12:35
11:35	11:58	12:17	12:39	12:57	1:14	1:40
12:40	1:03	1:22	1:44	2:02	2:19	2:45
1:45	2:08	2:27	2:49	3:07	3:24	3:50
2:50	3:13	3:32	3:54	4:12	4:29	4:55
3:55	4:18	4:37	4:59	5:17	5:34	6:00
5:00	5:23	5:42	6:04	6:22	6:39	7:05
6:05	6:28	6:47	7:09	7:27	7:44	8:10
7:10	7:33	7:52	8:09	8:27	8:44	9:10
8:15	8:38	8:57	9:14	9:32	9:49	10:15

Saturday

Downtown Transfer Ctr	Five Points Terminal	Bassett Place	Eastside Terminal	Bassett Place	Five Points Terminal	Downtown Transfer Ctr
①	②	③	④	③	②	①
5:05	5:28	5:47	6:09	6:27	6:44	7:10
6:10	6:33	6:52	7:14	7:32	7:49	8:15
7:15	7:38	7:57	8:19	8:37	8:54	9:20
8:20	8:43	9:02	9:24	9:42	9:59	10:25
9:25	9:48	10:07	10:29	10:47	11:04	11:30
10:30	10:53	11:12	11:34	11:52	12:09	12:35
11:35	11:58	12:17	12:39	12:57	1:14	1:40
12:40	1:03	1:22	1:44	2:02	2:19	2:45
1:45	2:08	2:27	2:49	3:07	3:24	3:50
2:50	3:13	3:32	3:54	4:12	4:29	4:55
3:55	4:18	4:37	4:59	5:17	5:34	6:00
5:00	5:23	5:42	6:04	6:22	6:39	7:05
6:05	6:28	6:47	7:09	7:27	7:44	8:10
7:10	7:33	7:52	8:09	8:27	8:44	9:10
8:15	8:38	8:57	9:14	---	---	---

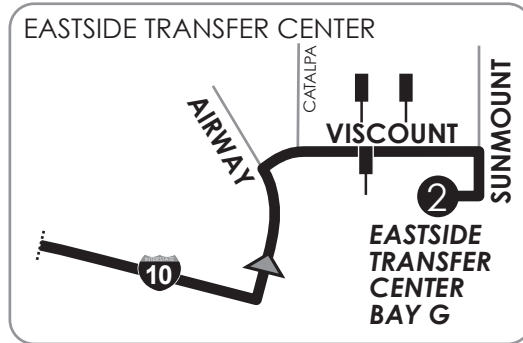
Sunday / Holidays

Downtown Transfer Ctr	Five Points Transfer Cntr	Bassett Place	Eastside Transfer Cntr	Bassett Place	Five Points Transfer Cntr	Downtown Transfer Ctr
①	②	③	④	③	②	①
8:15	8:38	8:53	9:15	9:33	9:48	10:10
9:15	9:38	9:53	10:15	10:33	10:48	11:10
10:15	10:38	10:53	11:15	11:33	11:48	12:10
11:15	11:38	11:53	12:15	12:33	12:48	1:10
12:15	12:38	12:53	1:15	1:33	1:48	2:10
2:15	2:38	2:53	3:15	3:33	3:48	4:10
3:15	3:38	3:53	4:15	4:33	4:48	5:10
4:15	4:38	4:53	5:15	5:33	5:48	6:10
5:15	5:38	5:53	6:15	6:33	6:48	7:10
6:15	6:38	6:53	7:15	7:33	7:48	8:10
7:15	7:38	7:53	8:15	8:33	8:48	9:10

59 Eastside Connector

Downtown Transfer Center Bay H
Eastside Transfer Center Bay G

- CONNECTING POINTS TO ROUTES**
- ▶ Downtown Transfer Center
 - ▶ Myrtle/Kansas (1,4,9,21,22,42,55,62,75)
 - ▶ Texas/Oregon (1,21,22,42,55,61,62,66)
 - ▶ Eastside Transfer Center



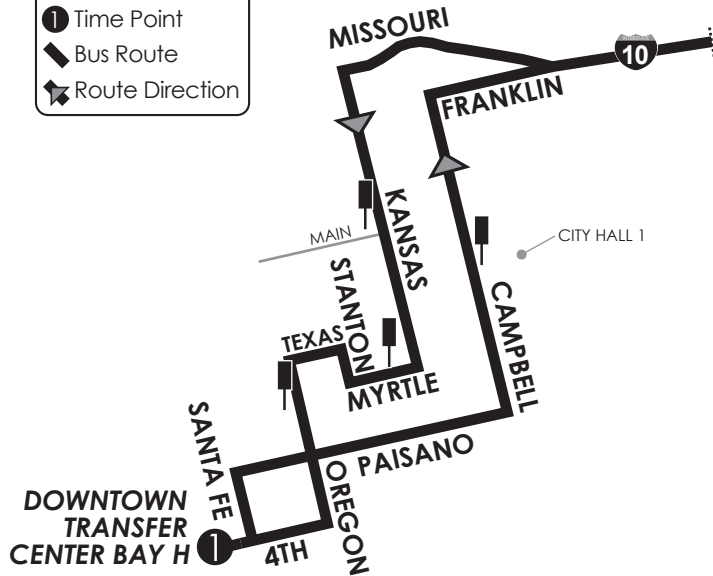
NOTE: One additional pickup at City Hall on the outbound trip.

