

ENFORCEMENT ACTION AGAINST	§	BEFORE THE
JUBILEE AT TEXAS PARKWAY, LP	§	TEXAS DEPARTMENT OF
WITH RESPECT TO	§	HOUSING AND COMMUNITY
JUBILEE AT TEXAS PARKWAY	§	AFFAIRS
(HTC 17317 / CMTS 5333)	§	

**AGREED FINAL ORDER**

**General Remarks and official action taken:**

On this 9<sup>th</sup> day of October, 2025, the Governing Board (“Board”) of the Texas Department of Housing and Community Affairs (“TDHCA” or “Department”) considered the matter of whether enforcement action should be taken against **JUBILEE AT TEXAS PARKWAY, LP**, a Texas limited partnership (“Respondent”).

This Agreed Order is executed pursuant to the authority of the Administrative Procedure Act (“APA”), Tex. Gov’t Code §2001.056, which authorizes the informal disposition of contested cases. In a desire to conclude this matter without further delay and expense, the Board and Respondent agree to resolve this matter by this Agreed Final Order. The Respondent agrees to this Order for the purpose of resolving this proceeding only and without admitting or denying the findings of fact and conclusions of law set out in this Order.

Upon recommendation of the Enforcement Committee, the Board makes the following findings of fact and conclusions of law and enters this Order:

**WAIVER**

Respondent acknowledges the existence of their right to request a hearing as provided by Tex. Gov’t Code §2306.044, and to seek judicial review, in the District Court of Travis County, Texas, of any order as provided by Tex. Gov’t Code §2306.047. Pursuant to this compromise and settlement, the Respondent waives those rights and acknowledges the jurisdiction of the Board over Respondent.

**FINDINGS OF FACT (FOF)**

**Jurisdiction:**

1. During 2017, Jubilee at Texas Parkway, LP was awarded an allocation of Low Income Housing Tax Credits by the Board to build and operate Jubilee at Texas Parkway (Property) (HTC 17317 / CMTS 5333).

2. Respondent signed a land use restriction agreement (LURA) regarding the Property. The LURA was dated as of November 18, 2020, and filed of record on May 24, 2021, at Document Number 2021085296 of the Official Public Records of Real Property of Fort Bend County, Texas (Records).
3. Respondent is subject to the regulatory authority of TDHCA.

Compliance Violations<sup>1</sup>:

4. The Department received a complaint regarding two nonfunctional elevators. A nonfunctional elevator is a National Standards for the Physical Inspection of Real Estate (NSPIRE) violation under 10 TAC § 10.621 (Property Condition Standards). Elevators are part of the accessible route and are, therefore, also an accessibility violation under the Fair Housing Accessibility Standards, Tex. Gov't Code §§2306.6722 and 2306.6730, 10 TAC §§1.201-1.212 (Accessibility Rules), and Addendum C of the LURA, when there is no operable elevator on the accessible route. The Department issued a notification of noncompliance on June 25, 2025, setting a corrective action deadline of July 2, 2025. Elevator 1 was restored to service on July 2, 2025, and was not referred for an administrative penalty. The TDHCA Compliance Division referred nonfunctional Elevator 2 for an administrative penalty on July 2, 2025. Elevator 2 was restored to service on July 24, 2025.
5. All violations listed above are considered resolved at the time of this Order.

**CONCLUSIONS OF LAW**

1. The Department has jurisdiction over this matter pursuant to Tex. Gov't Code §§2306.041-.0503 and 10 TAC Chapter 2.
2. Respondent is a "housing sponsor" as that term is defined in Tex. Gov't Code §2306.004(14).
3. Pursuant to IRC §42(m)(1)(B)(iii), housing credit agencies are required to monitor for noncompliance with all provisions of the IRC and to notify the Internal Revenue Service of such noncompliance.
4. Pursuant to Tex. Gov't Code Chapter 2306, Subchapter DD and Tex. Gov't Code §2306.185, TDHCA is authorized to make Housing Tax Credit Allocations for the State of Texas and is required to monitor to ensure compliance.

---

<sup>1</sup> Within this Agreed Final Order, all references to violations of TDHCA Compliance Monitoring rules at 10 TAC Chapter 10 refers to the versions of the code in effect at the time of the compliance monitoring reviews and/or inspections that resulted in recording each violation. All past violations remain violations under the current code and all interim amendments.

5. Respondent violated 10 TAC § 10.621, Fair Housing Accessibility Standards, Tex. Gov't Code §§2306.6722 and 2306.6730, 10 TAC §§1.201-1.212, and Addendum C of the LURA, in 2025 due to a nonfunctional elevator.<sup>2</sup>
6. Because Respondent is a housing sponsor with respect to the Property, and has violated TDHCA rules, the Board has personal and subject matter jurisdiction over Respondent pursuant to Tex. Gov't Code §2306.041 and Tex. Gov't Code §2306.267.
7. Because Respondent is a housing sponsor, TDHCA may order Respondent to perform or refrain from performing certain acts in order to comply with the law, TDHCA rules, or the terms of a contract or agreement to which Respondent and TDHCA are parties, pursuant to Tex. Gov't Code §2306.267.
8. Because Respondent has violated rules promulgated pursuant to Tex. Gov't Code §2306.053 and has violated agreements with the Agency to which Respondent is a party, the Agency may impose an administrative penalty pursuant to Tex. Gov't Code §2306.041.
9. An administrative penalty of \$1,250.00 is an appropriate penalty in accordance with 10 TAC Chapter 2.