- CONNECTING ROUTES DOWNTOWN**
- 1, 3, 4, 9, 10, 11, 14, 15, 18, 21, 22, 23, 24, 33, 34, 35, 36, 42, 50, 55, 61, 62, 65, 66, 83, Brio

NOTA: Parada adicional en City Hall en camino a la Terminal del este.

- EASTSIDE TRANSFER CENTER ROUTES**
- 7, 25, 31, 50, 51, 52, 53, 55, 58, 63, 70, 71, 72, 73, 74, CR 20

- LEGEND**
- ① Time Point
 - ▬ Bus Route
 - ▶ Route Direction

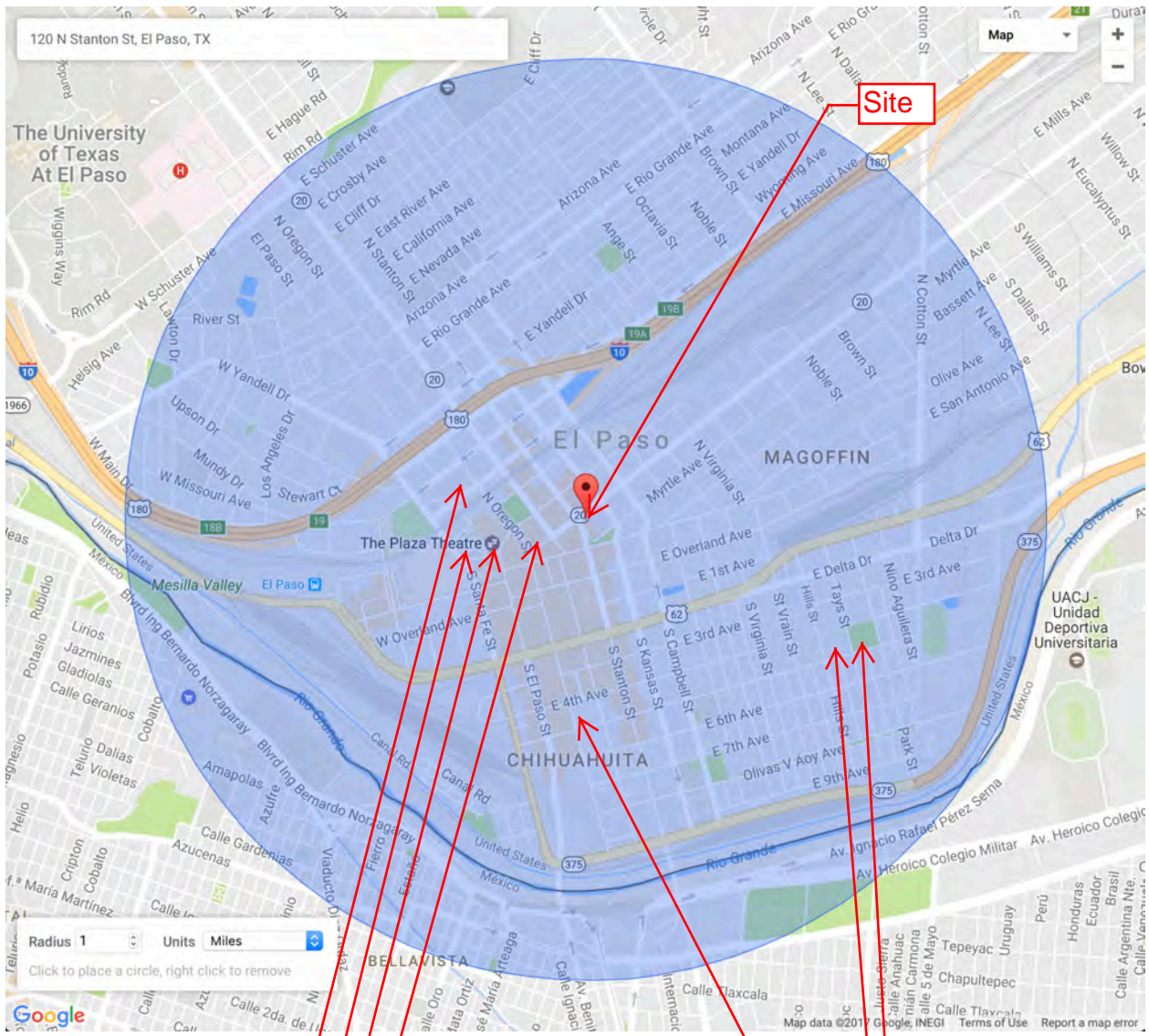


Monday-Saturday

Downtown Transfer Ctr	Eastside Transfer Cntr	Downtown Transfer Ctr	Downtown Transfer Ctr	Eastside Transfer Cntr	Downtown Transfer Ctr	Downtown Transfer Ctr	Eastside Transfer Cntr	Downtown Transfer Ctr
①	②	①	①	②	①	①	②	①
—	4:45	5:05	9:36	10:04	10:27	2:58	3:26	3:49
—	5:04	5:24	9:50	10:18	10:41	3:12	3:40	4:03
—	5:18	5:38	10:04	10:32	10:55	3:26	3:54	4:17
—	5:32	5:52	10:18	10:46	11:09	3:40	4:08	4:31
5:10	5:38	6:01	10:32	11:00	11:23	3:54	4:22	4:45
5:29	5:52	6:15	10:46	11:14	11:37	4:08	4:36	4:59
5:43	6:06	6:29	11:00	11:28	11:51	4:22	4:50	5:13
5:57	6:20	6:43	11:14	11:42	12:05	4:36	5:04	5:27
6:06	6:34	6:57	11:28	11:56	12:19	4:50	5:18	5:41
6:20	6:48	7:11	11:42	12:10	12:33	5:04	5:32	5:55
6:34	7:02	7:25	11:56	12:24	12:47	5:18	5:46	6:09
6:48	7:16	7:39	12:10	12:38	1:01	5:32	6:00	6:23
7:02	7:30	7:53	12:24	12:52	1:15	5:46	6:14	6:37
7:16	7:44	8:07	12:38	1:06	1:29	6:00	6:28	6:51
7:30	7:58	8:21	12:52	1:20	1:43	6:14	6:42	7:05
7:44	8:12	8:35	1:06	1:34	1:57	6:28	6:56	7:19
7:58	8:26	8:49	1:20	1:48	2:11	6:42	7:10	7:33
8:12	8:40	9:03	1:34	2:02	2:25	6:56	7:24	7:47
8:26	8:54	9:17	1:48	2:16	2:39	7:10	7:38	8:01
8:40	9:08	9:31	2:02	2:30	2:53	7:24	7:47	8:10
8:54	9:22	9:45	2:16	2:44	3:07	7:38	8:06	8:29
9:08	9:36	9:59	2:30	2:58	3:21	7:52	8:20	8:43
9:22	9:50	10:13	2:44	3:12	3:35	8:06	8:34	8:57
						8:15	8:43	9:06

Sunday / Holidays

Downtown Transfer Ctr	Eastside Transfer Cntr	Downtown Transfer Ctr	Downtown Transfer Ctr	Eastside Transfer Cntr	Downtown Transfer Ctr
①	②	①	①	②	①
---	6:54	7:15	12:44	1:12	1:33
---	7:12	7:33	1:02	1:30	1:51
---	7:30	7:51	1:20	1:48	2:09
7:20	7:48	8:09	1:38	2:06	2:27
7:38	8:06	8:27	1:56	2:24	2:45
7:56	8:24	8:45	2:14	2:42	3:03
8:14	8:42	9:03	2:32	3:00	3:21
8:32	9:00	9:21	2:50	3:18	3:39
8:50	9:18	9:39	3:08	3:36	3:57
9:08	9:36	9:57	3:26	3:54	4:15
9:26	9:54	10:15	3:44	4:12	4:33
9:44	10:12	10:33	4:02	4:30	4:51
10:02	10:30	10:51	4:20	4:48	5:09
10:20	10:48	11:09	4:38	5:06	5:27
10:38	11:06	11:27	4:56	5:24	5:45
10:56	11:24	11:45	5:14	5:42	6:03
11:14	11:42	12:03	5:32	6:00	6:21
11:32	12:00	12:21	5:50	6:18	6:39
11:50	12:18	12:39	6:08	6:36	6:57
12:08	12:36	12:57	6:26	6:54	7:15
12:26	12:54	1:15	6:44	7:12	7:33
			7:02	7:25	7:46
			7:20	7:43	8:04



(VII) El Paso Public Library Main Branch

(X) El Paso Museum of Art (within 1 mile)

(XI) The Plaza Theatre

(III) CVS Pharmacy

(XII) Tula Irraboli Park

(V) Southside Head Start Licensed Child Care Center (within 1 mile)

(XIII) Sacred Heart Church



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Main Library Reference Desk (915) 212-READ

• (l)

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 - **Judge Marquez Lower Valley Branch** (<http://www.elpasolibrary.org/locations/judge-marquez-lower-valley-branch>)
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 10:00 am - 7:00 pm Monday
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 10:00 am - 7:00 pm Wednesday
 10:00 am - 7:00 pm Thursday
 11:00 am - 6:00 pm Friday
 10:00 am - 6:00 pm Saturday



Computers

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Please visit our [CONNECT](http://www.elpasolibrary.org/connect) (<http://www.elpasolibrary.org/connect>) section for more information. You will find:

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- [Master Classes \(//www.elpasoartmuseum.org/learn/art-school/master-classes\)](#)
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MISSION STATEMENT AND HISTORY

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Mission Statement and History

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MISSION STATEMENT

To collect, interpret, preserve and exhibit works of art that maintain and support the strengths of the Museum's permanent collections of American, European, and Mexican art. The Museum recognizes the region's diverse cultures through exhibitions, acquisitions, educational programs and staff and board representation and is an

education institution dedicated to scholarship and training while providing a stimulating aesthetic environment and resource of all audiences.

MUSEUM HISTORY



Founded in 1959, the El Paso Museum of Art (EPMA) is a major cultural and educational resource for West Texas, New Mexico, and Mexico. The Museum houses a permanent collection of over 7,000 works of art. In addition to displaying works from its holdings, the Museum offers a diverse schedule of temporary exhibitions, and educational programs for adults and children, including classes, camps, and workshops offering through EPMA's Art School. Since the downtown building opened in 1998, the Museum welcomes approximately 80,000 visitors

per year.