Based upon the foregoing findings of fact and conclusions of law, and an assessment of the factors set forth in Tex. Gov't Code §2306.042 to be considered in assessing such penalties as applied specifically to the facts and circumstances present in this case, the Governing Board of the Texas Department of Housing and Community Affairs orders the following:

**IT IS HEREBY ORDERED** that Respondent is assessed an administrative penalty in the amount of \$1,250.00.

**IT IS FURTHER ORDERED** that Respondent shall pay and is hereby directed to pay the \$1,250.00 administrative penalty by cashier's check payable to the "Texas Department of Housing and Community Affairs" on or before November 10, 2025, to the following address:

<b>If via overnight mail (FedEx, UPS):</b>	<b>If via USPS:</b>
TDHCA Attn: Ysella Kaseman 221 E 11 <sup>th</sup> St Austin, Texas 78701	TDHCA Attn: Ysella Kaseman P.O. Box 13941 Austin, Texas 78711

**IT IS FURTHER ORDERED** that Respondent shall follow the requirements of [10 TAC §10.406](#), and obtain approval from the Department prior to consummating a sale of the property, if contemplated.

---

<sup>2</sup> HUD's NSPIRE is the inspection standard adopted by TDHCA pursuant to 10 TAC 10.621(a).

**IT IS FURTHER ORDERED** that the terms of this Agreed Final Order shall be published on the TDHCA website.

*[Remainder of page intentionally blank]*

Approved by the Governing Board of TDHCA on October 9, 2025.

By: /s/ Leo Vasquez

Name: Leo Vasquez

Title: Chair of the Board of TDHCA

By: /s/ James "Beau" Eccles

Name: James "Beau" Eccles

Title: Secretary of the Board of TDHCA

**THE STATE OF TEXAS §**

**§**

**COUNTY OF TRAVIS §**

Before me, the undersigned notary public, on this 9th day of October, 2025, personally appeared Leo Vasquez, proved to me to be the person whose name is subscribed to the foregoing instrument and acknowledged to me that he executed the same for the purposes and consideration therein expressed.

(Seal)

/s/ Nancy Dennis

Notary Public, State of Texas

**THE STATE OF TEXAS §**

**§**

**COUNTY OF TRAVIS §**

Before me, the undersigned notary public, on this 9th day of October, 2025, personally appeared James "Beau" Eccles, proved to me to be the person whose name is subscribed to the foregoing instrument and acknowledged to me that he executed the same for the purposes and consideration therein expressed.

(Seal)

/s/ Nancy Dennis

Notary Public, State of Texas

STATE OF ~~TEXAS~~ Kansas §  
§  
COUNTY OF Johnson §

BEFORE ME, Matthew Steinbock (notary name), a notary public in and for the State of Kansas on this day personally appeared Mark E. Gardner, known to me or proven to me through circle one: personally known / driver's license / passport to be the person whose name is subscribed to the foregoing instrument, and acknowledged to me that he executed the same for the purposes and consideration therein expressed, who being by me duly sworn, deposed as follows:

1. "My name is Mark E. Gardner, I am of sound mind, capable of making this statement, and personally acquainted with the facts herein stated.
2. I hold the office of sole member for Respondent. I am the authorized representative of Respondent, owner of the Property, which is subject to a Land Use Restriction Agreement monitored by the TDHCA in the State of Texas, and I am duly authorized by Respondent to execute this document.
3. The Taxpayer ID for Respondent is [REDACTED].
4. The mailing address for Respondent is [REDACTED].
5. Respondent knowingly and voluntarily enters into this Agreed Final Order, and agrees with and consents to the issuance and service of the foregoing Agreed Order by the Governing Board of the Texas Department of Housing and Community Affairs."

**RESPONDENT:**

**JUBILEE AT TEXAS PARKWAY, LP**, a Texas limited liability company

**JUBILEE AT TEXAS PARKWAY GP, LLC**, a Texas limited liability company, its general partner

**JUBILEE AT TEXAS PARKWAY MM, LLC**, a Texas limited liability company, its managing member

By: /s/ Mark E. Gardner

Name: Mark E. Gardner

Title: Sole Member

Given under my hand and seal of office this 19<sup>th</sup> day of November, 2025.

/s/ Matthew Steinbock  
Signature of Notary Public

Matthew Steinbock  
Printed Name of Notary Public

NOTARY PUBLIC IN AND FOR THE STATE OF Kansas  
My Commission Expires: 07/27/2026