The Museum is municipally funded and is under the jurisdiction of the City of El Paso, Texas. EPMA, is located in the heart of downtown El Paso and blocks away from the U.S.- Mexico border; it is situated within the world's largest international border community with an approximate metropolitan population of over 2.6 million.



El Paso Museums and Cultural Affairs Family

-  [\(http://mcad.elpasotexas.gov/\)](http://mcad.elpasotexas.gov/)
El Paso Museums & Cultural Affairs Department
-  [_ \(http://www.elpasoartmuseum.org\)](http://www.elpasoartmuseum.org)
-  [_ \(http://history.elpasotexas.gov/\)](http://history.elpasotexas.gov/)
MUSEUM of HISTORY
-  El Paso Museum of Archaeology [_ \(http://archaeology.elpasotexas.gov/\)](http://archaeology.elpasotexas.gov/)

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ACCESSIBILITY

VISIT

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Location Map

The Museum is located at One Arts Festival Plaza, El Paso, TX. 79901 in downtown just off Interstate 10. Map courtesy of google.com

<https://www.google.com/maps>

(<https://www.google.com/maps/place/El+Paso+Museum+of+Art/@31.7580491,-106.4925381,17z/data=!3m1!5s0x86e758fdaeadaf0b:0x1cad7159526fe490!4m5!3m4!1:106.4902692>)

Paid parking is available at the Mills Plaza, Camino Real Hotel, the Convention Center Parking Garage (on Santa Fe St.) or the new Union Plaza Transit Terminal (UPTT) parking garage located on San Antonio Ave. and Durango St. Sun Metro trolley routes 4, 8, and 10 run from UPTT and drop off at the Museum of Art. The trolley is free with your UPTT parking ticket. The trolley lane directly in front of the Museum is for Sun Metro use only. Please avoid.

Limited metered parking is available on Main Street. Please arrive early for best parking options.

The El Paso Museum of Art is located near Southwest University Park. Please anticipate heavy traffic for home games and other stadium events.

El Paso Chihuahua's Game Schedule Calendar:

www.milb.com/schedule (<http://www.milb.com/schedule/index.jsp?sid=t4904>)


Sun Metro is a great way to get to the El Paso Museum of Art, Southwest University Park and Downtown. Sun Metro has a trip planner and a quick route finder on their website that is great for figuring out your stops.

Please visit www.sunmetro.net (<http://www.sunmetro.net>)

El Paso Museums and Cultural Affairs Family

-  (<http://mcad.elpasotexas.gov/>)

El Paso Museums & Cultural Affairs Department

-  (<http://www.elpasoartmuseum.org>)

-  (<http://history.elpasotexas.gov/>)

MUSEUM of HISTORY

-  El Paso Museum of Archaeology (<http://archaeology.elpasotexas.gov/>)

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[MENU](#)



Plaza Theatre



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Upcoming Plaza Theatre Events



About the Plaza Theatre



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[\(/venues/plaza_theatre/explore\)](/venues/plaza_theatre/explore)



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Technical Information

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Seating Chart

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Pricing and Availability

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[Plaza Theatre
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VENUES

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201 N. Mesa St El Paso, TX 79901 **915-533-3709 (tel:915-533-3709)** Store #10105

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Weekly Ad (/weeklyad?store=10105)

Store & Photo Hours

M-F 8:00 AM - 9:00 PM **OPEN**
Sat 8:00 AM - 8:00 PM
Sun 8:00 AM - 5:00 PM

Pharmacy Hours

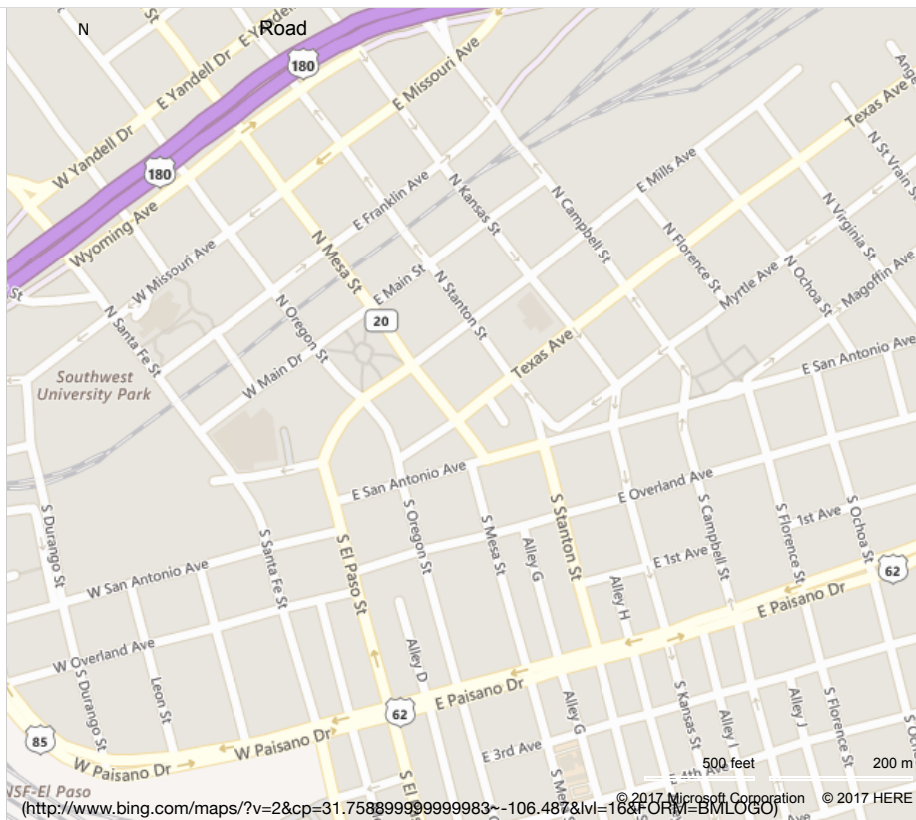
M-F 9:00 AM - 6:00 PM **OPEN**
Sat 9:00 AM - 6:00 PM
Sun Closed

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TEXAS
Health and Human
Services

Texas Department of Family
and Protective Services



Child Care Search Result Details

DFPS Home > Child Care > Search Texas Child Care > This Page



Operation Details

You may click on the question mark image (?) to view the [Frequently Asked Questions \(FAQ\)](#) page.

Operation Number:	517318-5591
Operation Type:	Licensed Center
Program Provided:	Child Care Program
Operation/Caregiver Name:	Southside Head Start
Location Address:	609 S TAYS ST EL PASO, TX 79901
Mailing Address:	11670 CHITO SAMANIEGO DR EL PASO, TX 79936
Phone Number:	915-791-4877
County:	EL PASO
Website Address:	www.esc19hs.net
Email Address:	vwaters@esc19hs.net
Administrator/Director Name:	Adriana Gandara
Second Director Name:	Claudia Ybarra
Type of Issuance: ?	Full Permit
Issuance Date:	8/24/1995
Conditions on Permit: ?	No
Accepts Child-Care Subsidies: ?	
Hours of Operation:	07:00 AM-05:00 PM
Days of Operation:	Monday - Friday
Total Capacity:	85
Licensed to Serve Ages:	Pre-Kindergarten, School
Total Capacity:	85
Number Of Admin Penalties:	0

Corrective Action: ?	No
Adverse Action: ?	No
Temporarily Closed:	No

Two Year Inspection Summary

- Inspectors routinely monitor compliance with Licensing standards, rules and law. At a minimum, licensed and certified operations are inspected at least once a year; Registered Child Care Homes ? are inspected at least once every two years, Listed Family Homes ? are inspected only if there is a report of abuse/neglect or if we receive a report that the home is caring for too many children.
- When operations have serious deficiencies or a significant number of deficiencies, repeat deficiencies, or fail to make corrections timely, they are inspected more frequently by licensing staff, to ensure the health and safety of children in care.

- **In the last two years, Licensing conducted the following:**

- [7](#) - Inspections ?

- [0](#) - Assessments ?

- [0](#) - Self Reported Incidents ?

- [3](#) - Reports ?

Click on the inspection type to see additional details related to each inspection.

- There are many standards that an operation must comply with; the total number varies for each type of operation. An operation or home is generally given an opportunity to correct deficiencies and has the right to request a review of a deficiency. Deficiencies pending review are not included in the two year history.

Two Year Compliance Summary

- During the last two years, 2148 standards were evaluated for compliance at this operation.
- Of the standards evaluated [1](#) deficiency was cited. ?

Click on the number of deficiencies to see additional details.

- Each standard is assigned a weight. The weight ensures all inspectors consider standard violations in the same way, and represents the potential impact a deficiency might have on children. Review the inspection reports to learn more about each citation. It's important to remember; weights are not assigned to an individual operation, inspection, or circumstance and are not intended to result in a ranking of operations or score.

- **The weights of the standard deficiencies cited in the past two years are as follows:**

0 were weighted as [High](#)

1 was weighted as [Medium - High](#)

0 were weighted as [Medium](#)

0 were weighted as [Medium - Low](#)

0 were weighted as [Low](#)

Click on the weight to see additional details about each deficiency.

Disclaimer: The online compliance history includes only information after January 1, 2002. In addition, the online compliance history does not include minimum standard violations or corrective or adverse actions until after the child-care operation has had due process or waived its rights. For compliance history prior to January 1, 2002 or history with pending due process, please contact your local licensing office. Child-Care Licensing disclaims liability for any errors or omissions from the compliance history information.

Website and Email addresses are based on information given to DFPS by the Operation/Caregiver. If you experience problems with these addresses please contact the Operation/Caregiver.

Southside

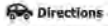


FOLLOW US ON:



Site Manager: Patricia Lara

609 Tays
El Paso, Texas 79901



Phone: 791-4877
Fax: 533-2456

Southside Head Start is located in Central El Paso within the El Paso Independent School District. The center opened August 24, 1995 and serves a total of 162 children ages 3-4 years. Southside Head Start also offers Full Day Pre School through the Region 19 Head Start and School District School Readiness Partnership. Transportation is available.

Parent Notifications

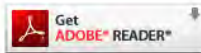
Center Documents

Newsletters

- October Newsletter [Download](#)
- Boletin de Octubre [Download](#)

Calendars

- October Calendar [Download](#)





SACRED HEART PARISH
PARROQUIA DEL SAGRADO CORAZÓN

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Support our ministries Spend more time, make a difference



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(http://www.sacredheartelpaso.org/)

LA TILMA GRID PHOTO GALLERY (HTTP://WWW.SACREDHEARTELPASO.ORG/PHOTO-GALLERY)

NEWS (HTTP://WWW.SACREDHEARTELPASO.ORG/NEWS-2) CONTACT US (HTTP://WWW.SACREDHEARTELPASO.ORG/CONTACT-US)

MISSION

(http://www.sacredheartelpaso.org/es/who-we-are/mission)

SACRED HEART CHURCH MISSION STATEMENT

We are a border community with roots both in Mexico and in El Paso's "Segundo Barrio". Our community is mostly made up of immigrants who have a host of needs and challenges which are directly related to their being uprooted. Our parish, founded and staffed by Jesuits, is the oldest in El Paso. We strive to build the Reign of God as we implement a pastoral program which seeks to evangelize in a complete and comprehensive way. Our ultimate goal is the formation and education of the whole human person: body, mind and spirit.

This vision, facing the real world in which we live, leads us to concentrate on THREE MAJOR AREAS in our ministry:

- (A) CATHOLIC FORMATION: social justice, fostering family life, and educating the youth
- (B) SOLID SPIRITUALITY: living moral lives, education and human development, and defending life at all its stages
- (C) A VIBRANT AND INTEGRAL SACRAMENTAL LIFE

Our model of life, service, humility, and love of God Is the Mother of God, Mary, La Virgen de Guadalupe.

THERE IS A WONDERFUL ARTICLE IN OUR JESUIT PROVINCE MAGAZINE:


http://issuu.com/jesuitsmissouri/docs/jesuitscentralandsouthern_fall2014/0 (http://issuu.com/jesuitsmissouri/docs/jesuitscentralandsouthern_fall2014/0)

ABOUT US

We are a Jesuit parish committed to serving the sacramental, spiritual and economic needs of our community. We invite you to come join us in our efforts.

[A Parish on the Border](http://issuu.com/jesuitsmissouri/docs/jesuitscentralandsouthern_fall2014/0)
(http://issuu.com/jesuitsmissouri/docs/jesuitscentralandsouthern_fall2014/0)

FOLLOW US

 (<http://www.facebook.com/pages/Sacred-Heart-Church-El-Paso-TX/204961309518198>)

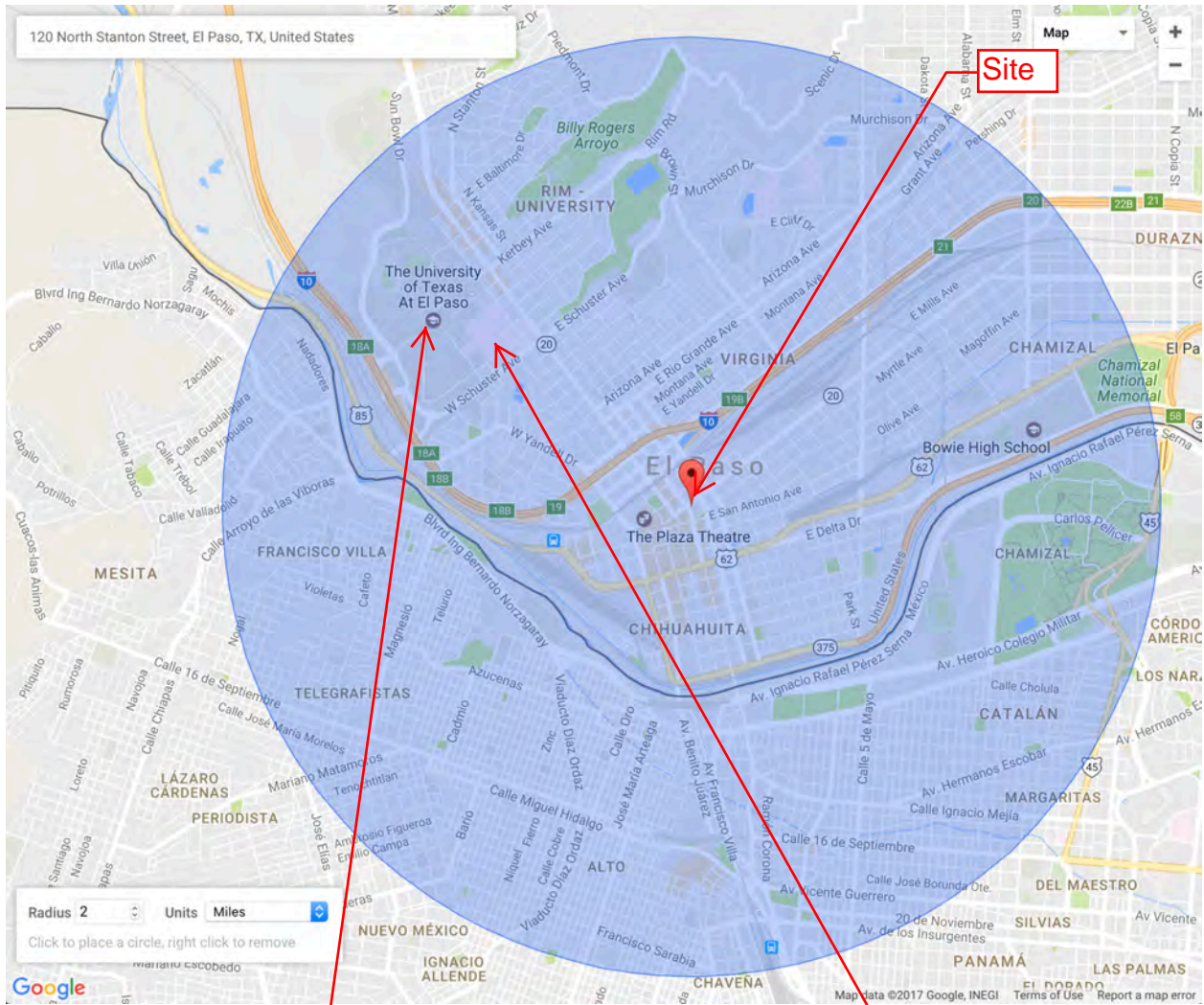
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 (skype:Enter)
(<http://www.sacredheartelpaso.org/>)
       heart.telpaso
(<http://www.sacredheartelpaso.org/>)



(VIII) University of Texas at El Paso (within 2 miles)

(IV) The Hospitals of Providence Emergency Room (within 2 miles)

ABOUT

About UTEP (about-utep.html)

President's Welcome (presidents-welcome.html)

UTEP's Vision, Mission and Goals (utep-vision-mission-and-goals.html)

Strategic Initiatives (http://masterplan.utep.edu/)

UTEP Administration (leadership.html)

Organizational Charts (divisions/president.html)

Employment Opportunities (http://admin.utep.edu/Default.aspx?tabid=546)

UNDERGRADUATE ADMISSIONS (HTTP://ACADEMICS.UTEP.EDU/DEFAULT.ASPX?TABID=69423)

GRADUATE ADMISSIONS (HTTP://GRADUATE.UTEP.EDU/APPLYNOW_TEMP.HTML)

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UTEP HOMEPAGE (HTTP://UTEP.EDU) > THE UNIVERSITY OF TEXAS AT EL PASO (/) > ABOUT (/ABOUT)

About UTEP

The University

The University of Texas at El Paso is forging dramatic new directions in higher education. UTEP has become a national r... successfully executing highly competitive academic and research programs while maintaining a deep commitment to s... demographic. It is this dedication to providing access and excellence to students in its region that has resulted in UTEP... researchdoctoral university in the United States with a MexicanAmerican majority student population.

A Carnegie high-research-activity, urban university enrolling 23,922 students, UTEP is a member of The University of Te... (www.utsystem.edu (http://www.utsystem.edu/)). It serves its primary constituency--residents of far west Texas, southe... Mexico—with 72 undergraduate programs, 74 master's programs, 21 doctoral degree programs, and a growing portfoli... 80% Hispanic student population— and an additional 5% from Mexico—UTEP proudly reflects the demographic compo... from which it draws 90% of its students.

The University employs approximately 1,334 full-and part-time faculty members, and 95% of the tenured and tenure-tr... degrees or the equivalent in their fields. With its 36%-Hispanic faculty composition, UTEP boasts one of the highest pro... among research universities in the United States.

Academic and Research Programs

UTEP has received national acclaim for innovative programs in business, fine and performing arts, education, behavior... humanities. Hispanic Business Magazine consistently ranks graduate programs in both Business Administration and Er... nation. A Graduate Business Center has been established in downtown El Paso for the Executive MBA program. The Sta... for the Visual Arts has become an internationally renowned venue for contemporary art, with a special focus on work r... border region. UTEP's Creative Writing faculty of award-winning novelists and poets offers the nation's only bilingual (Ei... The UTEP Dinner Theatre is one of El Paso's most popular entertainment venues showcasing the talents of UTEP Theati... who have won national recognition for acting, choreography, and set design. UTEP's Center for Law and Human Behavi... and Neuroscience program are rated among the nation's finest.

UTEP led the establishment 25 years ago of the El Paso Collaborative for Academic Excellence, a Pre-K-16 partnership th... recognition for its work to transform and vertically integrate the education of young people in the surrounding region. ... includes UTEP, the El Paso Community College (EPCC), local school districts and business leaders, has become one of th... partnerships for student success in the U.S. and the model for P-16 initiatives across the state and nation. It has receive... Science Foundation, the Pew Charitable Trusts, and other foundations and governmental entities to support its prograr... learning in science, technology, mathematics and literacy. Outcomes data strongly validate the success of the Collabor... continuous improvement.

With \$90 million in total annual research expenditures, UTEP ranks third among University of Texas System academic ir... spending. Funding is received from the National Science

Foundation, the National Institutes of Health, the Department of Energy, the Environmental Protection Agency, Nationa... Humanities and other agencies. More than 334 faculty and staff members were actively engaged in research and spon... record number of 581 proposals were submitted, resulting in more than \$51.6 million in new funding commitments.

UTEP's research achievements draw on such traditional areas of strength as science and engineering, as well as a broac... interdisciplinary research centers that have evolved with UTEP's growth and development, including:

- Border Biomedical Research Center
- Border Region Modeling Project

- Center for the Advancement of Space Safety and Mission Assurance Research
- Center for Earth and Environmental Isotope Research
- Center for Environmental Resource Management
- Center for Inland Desalination Systems
- Center for Inter-American Border Studies
- Center for Interdisciplinary Health Research and Evaluation
- Center for Law and Human Behavior
- Center for Research in Engineering and Technology Education
- Center for Science, Technology, Ethics and Policy
- Center for Space Exploration Technology Research
- Center for the Study of Western Hemispheric Trade
- Center for Transportation Infrastructure Systems
- Cyber-SHARE
- Hispanic Health Disparities Research Center
- Hunt Institute for Global Competitiveness
- Latino Alcohol and Health Disparities Research Center
- Materials Research and Technology Institute
- Mike Loya Center for Innovation and Commerce
- National Security Studies Institute
- Research Institute for Manufacturing and Engineering Systems
- W.M. Keck Center for 3-D Innovation

For a complete list of research programs, visit:
research.utep.edu (<http://research.utep.edu>)

Campus Setting

UTEP is an urban university located in El Paso, Texas, a growing community of 750,000 which, together with Ciudad Juárez largest bi-national metropolitan area, totaling 2.5 million residents. El Paso's attractive and affordable living conditions cultural and intellectual options, and the surrounding region's beautiful mountain desert terrain, abundant sunshine and opportunities, combine to offer a highly satisfying quality of life. UTEP—with its annual budget of nearly \$450 million, its staff, a university-related local economic impact of \$1.3 billion, and its cultural, arts, continuing education and athletic program contributor to the region's prosperity and quality of life. Unique in campus architectural styles, UTEP's facilities were inspired by the Himalayan Kingdom of Bhutan. The 420-acre campus is bustling with growth, including the recent completion of a number of construction and renovation projects as new state-of-the-art facilities in chemistry, computer science, engineering, health and a major pedestrian-friendly transformation of the campus core. Recent construction is also enhancing quality of life by parking garages, and an expanded swimming and fitness center. Construction of a new \$85 million interdisciplinary research building is under way in early 2017. In addition to housing more than 800,000 volumes, 260,000 government documents, 71,000 electronic journal microforms, the Library offers a rich array of learning spaces and support services. The UTEP campus also offers rich cultural museums and galleries, a Chihuahuan Desert garden, a cinema and numerous musical and theatre performance space sports and recreational facilities. Its 12,200-seat Don Haskins Center and 52,000-seat Sun Bowl serve as venues for both intercollegiate athletics teams and major regional entertainment programming, ranging from Cirque de Soleil to Elton John. UTEP Miner athletics are an important part of campus culture and community pride. UTEP competes in NCAA Division I Conference-USA. UTEP has won numerous national championships in track and field and remains the only university in the United States to have won the Basketball Championship. In that 1966 championship game an all African-American Miner starting lineup faced the best in the world and their victory forever changed the face of intercollegiate athletics. The story of this major milestone in NCAA history was the subject of the Hollywood film, *Glory Road*.

THE UNIVERSITY OF TEXAS AT EL PASO



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EMPLOYMENT ([HTTP://ADMIN.UTEP.EDU/DEFAULT.ASPX?TABID=59577](http://admin.utep.edu/default.aspx?tabid=59577))

REPORT FRAUD ([HTTP://SAQ.FRAUD.STATE.TX.US/](http://saq.fraud.state.tx.us/))

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[Memorial Campus](#)

Memorial Campus

- Serving the communities of El Paso since 1952
- Spacious and modern 500-bed hospital that specializes in cancer care, maternity, orthopedics, weight loss surgery and more

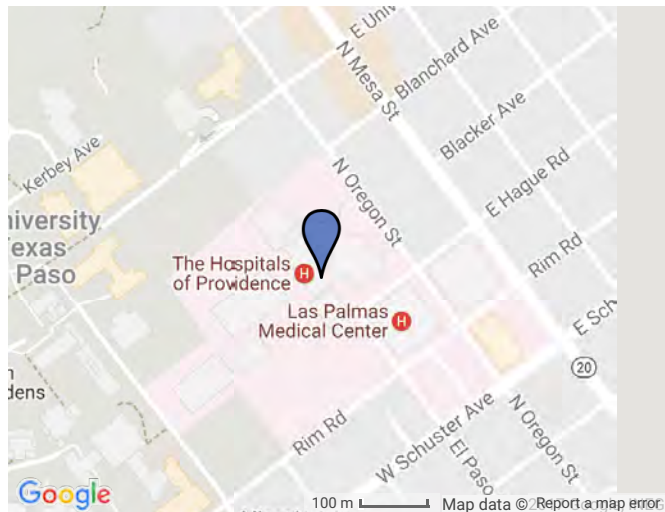
 2001 N. Oregon. St.
El Paso, TX 79902

 915-577-6011

Services

Cancer, Children's Services, Digestive Disorders, Elder Care, Emergency Services, Heart Care, Imaging, Lab Services, Maternity and NICU, Mother & Baby, Orthopedics, Rehabilitation Services, Surgical Weight Loss, Urology, Weight Loss Surgery, Women's Health, Wound Care

Map Location



Starting address: