



TEXAS DEPARTMENT OF HOUSING AND COMMUNITY AFFAIRS

BOARD MEETING OF OCTOBER 17, 2001

Michael Jones, Chair

Elizabeth Anderson, Member

Shadrick Bogany, Member

C. Kent Conine, Member

Vidal Gonzalez, Member

Norberto Salinas, Member

AGENDA

**BOARD MEETING
TEXAS DEPARTMENT OF HOUSING AND COMMUNITY AFFAIRS
Capitol Extension, 1400 Congress, Room E2.026, Austin, Texas 78701
October 17, 2001 9:00 a. m.**

AGENDA

**CALL TO ORDER, ROLL CALL
CERTIFICATION OF QUORUM**

Michael Jones
Chair of Board

PUBLIC COMMENT

The Board will solicit Public Comment at the beginning of the meeting and will also provide for Public Comment on each agenda item after the presentation made by department staff and motions made by the Board.

The Board of the Texas Department of Housing and Community Affairs will meet to consider and possibly act on the following:

Item 1 Presentation, Discussion and Possible Approval of Minutes of Board Meeting of September 19, 2001 Michael Jones

Item 2 Presentation, Discussion and Possible Approval of Low Income Housing Tax Credit Items: Michael Jones

- a) Approval of the 2001 LIHTC Application Round Recommended Waiting List for one or more of the following: Spindletop Estates, Beaumont, Texas; Mission Oaks, Refugio, Texas; Laredo Viego Apartments, Laredo, Texas; Laredo Vista Apartments, Laredo, Texas
- b) Approval of the Request for Extension of the Deadline to Place in Service for:
No. 99126 - Sunset Arbor Townhomes, Abilene, Texas
No. 99173 - Huffman Hollow Apartments, Huffman, Texas
No. 99197 - Sun Meadow Apartments, Alamo, Texas
No. 00004 - Heatherwilde Park Apartments, Pflugerville, Texas
- c) Approval of Request for Extension of Commencement of Substantial Construction for:
No. 00059 - Evergreen Townhomes, New Braunfels, Texas
No. 00156 - Laguna Heights Apartments, Rio Grande City, Texas

Item 3 Presentation, Discussion and Possible Approval of Programmatic Items: Michael Jones

- a) Approval of Appeals Process and Adoption of Proposed Rules
- b) Appointment of New Colonia Resident Advisory Committee
Primary Member:
Mr. Lionel Tamez of Willacy County
and Appointment of New Secondary Members:
Mr. Jose Luis Almazan of Cameron County;
Mr. Jorge Gonzales of Hidalgo County;
Ms. Gloria Morales of El Paso County; and
Mr. Rudy Cantu of Willacy County
- c) Approval of Policy on Long Term Affordability and Safety Policy
- d) Approval of Section 8 Payment Issues Standard for Housing Choice Vouchers in Accordance with 24 CFR Part. 982-503
- e) Approval of City of China and Donley County for Owner Occupied Rehab Funds under the Disaster Relief Set-Aside Program for the HOME Program
- f) Approval of FY 2001 HOME Program Awards for:

Number	Name	Activity	Region	Score	Project \$'s	Units
20010096	Agua Dulce, City of	OCC	8B	246	\$220,000	4
20010106	Alice, City of	OCC	8B	256	\$493,440	10

20010088	Athens, City of	HBA	04	193	\$100,000	13
20010006	Atlanta, City of	OCC	04	228	\$149,874	3
20010142	Bay City Housing	OCC	06	266	\$495,000	9
20010033	Bellmead, City of	OCC	07	249	\$500,000	10
20010107	Belton, City of	OCC	07	244	\$495,000	9
20010221	Bertram, City of	OCC	07	202	\$ 69,769	2
20010108	Bishop, City of	OCC	8B	223	\$275,000	5
20010175	Bluebonnet Trails	TBRA	07	245	\$500,000	55
	Comm. MHMR					
20010067	Bowie, City of	OCC	02	228	\$350,000	7
20010110	Brewster, County of	OCC	10	255	\$330,000	6
20010111	Brownwood, City of	OCC	02	254	\$ 55,000	1
20010109	Brownwood, City of	OCC	02	246	\$220,000	4
20010158	Caprock CAA, Inc.	OCC	01	260	\$500,000	10
20010137	CDC of Brownsville	HBA	8B	233	\$400,000	40
20010136	CDC of Brownsville	OCC	8B	208	\$ 85,289	5
20010152	CDC of Greater Brownsville	HBA	8B	238	\$300,000	30
20010217	Central Texas MHMR	TBRA	02	204	\$103,170	10
20010043	Charlotte, City of	OCC	8A	221	\$275,000	5
20010112	Coahoma, City of	OCC	09	249	\$495,000	9
20010123	Collin County MHMR	TBRA	03	209	\$500,000	34
20010185	Community Services Agcy. Of S. Texas Inc.	RHD	8B	189	TBD	TBD
20010064	Comal County Housing Authority	TBRA	8A	194	\$295,920	30
20010161	Comm. Partnership for Homeless	RHD	07	143	TBD	TBD
20010230	Commerce, City of	HBA	03	200	\$105,000	21
20010159	Commerce, City of	OCC	03	277	\$500,000	10
20010030	Crandall, City of	OCC	03	225	\$250,000	5
20010047	Culberson, County of	OCC	10	229	\$138,539	3
20010116	Daingerfield, City of	HBA	04	180	\$150,000	20
20010010	Daisetta, City of	OCC	06	218	\$300,000	6
20010201	Dallas Area Northstar Authority	TBRA	03	224	\$499,895	35
20010133	Dekalb, City of	HBA	04	229	\$112,500	15
20010131	Dekalb, City of	OCC	04	247	\$500,000	10
20010105	Driscoll, City of	OCC	8B	241	\$220,000	4
20010149	East Austin Economic Develop. Corp.	RHD	07	212	TBD	TBD
20010218	Encinal, City of	OCC	8B	258	\$235,331	5
20010042	Falls City, City of	OCC	8A	217	\$275,000	5
20010066	Farmersville, City of	OCC	03	245	\$200,000	4
20010068	Ferris, City of	OCC	03	266	\$300,000	6
20010189	Foundation Comm.	RHD	07	158	TBD	TBD
20010118	Gonzales, City of	OCC	8A	261	\$500,000	9
20010087	Greenville, City of	HBA	03	180	\$200,000	40
20010034	Greenville, City of	OCC	03	270	\$400,000	8
20010210	HA of The City of Del Rio	HBA	8B	180	\$500,000	50
20010104	Harker Heights, City of	OCC	07	252	\$330,000	6
20010138	Heart of Angleton, Inc.	OCC	06	250	\$495,000	9
20010103	Jim Wells, County of	OCC	8B	246	\$394,752	8
20010046	Jourdanton, City of	OCC	8A	215	\$275,000	5
20010039	Lamesa, City of	OCC	09	260	\$250,000	5
20010035	Lindale, City of	OCC	04	250	\$300,000	6
20010134	Lone Star, City of	OCC	04	231	\$250,000	5
20010214	Lubbock Regional MHMR Center	TBRA	01	220	\$480,769	50
20010036	Lufkin, City of	OCC	05	235	\$500,000	10

20010100	Mart, City of	OCC	07	243	\$220,000	4
20010141	Matador, City of	OCC	01	254	\$220,000	4
20010041	Mathis, City of	OCC	8B	223	\$495,000	9
20010132	Maud, City of	OCC	04	242	\$250,000	5
20010206	McKinney, City of	HBA	03	189	\$150,000	30
20010207	McKinney, City of	OCC	03	200	\$ 47,030	6
20010157	Meier Mortgage, Inc.	HBA	8A	213	\$300,000	40
20010156	Meier Mortgage, Inc.	HBA	10	229	\$200,000	20
20010143	Melissa, City of	OCC	03	239	\$220,000	4
20010197	Midland, City of	HBA	09	206	\$200,000	40
20010122	Midland, City of	OCC	09	239	\$148,730	6
20010060	Nacogdoches, City of	OCC	05	257	\$500,000	10
20010176	Nueces Co MHMR Community Center	TBRA	8A	274	\$500,000	55
20010097	Orange Grove, City of	OCC	8B	257	\$197,376	4
20010061	Palestine, City of	OCC	04	239	\$400,000	8
20010205	Patriot Mortgage	HBA	10	197	\$34,270	3
20010147	Petersburg, City of	OCC	01	223	\$275,000	5
20010242	Pharr, City of	HBA	8B	185	\$200,000	20
20010208	Pittsburg, City of	HBA	04	180	\$150,000	20
20010243	Rio Hondo, City of	HBA	8B	204	\$300,000	30
20010162	Robstown, City of	OCC	8B	223	\$250,000	10
20010044	Runge, City of	OCC	8A	207	\$ 97,876	3
20010079	Sabine Valley Center	TBRA	04	219	\$192,000	25
20010018	San Augustine, City of	OCC	05	224	\$300,000	6
20010244	San Benito, City of	HBA	8B	188	\$300,000	30
20010069	Sanger, City of	OCC	03	235	\$250,000	5
20010009	Shepherd, City of	OCC	05	204	\$300,000	6
20010146	Sinton, City of	OCC	8B	255	\$220,000	4
20010058	Slaton, City of	OCC	01	221	\$250,000	5
20010229	Special Health Resources	TBRA	04	214	\$200,000	25
20010151	St John Colony Neigh.	RHD	07	211	TBD	TBD
20010059	Stamford, City of	OCC	02	182	\$160,220	3
20010057	Sudan, City of	OCC	01	222	\$250,000	5
20010094	Tahoka, City of	OCC	01	218	\$171,989	3
20010082	Taylor Housing Au.	HBA	07	189	\$239,400	47
20010125	Temple Housing Au.	HBA	07	247	\$262,500	35
20010124	Temple Housing Au.	TBRA	07	253	\$246,810	19
20010007	Temple, City of	HBA	07	191	\$100,000	20
20010008	Temple, City of	OCC	07	225	\$416,000	10
20010013	Tenaha, City of	OCC	05	204	\$111,312	2
20010099	Texarkana, City of	OCC	04	238	\$495,000	9
20010001	Travis County Hsg. Au.	TBRA	07	193	\$500,000	51
20010232	Tri-County MHMR	TBRA	06	243	\$477,000	75
20010195	Tropical Texas Center for MHMR	TBRA	8B	189	\$480,000	96
20010098	Tye, City of	OCC	02	242	\$220,000	4
20010198	Walker-Montgomery CDC	HBA	06	238	\$ 37,500	5
20010048	Wharton, City of	OCC	06	251	\$495,000	9
20010015	Zavalla, City of	OCC	05	210	\$300,000	6

g) Possible Approval of Originally Disqualified Applications for the 2001 HOME Program
Funding Cycle:

Number	Name	Activity	Score	Region	Amount
20010150	Angelica Homes	RHD	187	03	\$ 999,950
20010223	Bartlett, City of	HBA	199	07	\$ 100,000
20010222	Bartlett, City of	0OCC	198	07	\$ 320,000
20010017	Broaddus, City of	OCC	182	05	\$ 300,000
20010113	China, City of	OCC	N/A	05	\$ 495,000
20010014	Columbus, City of	OCC	N/A	06	\$ 300,000
20010139	EAC of Gulf Coast	OCC	248	06	\$ 495,000

20010140	EAC Of Gulf Coast	OCC	258	06	\$ 495,000
20010212	Foundation for Hsg.	HBA	N/A	03	\$ 495,000
20010101	LaCoste, City of	OCC	N/A	8A	\$ 246,720
20010071	Life Rebuilders	RHD	N/A	03	\$1,000,000
20010072	Life Rebuilders	RHD	N/A	03	\$1,000,000
20010144	Merkel, City of	OCC	242	02	\$ 220,000
20010115	Nash, City of	HBA	181	04	\$ 150,000
20010114	Nash, City of	OCC	226	04	\$ 500,000
20010081	Plainview, City of	OCC	190	01	\$ 125,000
20010245	Statewide Cons. CDC	RHD	214	05	\$ 636,841
20010235	Willacy County	HBA	201	8B	\$ 300,000

Item 4 Presentation, Discussion and Possible Approval of Report from Finance Committee:

C. Kent Conine

- a) Approval of Resolution Regarding Extension of Certificate Purchase Period for Program 55A
- b) Approval to Engage Bond Counsel of Vinson & Elkins for the Department in Response to the Request for Proposal and Bond Securities/Disclosure Counsel of McCall, Parkhurst for the Department in Response to the Request for Proposals
- c) Acceptance of Fourth Quarter Investment Report
- d) Approval of Participating Lenders for Bond Programs 57 and 57A
- e) Approval of One or More Inducement Resolutions Declaring Intent to Issue Multifamily Housing Mortgage Revenue Bonds for Projects Throughout the State of Texas and Authorizing the Filing of Related Applications for the Allocation of Private Activity Bonds with the Texas Bond Review Board for Program Year 2002 and Other Related Matters for Priority 1 Projects: Resolution No. 01-35:
 - #2002-001, Gates of Galilee Apartments, Houston, not to exceed \$15,000,000;
 - #2002-004, Gates of Eden, Houston, not to exceed \$15,000,000;
 - #2002-005, Residences of Pemberton Hill, Dallas, not to exceed \$6,500,000;
 - #2002-006, Parkside Terrace Apartments, Houston, not to exceed \$9,000,000;
 - #2002-014, West Virginia Apartments, Dallas, not to exceed \$10,000,000;
 - #2002-028, Wylie Senior Apartments, Wylie, not to exceed \$8,436,000;
 - #2002-029, Mesquite Northwest Drive Senior Apartments, Mesquite, not to exceed \$11,750,000;
 - #2002-048; Mountain Creek Apartments, Dallas, not to exceed \$15,000,000;
 - #2002-052, Stonebrook Courtyards, McKinney, not to exceed \$15,000,000;
 - #2002-053, Clarkridge Villas, Dallas, not to exceed \$15,000,000;
 - #2002-054, McKinney Estates, McKinney, not to exceed \$15,000,000;
 - #2002-055, Wheatland Villas, Dallas, not to exceed \$15,000,000;
 - #2002-056, Stonebrook Villas, McKinney, not to exceed \$15,000,000;
 - #2002-057, Hickory Trace, Dallas, not to exceed \$15,000,000;
 - #2002-062, Madison Pointe Apartments, Dallas, not to exceed \$12,500,000;
 - #2002-063, Park Side Apartments, Arlington, not to exceed \$10,000,000;
 - #2002-069, Birnam Woods Apartments, Spring, not to exceed \$11,500,000;
 - #2002-071, Veterans Memorial, Houston, not to exceed \$14,730,000;
 - #2002-073, Fairmont Parkway, LaPorte, not to exceed \$15,000,000;
 - #2002-074, Arkansas Lane, Grand Prairie, not to exceed \$15,000,000;
 - #2002-076, The Richmond, Richmond, not to exceed \$15,000,000;
 - #2002-077, Harbour Pointe, Leander, not to exceed \$14,500,000;
 - #2002-078, Newport Downs, Leander, not to exceed \$14,500,000;
 - #2002-079, Regency Arms, Cedar Park, not to exceed \$14,100,000;
 - #2002-080, Heatherbrook, Pflugerville, not to exceed \$14,500,000;
 And for Priority 2 Projects:
 - #2002-003, Smithstone Place, Houston, not to exceed \$15,000,000;
 - #2002-007, The Enclave @ West Airport, Houston, not to exceed \$11,000,000;
 - #2002-008, Park Row Apartments II, Houston, not to exceed \$15,000,000;
 - #2002-009, Morton Apartments, Houston, not to exceed \$15,000,000;
 - #2002-010, Preakness Apartments, Dallas, not to exceed \$15,000,000;
 - #2002-011, North Vista Apartments, Houston, not to exceed \$15,000,000;
 - #2002-012, Greenland Apartments, Houston, not to exceed \$12,500,000;
 - #2002-013, John T. White II Apartments, Ft. Worth, not to exceed \$15,000,000;

#2002-015, Park Row I Apartments, Houston, not to exceed \$12,500,000;
#2002-016, John T. White I Apartments, Ft. Worth, not to exceed \$14,000,000;
#2002-017, Groescke Apartments, Houston, not to exceed \$14,000,000;
#2002-018, Deerbrook Two Apartments, Houston, not to exceed \$15,000,000;
#2002-019, Westpark Apartments, Houston, not to exceed \$12,500,000;
#2002-020, Stuebner II Apartments, Houston, not to exceed \$15,000,000;
#2002-021, Stuebner I Apartments, Houston, not to exceed \$15,000,000;
#2002-022, Deerbrook One Apartments, Houston, Texas, not to exceed \$15,000,000;
#2002-023, Canterbury Trails Apartments, Austin, not to exceed \$14,500,000;
#2002-024, William Cannon II Apartments, Austin, not to exceed \$15,000,000;
#2002-025, William Cannon I Apartments, Austin, not to exceed \$7,500,000;
#2002-026, Walters Apartments, Houston, not to exceed \$15,000,000;
#2002-027, Blue Ash Apartments, Houston, not to exceed \$12,500,000;
#2002-033, Orchard Apartments, Houston, not to exceed \$15,000,000;
#2002-034, The Willow Park Apartments, Houston, not to exceed \$15,000,000;
#2002-035, Oak Estates Apartments, Houston, not to exceed \$15,000,000;
#2002-036, Ash Tree Apartments, LaPorte, not to exceed \$15,000,000;
#2002-037, Bay River Apartments, Baytown, not to exceed \$15,000,000;
#2002-038, Bay Park Apartments, Houston, not to exceed \$15,000,000;
#2002-039, The Chestnut Park Apartments, Houston, not to exceed \$15,000,000;
#2002-040, The Elm Park Apartments, Houston, not to exceed \$15,000,000;
#2002-041, Pepper Tree Apartments, Houston, not to exceed \$15,000,000;
#2002-042, Redwood Apartments, not to exceed \$15,000,000;
#2002-043, Teakwood Apartments, not to exceed \$15,000,000;
#2002-044, Walnut Crest Apartments, Rosenberg, not to exceed \$15,000,000;
#2002-045, Woodway Village Apartments, Austin, not to exceed \$9,100,000;
#2002-046, Sundown Village Apartments, Houston, not to exceed \$9,250,000;
#2002-047, Toulouse Villas, Houston, not to exceed \$12,750,000;
#2002-058, Cutten Forest Apartments, Houston, not to exceed \$12,500,000;
#2002-059, Cutten Woods Apartments, Houston, not to exceed \$14,000,000;
#2002-060, Katy-Flewellen Apartments, Katy, not to exceed \$15,000,000;
#2002-061, Reading Road Apartments, Rosenberg, not to exceed \$14,000,000;
#2002-064, Main Street Apartments, Baytown, not to exceed \$12,700,000;
#2002-065, City Place Apartments, Humble, not to exceed \$8,500,000;
#2002-066, Green Crest Apartments, Houston, not to exceed \$12,450,000;
#2002-067, Central Park Apartments, Cedar Park, not to exceed \$14,000,000;
#2002-068, Branch Creek Apartments, Houston, not to exceed \$12,500,000;
#2002-070, Gray Ridge Apartments, Houston, not to exceed \$12,500,000;
#2002-072, The Mayfield, Arlington, not to exceed \$15,000,000;
#2002-075, Mark IV, Ft. Worth, not to exceed \$15,000,000

Resolution No. 01-36:

#2002-051, Cedar Park Ranch Phase I, Cedar Park, not to exceed \$8,500,000

Resolution No. 01-37:

#2002-050, Cedar Park Ranch Phase II, Cedar Park, amount of \$7,200,000;

Resolution No. 01-38:

#2002-049, Eagle Glenn at Kenswick, Humble, not to exceed \$13,500,000;

Resolution No. 01-39:

#2002-002, Park Meadows Apartments, Boerne, not to exceed \$6,500,000;

Item 5 Presentation, Discussion and Possible Approval of Report from Audit Committee:

Vidal Gonzalez

- a) Approval of FY 2001 Internal Audit Plan
- b) Approval of Amended Internal Audit Charter
- c) Discussion on 2001 Annual Internal Auditing Report

Item 6 Presentation, Discussion and Possible Approval of Election of Vice-Chair and Secretary
Of the Board

Michael Jones

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| Item 7 | Presentation, Discussion and Possible Approval of Election of Board Representative to The Concentration Policy Ad Hoc Committee (Advisory Group) | Michael Jones |
| Item 8 | Presentation and Discussion of Appointment by Board Chairman of Members to Committees | Michael Jones |
| Item 9 | Presentation, Discussion and Possible Approval of Selection of Appointment of Acting Executive Director of Texas Department of Housing and Community Affairs and Approval Of Resolution Regarding Signature Authority | Michael Jones |

REPORT ITEMS

Executive Directors Report
Public Hearings (HRC)

EXECUTIVE SESSION

Michael Jones

Personnel Matters
 Personnel Matters on Executive Director Position and Applications
 Personnel Matters on Resignation of Current Executive Director and Appointment of Acting Executive Director
 Litigation and Anticipated Litigation (Potential or Threatened under Sec. 551.071 and 551.103, Texas Government Code Litigation Exception)
 Consultation with Attorney Pursuant to Sec. 551.071(2), Texas Government Code
 Consultation with Attorneys Concerning Litigation on Cause No. GN102058, Kenneth H. Mitchell, The Grand Texan, Ltd., and One Buena Vista, Ltd. v. Texas Department of Housing and Community Affairs, in the 53rd District Court of Travis County
 Consultation with Attorneys Concerning Pending Litigation Cause No. GN102420, The Encinas Group of Texas and William Encinas v. Texas Department of Housing and Community Affairs, et al in the 53rd Judicial District, Travis County, Texas
 The Board may discuss any item listed on this agenda in Executive Session

OPEN SESSION

Michael Jones

Action in Open Session on Items Discussed in Executive Session

ADJOURN

Michael Jones
Chair of Board

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 the Board Secretary, Delores Groneck, TDHCA, 507 Sabine, Austin, Texas 78701, 512-475-3934 and request the information.

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

ROLL CALL AND CERTIFICATION OF QUORUM

**TEXAS DEPARTMENT OF HOUSING AND COMMUNITY AFFAIRS
BOARD MEETING
OCTOBER 17, 2001**

ROLL CALL

Name	Present	Absent
Michael Jones, Chair	_____	_____
Beth Anderson, Member	_____	_____
Shadrick Bogany, Member	_____	_____
C. Kent Conine, Member	_____	_____
Vidal Gonzalez, Member	_____	_____
Norberto Salinas, Member	_____	_____
Number Present	_____	
Number Absent		_____

BOARD MEETING
TEXAS DEPARTMENT OF HOUSING AND COMMUNITY AFFAIRS
Capitol Extension, 1400 Congress, Room E1.016, Austin, Texas 78701
September 19, 2001 9:00 a. m.

Summary of Minutes

CALL TO ORDER, ROLL CALL

CERTIFICATION OF QUORUM

The Board Meeting of the Texas Department of Housing and Community Affairs of September 19, 2001 was called to order by Board Chair Michael Jones at 9:06 a.m. It was held at the State Capitol Extension, Room E1.016, 1400 Congress, Austin, Texas. Roll call certified a quorum was present.

Members present:

Michael Jones -- Chair
Elizabeth Anderson -- Member
Shadrick Bogany -- Member
C. Kent Conine -- Member
Vidal Gonzalez -- Member
Norberto Salinas -- Member

Staff of the Texas Department of Housing and Community Affairs was also present.

Mr. Jones stated as past chairman of the previous board and chairman of the new board, this is a new day for TDHCA. He stated people are wondering what they can do to make their communities and country better and this department has a great opportunity in this regard. For the board, staff and every employee, TDHCA is dedicated to the task of making communities better. He thanked the other board members and stated the Governors Office has worked hard to make sure that in time for this meeting, that a new board was in place. It was only last week when they knew who the board members would be. He thanked all the members and introduced Ms. Elizabeth (Beth) Anderson from Dallas as the newest board member.

Mr. Jones stated that when the board, staff and the public exchange ideas, and particularly staff members, when they take positions on any topic, they should never feel any fear of any type of reprisal in any shape, form or fashion. He further stated that the new board would hire an executive director and this position has been posted.

He asked board members to let him know of any Board committee he or she wished to serve on and ones they did not want to serve on.

Mr. Bogany stated the HOPE awards is a national award and this is the first year it has been awarded. They had over 160 nominees and TDHCA was one of the top three finalists. Mr. Jones stated Mr. Bogany's firm was also nominated and they were also in the top three finalists. There was a round of applause for the department and for Mr. Bogany.

Mr. Jones stated for the record that every board member has signed and submitted their oath of office and each is qualified to serve as board members.

PUBLIC COMMENT

The Board will solicit Public Comment at the beginning of the meeting and will also provide for Public Comment on each agenda item after the presentation made by department staff and motions made by the Board.

Mr. Jones called for public comment and the following either gave comments at this time or preferred to wait until the agenda item was presented.

Walter Moreau

Mr. Moreau asked to speak at the item agenda item 2(d) was presented.

Ms. Jerry Howard, Mayor Pro Tem, City of China

Mayor Howard stated there are about 1500 people in China, Texas and they applied for a grant under the HOME Program. They were disqualified from receiving funds and the basis they were turned down was they did not submit a past-due audit. She stated they have no past-due audits as any past-due audits were required if they had fundings of over \$300,000 and they did not have this much funding. She further stated that a letter was sent to them which stated: "Applicant is not eligible to apply for funds unless any past-due audit has been submitted to the department in a satisfactory format on or before the application deadline for funds. Audit certification forms outstanding are considered to be in the past-due audit". She stated this was not stated in the original application, as all staff requested was past-due audits. If one has no past-due audits, she felt there was nothing to submit. She also stated rules were changed during the application and asked for funding to help their city.

Ms. Pam Morris, Director of Housing Finance Programs, stated they have on three different occasions discussed the disqualifications of the HOME Program applications. She stated she, the legal division, deputy executive director, HOME Program manager, internal auditor and compliance director discussed if any more consideration should be given on the disqualifications. They reviewed rules, the NOFA, and the applications requirements and found that one cannot apply if one has a past-due audit with the department. The City of China along with others, who were disqualified, received multiple letters throughout the year. The Compliance Division made copies of all letters sent to recipients who were on the past-due list for the audit certifications and the letters were sent to the Mayors. Letters were sent to the City of China in January 2001, September 2000, December 1999 and June 1999.

Ms. Howard again asked that they be given the same consideration that the people who did not pass their resolutions before the deadline were given.

Andy Keller, Mayor of LaCrosse

Mr. Keller stated he was in attendance for the same reason as Mayor Pro Tem Howard. Their city was one of the six that were disqualified and they felt it was unjustified. The rules on submitting information on audits are not specific and arbitrary judgments had to be made. He asked the board to have staff score the applications and where they fall in scoring, he will accept it.

Mr. Bogany thanked Ms. Morris for following the rules but felt the mission of the board is to provide housing assistance in the rural communities and he at least would like to have these cities applications scored.

Ken Roberts, City Administrator, City of LaCrosse

Mr. Roberts asked the board to consider these mitigating circumstances beyond the rules as they had a special set of circumstances as to why letters were not answered.

Ms. Daisy Stiner stated the applicants who were disqualified could seek an appeal based on various arguments as the board is moving to having an appeals process in place.

Edwina Carrington

Ms. Carrington was available if the board had any questions to be answered on agenda item 2(b).

Jean Langendorff, Project Director, Texas Home of Your Own Coalition, Austin, Texas

Ms. Langendorff requested an improvement to the tax credit allocation process by improving housing designs to address the needs of people with disabilities. She suggested revisions of: (1) require the ground level of townhouse units to include one bedroom and one bathroom and meet fair housing standards; (2) remove the provision for special housing developments, that is described as any development developed specifically for special housing needs groups; (3) support the development of housing options and programs which enable persons with special needs to reside in non-institutional settings; and (4) establish a Disability Advisory Committee to assist the Board in addressing the needs of people with disabilities.

Emanuel Glotzkin

Mr. Glotzkin asked to testify when agenda item 3(b) was presented.

Bill Fisher

Mr. Fisher asked to testify when agenda item 2(a) was presented.

Eric Hartsell

Mr. Hartsell asked to testify when agenda item 3(a) was presented.

Joe Chamey, Tax Credit Developer

Mr. Chamey stated in the QAP under Exhibits 101(a)(iii) it should have an "either/or" clause; on Exhibit 101(d) he stated it was a cumbersome and expensive process that most contractors will have a hard time complying with and he asked that this be removed; on Exhibit 201(f), he requested a breakdown between the tax credits awarded for family complexes vs. tax credits awarded for senior citizens; on the deferred

development fee, he asked that a developer who comes up with a zero deferred developer fee, that the developer should be awarded the maximum points.

Bob Sherman

Mr. Sherman asked to testify when agenda item 2(c) was presented.

Al Price

Mr. Al Price asked to testify when agenda item 2(c) was presented.

Susan Maxwell

Ms. Maxwell asked to testify when item 2(d) is presented.

Jonas Schwarz, Advocacy, Inc., Austin, Texas

Mr. Schwarz asked that in the QAP the one bedroom and one bathroom be included in the access for the bottom floor of townhomes. He also asked that the part that allows for special housing developments be removed and he requested an advisory committee be appointed.

John Meinkowsky, Texas Association of Center for Individual Living, Austin, Texas

Mr. Meinkowsky stated one of the major barriers to independence for people with all types of disabilities continues to be housing and specifically a shortage of housing that is affordable, accessible and integrated. He asked that townhome units have one bedroom and one bathroom on the first floor.

Ray Ocanas, Executive Director, State Association of CDCs, Austin, Texas

Mr. Ocanas stated he is pleased that TDHCA is operating under its Sunset legislation and will go through strategic changes and expansions for the work that it is doing to make sure that it is continuing to provide affordable housing to the needy citizens in Texas. He stated he had concerns on: (1) how should applications be selected for the tax credit program; (2) what information should be made available to the public and (3) how should conflict of interest provisions be implemented.

He stated the board should make it clear that the allocation process will be based on an objective scoring system and felt that SB 322 indicates that this discretion is left up to the board on how final selections for awards will be made. He asked that Sec. 49.79(c) be changed to state: "Final Selection - The Board may choose to allocate credits to a project with a lower score than other projects only for one or more of the following reasons: (1) serve a greater number of low income families for a longer period of time with fewer credits; (2) to satisfy regional and other set-aside requirements; (3) to prevent an over concentration of units serving the same target population in the same market; and, (4) to prevent a project from being on a site that is unsuitable." He asked to remove the sentence in Section 49.1(c) which reads: "Such criteria shall be implemented to ensure that tax credits are allocated to applicants who are best able to meet recognized needs for affordable housing as determined by the department."

On the public disclosure issue under state law, everything except for personal financial statements and trade secrets should be public. The draft QAP allows the entire application to be kept secret at the discretion of the applicant. The department and applicant should make a uniform determination as to what materials should be secret. He asked all confidential information be in one exhibit and only that one exhibit be secret. He suggested putting all materials on the website. He felt there is a huge loophole in the conflict of interest and revolving door provisions of the statute by allowing former employees to fully participate in the tax credit program immediately upon leaving the department if they do not become the applicant. He asked that this loophole be closed and asked that Sec. 49.4(f)(3)(a) state that the application log shall contain the developers name, etc. and names of all members of the development team. He asked that a definition be included for development consultants and these consultants should be considered a member of the development team. He also asked the board consider the points given to various policy goals and that the accessibility requirements be corrected by staff in the draft QAP.

Tres Davis, Vice President of Housing Services, Grant Works, Austin, Texas

Mr. Davis stated the first job upon being hired as consultants is to contact the CPA to see if any audits are due. Since there is a new definition calling an audit certification form an audit, both CPAs of the Cities of LaCrosse and China stated there was nothing due. They were unaware of letters being sent to the cities. He recommended that the department consider copying administrators for those rural communities.

John Henneberger, Co-Director, Texas Low Income Housing Information Service, Austin, Texas

Mr. Henneberger asked to give comments when item 2(d) was presented.

Mr. Jones closed public comments at 11:15 am but will allow all those who completed witness affirmation forms to defer comments to a particular item to testify.

At 11:20 am a short recess was taken and the Board returned to Open Session at 11:35 am.

ACTION ITEMS

- (1) **Presentation, Discussion and Possible Approval of Minutes of the Board Meeting of August 21, 2001**
Motion made by C. Kent Conine and seconded by Shadrick Bogany to approve the Minutes of the Board Meeting of August 21, 2001.
Passed - with 1 abstention (Mr. Gonzalez abstained as he was in attendance at the August 21, 2001 meeting)
- (2) **Presentation, Discussion and Possible Approval of Low Income Housing Tax Credit Items:**
b) **Approval of Request to Extend the Placement in Service Date for #99118-Hillsboro Gardens Phase 1, Hillsboro, Texas**
Mr. Charles Nwaneri, Chief Accountant for the LIHTC Division, stated #99118 in Hillsboro is requesting an extension for placement in service. They are requesting the extension from October 31, 2001 to December 31, 2001. Staff agrees with this request.

Mr. Bill Fisher stated this project received credits for two stages and they have closer their construction loan and the project is almost complete and all 76 units will be completed by December 31, 2001 and the cost will be between \$50,000 to \$60,000 per unit.

Motion made by C. Kent Conine and seconded by Shadrick Bogany to approve the extension of the placement in service date for #99118-Hillsboro Gardens to December 31, 2001.
Passed Unanimously
- c) **Approval of Request for Second Extension for Closing of Construction Loan for 00163-Las Quintas Apartments, Eagle Pass, Texas**
Mr. Nwaneri stated this request is for closing of the construction loan for #00163, Las Quintas Apartments in Eagle Pass. The project has 60 low-income units. The applicant asks that the extension of time be granted to October 15, 2001. Several things happened to put this project behind schedule and one was the executive director resigned and this hurt decision making and then the architect also resigned so a new architect had to be hired.

Ms. Edwina Carrington, CEO of Texas Housing Finance Corporation, stated they feel a 30 day extension will be adequate time to close the loan.

Mr. Ricardo Calderon, General Counsel, Eagle Pass Housing Authority, stated the architect refused to sign documents required by the long-term mortgage with Davis Penn Mortgage Company. They did try to close the loan by September 13th but since they had to hire a new architect they need several more days to close the loan.

Motion made by Vidal Gonzalez and seconded by Shadrick Bogany to approve the second extension for closing of the construction loan for #00163-Las Quintas Apartments, Eagle Pass, Texas to October 15, 2001.
Passed Unanimously
- d) **Approval of Selection of Project No. 01028, Spindletop Estates in Beaumont, Texas from the 2001 LIHTC Waiting List**
This item was pulled from the agenda.

Ms. Daisy Stiner stated tax credits were returned to the department and those credits are to be allocated to developments on a waiting list. Staff developed the presentation that is in the board package and noted that there would be two regions that did not receive their full fundings and this item will be presented next month.

Mr. Bob Sherman, Consultant, stated a great deal of work has gone into the Spindletop Estates project and they were excited when TDHCA staff advised that they would be recommending tax credits at this board meeting. He asked that this be an agenda item for next month as there are time constraints on this project.

Daisy Stiner stated the official notification is the commitment letter and not anything that staff might send to a developer on a project.

Mr. Al Price, President, Southeast Texas CDC, stated they look forward to working with the board on this project.

Mr. Conine asked staff to include the set asides category, what the target number of units was and the best use of property.
- d) **Adoption of the Proposed "Draft" Qualified Allocation Plan and Rules for the 2002 Allocation Round for the Low Income Housing Tax Credit Program for Publication in the Texas Register**
Mr. Conine stated this board will be making a decision to circulate the QAP for comments and to publish it in the Texas Register. The staff will solicit comments at various locations in Texas to make sure they have reached as many people as possible.

Betty Marks, General Counsel for TDHCA, stated the QAP is required by every state and it is also the state rules for the LIHTC Program. The draft QAP is published and after staff receives the comments, staff will make decisions to include the suggestions or not, and then it will be presented to the Board again in November. The Board will be asked to approve it and it will then go to the Governor for his signature.

Mr. Conine wanted to make sure that the Board members knew that the comments received at this meeting and the ones received at the public hearing process will be the only changes that will be allowed to be made to the QAP.

Mr. Bogany stated he would like to see an advisory committee made up of the public sector, development sector, etc. to meet with staff and take all the comments and have this committee and staff understand how the QAP is to be recommended to the Board for approval. He asked Ms. Stiner to appoint an advisory committee from the public and private sector to receive and review all comments.

Mr. Jones suggested the Board members attend some public hearings and then next year, an election of an advisory committee will be put on the agenda to accomplish this purpose. Mr. Jones then called for the staff presentation and David Burrell, Director of Housing Programs, Charles Nwaneri and Brooke Boston of the LIHTC Division presented staffs recommendations.

Mr. Burrell stated the allocation of tax credits is governed and controlled by the Qualified Allocation Plan. It is the official program rules that the program is governed throughout the entire year. A new QAP is required to be adopted each year.

He stated an Executive Award and Review Committee made up of division directors with a representative from the Compliance Division and a representative from the Underwriting Division and this committee will review all recommendations.

Ms. Brooks Boston stated on Exhibit 101 on item (e) relating to Section 504, staff left out a sentence and would put it back in the QAP and this says: "One bedroom/one bathroom downstairs on townhome units".

Mr. Walter Moreau, Executive Director, Foundation Communities

Mr. Moreau stated that the QAP should require developers to compete more on the basis of their cost efficiency. He stated some units cost \$30,000; some \$50,000 and others \$90,000. There are no measures that make people compete on the basis of what their efficiency for building would be. He stated two years ago, the same amount of housing was produced for the same comparable amount of money and the productivity of the program has declined. He felt a goal of the board should be to increase productivity at least 10% each year. Every other major state's QAP has cost-efficiency measures and developers caps or regional cost caps should be put in the QAP.

Susan Maxwell, Texas Council for Developmental Disabilities, Austin, Texas

Ms. Maxwell stated with people with disabilities prefer to live in a community and to remove Sec. 49.7(d)(4) to get rid of segregated housing.

John Henneberger, Co-Director, Texas Low Income Housing Information Service, Austin, Texas

Mr. Henneberger stated there were three areas that have critical policy issues in the QAP. He felt applications should be scored on the basis of the proposals and underwritten from the highest scoring to the lowest scoring proposal to determine through the underwriting process whether the proposal is a viable one. The high scored proposals should be funded within the set-aside requirements of elderly, rural, preservation, etc. He asked that the allocation decision be pulled from the staff and that this task rest with the board.

Mr. Jones asked Mr. Henneberger to comment on his concerns on the conflict of interest.

Mr. Henneberger stated the board should set a clear direction for the department in the revolving door policy. He stated if a person is in one of the critical decision making positions in the department, they cannot immediately be an applicant for tax credits when they leave the department. He stated people could be consultants and their names would not be on any papers so the board should add that one cannot be a member of a development team for two years after leaving the department.

Motion made by C. Kent Conine and seconded by Norberto Salinas to approve the draft of the Qualified Allocation Plan with changes suggested by staff on the disability statement and to publish this with the amendment for circulation and public comment.

Anthony Freedman, Tax Credit Counsel

Mr. Freedman stated he has not seen anything in the draft QAP that he thought was wrong and stated the plan satisfies the federal law compliance issues.

Mr. Jones stated he was interested in the concept that Mr. Moreau brought up of what the board could do with regard to efficiency.

Ms. Boston stated the SB322 states that the QAP must be posted to website and it states in SB322 that information must be posted "if feasible".

Mr. Salinas asked that another hearing be set in South Texas near Brownsville so they would not have to drive to Laredo to give comments.

Ms. Stiner stated she will add a hearing in South Texas.

The motion was restated for the record.

Motion made by C. Kent Conine and seconded by Norberto Salinas to approve the draft of the Qualified Allocation Plan with changes suggested by staff on the disability statement and to publish this with the amendment for circulation and public comment.
Passed Unanimously

(3) Presentation, Discussion and Possible Approval of Programmatic Items:

a) Approval of Appeals Process Policy

Mr. David Burrell stated the Sunset Commission recommended that the department develop an appeals process for all programs. In January of this year, the board appointed a committee of staff and one board member, Marsha Williams, to begin this process of an appeals process. A policy was developed and the staff presented it to the board in March, 2001. At that time the board asked staff to re-look at the policy and give further clarifications on several items. Staff has now reviewed the policy again with Ms. Williams and is recommending a staff appeals process and a board appeals process. The LIHTC appeals process will be included in the QAP and this agenda item covers all other programs. The Executive Director would conduct a review of a project and make a determination and if that determination is not satisfactory to the applicant, person, company, etc. then they will go to the board to appeal the Executive Director's decision. The board would then review the information and make a determination and this determination would be final. If the appeal is rejected, a denial letter would be sent. If it is determined that they should be funded then they would be funded from funds available at the time.

Eric Hartsell, Vice-President, Grant Works, Austin, Texas

Mr. Hartsell had concerns with the appeal file that is compiled by agency staff and given to the board. In this proposed appeal, it states that the board can not review any information not in the file. He stated the city, or person, etc. will probably have information to bring with him or her to the board meeting and this information would not be in the file. He felt 7 days was not long enough to file an appeal and get all information submitted to the department. He also felt any information in the appeals file, should be also provided to the applicant.

Motion made by Shadrick Bogany and seconded by Vidal Gonzalez to approve the Appeals Process as recommended by staff.

Mr. Conine wanted amendments to the motion to change the 7 days to possibly 30 days for the board to be able to review 7th day to 30 days, and for the to be able to review information not included in the appeals file.

Since Mr. Conine had concerns with this policy, Mr. Bogany withdrew his motion.

Motion made by C. Kent Conine and seconded by Elizabeth Anderson to table this item until the next meeting.
Passed Unanimously

b) Approval of Amendment to LURA for Commonwealth Apartments

Ms. Pam Morris stated staff is recommending an amendment to the LURA for Commonwealth Apartments The original award was approved by the board in 1996 for \$300,000 and the interim loan closed in April 1997. The LURA was executed for 70 units. The owner has not asked staff to reduce the number of units from 70 to 14. Staff feels the number of units could be decreased from 70 to 19 units for HOME funds.

Emanuel Glockzin, Commonwealth Apartments

Mr. Glockzin stated this is a tax credit property along with HOME funds that were awarded in 1996. The property was underwritten with high and low HOME rents. He selected 14 low HOME rents and 56 high HOME rents which were the tax credit rents. This was the way the project was built. It was called to his attention by the Compliance division that there was confusion on the rents. He asked TDHCA in 1999 to amend the 56 high HOME rents to 56 tax credit rents. The LURA however provided that this be 100% HOME funds and it was not intended to be this way.

Ms. Morris stated the goal and purpose is to try to get as many low rents throughout the state as possible. Underwriting now reflects that 19 units are feasible.

Motion made by C. Kent Conine and seconded by Norberto Salinas to approve the amendment of the LURA for Commonwealth Apartments to 19 units.
Passed Unanimously

Mr. Jones closed public comment at this time.

- c) **Appointment of Colonia Resident Advisory Committee Members and Primary Members: Ms. Manuela Rendon of Cameron County; Mr. Ricky Maldonado of Webb County; Ms. Maria Gomez of Hidalgo County; Mr. Mario Alberto Ochoa of Hidalgo County; Mr. Hector Ramos of El Paso County; Ms. Olga Gonzalez of Starr County; Mr. Jerry Chacon of Maverick and Ms. Luz Saucedo of Val Verde County; Secondary Members: Ms. Genovena Soria of Webb County; Ms. Rafaela Guzman of Hidalgo County; Ms. Rosa Paredes of Starr County; Mr. Jose Andrade of Maverick County; and Ms. Eva Cortazzo of Val Verde County**

Mr. Homer Cabello, Director of OCI, stated SB322 mandates the Board to appoint no fewer than 5 colonia residents to serve on the Colonia Resident Advisory Committee. These members must reside in a colonia and can not be a board member or employee of or have any ownership interests in an entity that is awarded a contract under the Self-Help Centers. The duties are to advise the board on the matters of colonia residents and the activities that are to be undertaken by the colonia self-help centers. There is a primary person to serve and a secondary person from each county.

Ms. Ruth Cedillo noted that only items which were on the website and in the board book can be reviewed by the board. Since the letters that were given to the board were not in the board packets and not on the website, the board can not consider them. They can consider the information in the board book.

Motion made by Shadrick Bogany and seconded by Vidal Gonzalez to approve the information that was in the board book on the CRAC committee which would reflect the following as members and secondary members: Ms. Manuela Rendon of Cameron County; Mr. Ricky Maldonado of Webb County; Ms. Maria Gomez of Hidalgo County; Mr. Mario Alberto Ochoa of Hidalgo County; Mr. Hector Ramos of El Paso County; Ms. Olga Gonzalez of Starr County; Mr. Jerry Chacon of Maverick and Ms. Luz Saucedo of Val Verde County; Secondary Members: Ms. Genovena Soria of Webb County; Ms. Rafaela Guzman of Hidalgo County; Ms. Rosa Paredes of Starr County; Mr. Jose Andrade of Maverick County; and Ms. Eva Cortazzo of Val Verde County.

Passed Unanimously

- d) **Approval of Administrative Services and Cost Reimbursement Agreement Between TDHCA and Manufactured Housing Division**

Ms. Betty Marks, General Counsel, stated in SB322 the Governor will appoint new board members to a manufactured housing board to oversee the manufactured housing division. Since this has not been done yet, TDHCA continues to provide services and an agreement should be signed by TDHCA and the Manufactured Housing Division, so that TDHCA can receive payment for its services.

Motion made by C. Kent Conine and seconded by Shadrick Bogany to approve subject to the approval of the Governors Office and to get approval from the Governors Office in writing.

Passed Unanimously

- (4) **Presentation, Discussion and Possible Approval of Extension of Certificate Purchase Period for Program 55A**

This item was pulled from the agenda as the board book write-up was put on the website but the accompanying resolution was not.

REPORT ITEMS

Executive Directors Report

SB 322 Training

Michael Lyttle reported that a conference, Blueprint for Success, was held and it provided information to the advocates, etc. on SB322. Over 300 people registered and about 275 people attended. There will be future meetings with advocates and the legislative staff on TDHCA's progress on SB322.

EXECUTIVE SESSION

Personnel Matters

Litigation and Anticipated Litigation (Potential or Threatened under Sec. 551.071 and 551.103, Texas Government Code Litigation Exception)

Consultation with Attorney Pursuant to Sec. 551.071(2) Texas Government Code

The Board may discuss any item listed on this agenda in Executive Session

The Board went into Executive Session at 2:03 pm and Mr. Jones stated: "This day, September 19, 2001, at a regular board meeting of Texas Department of Housing and Community Affairs held in Austin, Texas, the board of directors adjourned into a closed executive session, as evidenced by the following. The board of directors will begin its executive session today, September 19, 2001 at 2:03 p.m. The subject matter of this executive session deliberation is as follows: Litigation and anticipated litigation, potential of threatened, under Section 551.071 and

551.103, Texas Government Code Exception; consultation with attorney pursuant to Section 551.071(2), Texas Government Code and possible discussion of any item listed on the September 19 board meeting agenda as posted.”

OPEN SESSION

Action in Open Session on Items Discussed in Executive Session

The Board returned to Open Session at 2:16 pm and Mr. Jones stated: “The board of directors has completed an executive session of the Texas Department of Housing and Community Affairs on September 19, 2001 at 2:16 p.m. Subject matter of the executive session deliberation was as follows: Litigation and anticipated litigation, potential or threatened, under Section 551.071 and 551.103, Texas Government Code, litigation exception. Action taken, none. Consultation with attorney pursuant to Section 551.071(2), Texas Government Code. Action taken, none. Possible discussion of any item listed on the September 19, 2001 board meeting agenda as posted. Action taken, none. I hereby certify that this agenda of the executive session of the Texas Department of Housing and Community Affairs was properly authorized pursuant to Section 551.103 of the Texas Government Code, posted at the Secretary of State’s office seven days prior to the meeting pursuant to Section 551.044 of the Texas Government Code, and that all members of the board of directors were present with the exception of none, and that this is a true and correct record of proceedings pursuant to the Texas Open Meeting Act, Chapter 551, Texas Government Code.” Signed Michael E. Jones, Chair.

Mr. Jones stated he would like to set the board meetings for the next three months and also to do board training as soon as possible. He asked the board secretary to poll the members and determine dates for the next three meetings and a possible date for board member training.

ADJOURN

Motion made by Vidal Gonzalez and seconded by Shadrick Bogany to adjourn the meeting.
Passed Unanimously

The meeting adjourned at 2:20 p.m.

Respectfully submitted,

Delores Groneck
Board Secretary

Bdminsep19/dg

LIHTC ITEMS

TEXAS DEPARTMENT OF HOUSING AND COMMUNITY AFFAIRS

MEMORANDUM

TO: TDHCA Board Members
 Daisy A. Stiner, Executive Director
 Ruth Cedillo, Deputy Executive Director
 David Burrell, Director of Housing Programs

FROM: Charles E. Nwaneri
 Acting Manager, LIHTC

DATE: October 9, 2001

SUBJECT: **Amended Recommendation to Allocate Tax Credit to Waiting List Developments**

In my memorandum to you dated September 10, 2001 (copy attached) I presented information that could have lead to your awarding available tax credits of \$427,242 to Spindletop Estates in Beaumont, which is located in region 5. Since that date, an additional \$104,740 in tax credits has been returned to the Department by previous tax credit recipients bringing the total available to \$531,982. This subsequent memorandum is being provided with an alternative scenario that may result in our awarding the tax credits to one or more developments in region 8B.

These two memorandums will provide facts that you may consider while making allocations of tax credits to one or more of these developments. Because the 2001 Application Cycle is the first year the regional formula is utilized in the allocation of tax credits here in Texas, it is important that we seek your guidance in reaching a decision because we will be establishing a precedent that may affect how Waiting List credits are handled for many years in the future.

The primary difference between my memorandum dated September 10th and this one is in the treatment of Forward Commitments relative to the allocation each region received in the 2001 Application Cycle compared to the targeted amount generated from the Regional Formula. The September 10th memorandum assigns the 2002 Forward Commitments to the 2001 cycle as though it's a 2001 allocation. That results in regions 1 and 5 tax credit allocations being below targeted amounts by \$88,175 and \$46,585 respectively. However, as this memorandum shows, when the 2001 Forward Commitments (allocated in 2000) to 2001 are added to the 2001 regular allocations, then regions 1, 5 and 8B are below targeted amounts by \$88,175, \$46,585 and \$639,173 respectively as shown below.

Service Region	(a) Allocation Formula	(b) Board Approve Amt	(c) Forward Commitment	(d) Total Allocation	(e) Difference (d-a)
1	\$1,142,671	\$1,054,496		\$1,054,496	\$ -88,175
2	\$ 731,638	\$ 929,597		\$929,597	\$ 197,959
3	\$4,506,262	\$4,703,920	\$ 717,690	\$5,421,610	\$ 915,348
4	\$1,672,371	\$1,846,086		\$1,846,086	\$ 173,715
5	\$1,276,684	\$1,230,099		\$1,230,099	\$ -46,585
6	\$5,494,953	\$5,858,772	\$ 573,256	\$6,432,028	\$ 937,075
7	\$2,197,370	\$1,999,259	\$1,497,778	\$3,497,037	\$1,299,667
8A	\$3,068,639	\$3,156,329		\$3,156,329	\$ 87,690
8B	\$5,488,492	\$4,314,427	\$ 534,892	\$4,849,319	\$ -639,173
9	\$ 807,218	\$1,030,497		\$1,030,497	\$ 223,279
10	\$1,603,554	\$1,840,421		\$1,840,421	\$ 236,867

The questions we ask you to consider are (1) whether the Forward Commitments for 2001 should be from the 2000 allocations, or (2) whether the 2002 Forward Commitments should be included with the 2001 allocations. For purposes of reporting our 2001 funding activities to the Internal Revenue Service, LIHTC reports the sum of 2001 Forward Commitments from 2000 plus the regular allocations made on July 31,

2001 as one lump sum amount for fiscal year 2001. Therefore, I recommend that option number 1 be utilized. If the 2001 Forward Commitments from the 2000 cycle are used, then the \$531,982 in credits should be awarded to developments in region 8B first, with any balance going to region 5 if 8B cannot use the credits for some reason. If the 2002 Forward Commitment should be used with the 2001 cycle allocation, then the credits should be awarded to the development in region 5.

I recommend that the 2001 Forward Commitments awarded in the 2000 allocation cycle be added with the 2001 allocation cycle for the purposes of determining how we meet our regional allocation targets. Under this scenario, my recommendation will be that the available credits be awarded in the following order of priority since region 1 does not have any developments on the Waiting List and region 8B has the largest shortage of credits under the Regional Allocation Plan using this method.

Mission Oaks #01086	Region 8B	\$179,351
Laredo Viejo Apts #01055	Region 8B	Any balance available
Laredo Vista Apts #01143	Region 8B	Any balance, if any available
Spindle Top Estates # 01028	Region 5	Any balance, if any available

Upon your approval of my recommendation, then I will contact the Waiting List recipients in the order listed to determine if they can use the tax credits available. It is important to note that the allocation of these credits will result in the restructuring of any of the developments into 2 or more phases other than for Mission Oaks in Refugio.

The total Waiting List amount for Mission Oaks in region 8B is \$179,351; Laredo Viejo Apartments is \$770,447; Laredo Vista Apartments is \$961,619 and Spindle Top Estates is \$704,340.

TEXAS DEPARTMENT OF HOUSING AND COMMUNITY AFFAIRS

MEMORANDUM

TO: TDHCA Board Members
CC: Daisy A. Stiner, Executive Director
 Ruth Cedillo, Deputy Executive Director
 David Burrell, Director of Housing Programs

FROM: Charles E. Nwaneri, LIHTC Chief Accountant

DATE: September 10, 2001

SUBJECT: **Recommendation to Allocate Tax Credit to Waiting List Development known as Spindletop Estates, Beaumont, Texas.**

The Department has \$427,242 in tax credits to be applied towards funding the developments in the waiting list. Of this total, \$153,575 was received from the National Pool Credit and \$273,667 is returned credits from prior allocations.

Section 50.4(h)(3)(i) of the 2001 Qualified Allocation Plan states ..If the entire State Housing Credit Ceiling for the applicable calendar year has been committed or allocated in accordance with this chapter, the Department shall place all remaining Applications which have satisfied all Threshold Criteria on a waiting list. All such waiting list Applications will be weighed one against the other and a priority list shall be developed by the Department staff and approved by the Ad Hoc Tax Credit Committee. If at any time prior to the end of the Application Round, one or more Commitment Notices expire and a sufficient amount of the State Housing Credit Ceiling becomes available, the Department shall issue a Commitment Notice to Applications on the waiting list in order of priority subject to the amount or returned credits and the 10% Nonprofit Set-Aside allocation required under Section 42(h)(5) of the Code...

Included in the \$273,667 returned credits above is \$245,993 returned from EAST TEXAS CRISES CENTER (TDHCA# 00141) in Tyler, Texas which is unable to complete its obligations under the allocation. Based on the above criteria and considering the Regional Allocation Formula, staff is recommending allocation of the \$427,242 to the Spindletop Estates in Beaumont, Texas. In reaching this recommendation, both the 10% Nonprofit Set-Aside and the Regional Allocation Formula were considered. Furthermore, after comparing actual allocations and Forward Commitments to each of the eleven service regions to their targeted amount generated by the Regional Formula region 1 and 5 fell below their targets by \$88,175 and \$46,585 respectively as shown in the chart below. Because region 1 has no recommended development on the waiting list, Spindletop Estates, which is in region 5 and is on the waiting list, is recommended for allocation.

Service Region	Allocation Formula	Board Approve Amt	Forward Commitment	Total Allocation
1	\$1,142,671	\$1,054,496		\$1,054,496
2	\$731,638	\$929,597		\$929,597
3	\$4,506,262	\$4,703,920	\$1,402,644	\$6,106,564
4	\$1,672,371	\$1,846,086		\$1,846,086
5	\$1,276,684	\$1,230,099		\$1,230,099
6	\$5,494,953	\$5,858,772	\$610,346	\$6,469,118
7	\$2,197,370	\$1,999,259	1,152,894	\$3,152,153
8A	\$3,068,639	\$3,156,329	\$917,770	\$4,074,099
8B	\$5,488,492	\$4,314,427	\$1,449,535	\$5,763,962
9	\$807,218	\$1,030,497		\$1,030,497
10	\$1,603,554	\$1,840,421		\$1,840,421

The applicant for the Spindletop Estates had proposed development of 128 units with 108 as low income tax credit units. The Board approved a recommended amount of \$704,340 for this waiting list development in the July 31, 2001 Board Meeting. Under this available amount of \$427,242 the applicant has to revise the application and development budget to reflect the commensurate number of units to be developed with this level of funding.

Staff is seeking your approval to allocate these available tax credits to Spindletop Estates and the flexibility to increase this award not to exceed the \$704,340 as previously approved should more credits become available prior to year end.

Thank you for your consideration of this request and for your continued effort to providing affordable housing our needing residents. I am available to answer any questions you may have.

TEXAS DEPARTMENT OF HOUSING AND COMMUNITY AFFAIRS

MEMORANDUM

TO: Daisy Stiner, Executive Director
CC: Board of Directors; David Burrell, Director of Housing Programs
FROM: Charles E. Nwaneri, Acting Manager of LIHTC
DATE: October 1, 2001

SUBJECT: Extension requests to commence substantial construction or place projects in service

Projects requesting extensions are given below. Each request was accompanied by the mandatory \$2,500 extension request fee. Staff has reviewed the information and recommends granting the extensions pursuant to Section 50.11(d) of the 1999 QAP, Section 49.11(d) of the 2000 QAP or Section 50.11(h) of the 2001 QAP.

Project No. 99126, Sunset Arbor Apartments

Synopsis:

City/County:	Abilene / Taylor
Set-Aside:	General
Type of Project:	New Construction
Units:	220 LIHTC units
Allocation:	\$1,100,880
Allocation Cost per LIHTC Unit:	\$5,004
Extension Request Fee Paid:	\$2,500
Type of Extension Request:	Extension of deadline to place in service
Current Deadline:	October 31, 2001
New Deadline Requested:	December 15, 2001
Prior Extensions on Project:	None
Reason for Extension Request, etc.:	Weather has caused delays. Nine buildings of 15 had been placed in service by September 28.
Staff Recommendation:	Grant extension as requested.

Project No. 99173, Huffman Hollow Apartments:

Synopsis: The original principal, Lynn Plummer, withdrew from the project. The Washburn Group took control with the Department's approval. The Group includes a general contractor and was forced to negotiate and, finally, to pay Ms. Plummer's contractor, Don Sowell to relinquish the contract. The negotiations involved in the foregoing circumstances delayed the start of construction for months.

City/County:	Huffman / Harris
Set-Aside:	Rural/Prison
Type of Project:	New Construction
Units:	57 LIHTC units and 19 market rate units
Allocation:	\$281,966
Allocation Cost per LIHTC Unit:	\$4,947
Extension Request Fee Paid:	\$2,500
Type of Extension Request:	Extension of deadline to place in service
Current Deadline:	October 31, 2001
New Deadline Requested:	November 15, 2001
Prior Extensions on Project:	Yes
Construction Loan Closing:	Extended from 4/27/00 to 5/27/00. Closed 5/26/00.
Commencement of Construction:	Extended from 11/15/00 to 5/15/01
Reason for Extension Request, etc.:	(1) Heavy rain (10" from 8/27 to 9/4) and flooding delayed construction. (2) Attached letter of 9/17 from owner gives chronology of development and other facts regarding both current and past requests. (3) The Department granted new owner's request of 6/6/00 to increase size of the two-bedroom units from 900 square feet to 1,022 square feet. (4) Project is very close to completion
Staff Recommendation:	Grant extension as requested.

Project No. 99197, Sun Meadow Apartments

Synopsis: The current request comes as a result prior problems that necessitated extensions. A carryover extension was granted because the inexpensive land forced more spending on other costs to achieve the required 10% of basis. An extension to close the construction loan was granted because of the failure of a negotiation for a utility easement and the resulting necessity to contract for the installation of a sewer lift station. An extension to commence construction was granted based on reports of obstruction of the progress of the project by the Director (now former director reportedly under investigation by the FBI) of the Urban County Program of Hidalgo County.

City/County:	Alamo / Hidalgo
Set-Aside:	Rural
Type of Project:	New Construction
Units:	76 LIHTC units
Allocation:	\$310,330
Allocation Cost per LIHTC Unit:	\$4,083
Extension Request Fee Paid:	\$2,500
Type of Extension Request:	Extension of deadline to place in service
Current Deadline:	October 31, 2001
New Deadline Requested:	December 31, 2001
Prior Extensions on Project:	Yes
Carryover	Extended from 10/15/99 to 11/05/99
Construction loan Closing:	Extended from 4/27/00 to 5/27/00
Commencement of Construction:	Extended from 11/15/00 to 1/3/01 then to 3/3/01
Reason for Extension Request, etc.:	The electricity provider stated that 12 weeks (from September 5) are needed to provide power to the lift station. Until the station is operational, the project cannot accept tenants.
Staff Recommendation:	Grant extension as requested.

Project No. 00004, Heatherwilde Park Retirement Apartments

Synopsis: Current request results from ongoing problems in closing the sale and in closing the construction loans. Project received a forward commitment in the 1999 application round resulting in a 2000 allocation. Project is a 168 unit mixed income development serving tenants 62 years of age or older.

City/County:	Pflugerville / Travis
Set-Aside:	General
Type of Project:	New Construction
Units:	128 LIHTC units and 40 market rate units
Allocation:	\$467,608
Allocation Cost per LIHTC Unit:	\$3,653
Extension Request Fee Paid:	\$2,500
Type of Extension Request:	Extension of deadline to place in service
Current Deadline:	January 31, 2002
New Deadline Requested:	December 31, 2002
Prior Extensions on Project:	Yes
Carryover	Extended from 3/1/00 to 5/1/00
Commencement of Construction:	Extended from 3/15/01 to 9/30/01
Reason for Extension Request, etc.:	(1) Carryover was extended because seller was late in obtaining zoning and final subdivision approval as required by the contract. (2) Construction was delayed by the late closing of one of the construction loans, a HOME loan. Notice to proceed from HOME was received on August 28. A Housing Trust Fund loan still remains to be closed. (3) Construction began in September. (4) The deadline for placement in service under IRC Section 42 is December 31, 2002.
Staff Recommendation:	Grant extension as requested.

Project No. 00059, Evergreen Townhomes

Synopsis: Project general partner, Amistad Affordable Housing, Inc. lost its initial equity investor, Southern California Edison, which withdrew because of its weak financial condition caused by the California energy shortages. A second and third investor also have withdrawn. Amistad requests permission to sell its general partner interest to Bozrah International Ministries, Inc., a financially stronger entity than Amistad. Bozrah will take 90 days from October 15 to close with its investor, install a drainage system, complete site work and pour foundations.

City/County:	New Braunfels / Comal
Set-Aside:	General
Type of Project:	New Construction
Units:	60 LIHTC units and 20 market rate units
Allocation:	\$340,642
Allocation Cost per LIHTC Unit:	\$5,677
Extension Request Fee Paid:	\$2,500
Type of Extension Request:	Extension to commence substantial construction
Current Deadline:	11/15/01
New Deadline Requested:	1/15/02
Prior Extensions on Project:	Yes
Construction Loan Closing:	Extended from 6/15/01 to 7/15/01
Reason for Extension Request, etc.:	Limited partner investor withdrew.
Staff Recommendation:	Grant extension as requested.

Project No. 00156, Laguna Heights Apartments

Synopsis: Project general partner, Amistad Affordable Housing, Inc. requests extension of deadline for commencement of substantial construction. Amistad has not yet been able to contract with an equity investor. Amistad anticipates completing the requirement of commencement of construction (reaching the framing stage) by February 15.

City/County:	Rio Grande City / Starr
Set-Aside:	Rural
Type of Project:	New Construction
Units:	52 LIHTC units
Allocation:	\$373,339
Allocation Cost per LIHTC Unit:	\$7,180
Extension Request Fee Paid:	\$2,500
Type of Extension Request:	Extension to commence substantial construction
Current Deadline:	11/15/01
New Deadline Requested:	2/15/02
Prior Extensions on Project:	Yes
Construction Loan Closing:	Extended from 6/15/01 to 7/15/01
Reason for Extension Request, etc.:	Has not found a syndicator
Staff Recommendation:	Grant extension as requested.

PROGRAM ITEMS

Texas Department of Housing and Community Affairs Housing Programs

Approval of Staff and Board Appeals Process for Housing Programs*

BACKGROUND

On January 26, 2001, the TDHCA Board of Directors established a committee to develop an Appeals Process for the TDHCA Housing Programs. The committee obtained information from several other states on their Appeals Process.

After consideration of many ideas and suggestions, a policy was developed and presented to the Board on March 27, 2001 for all Housing Programs. At that meeting board members tabled the proposed resolution in order that additional information could be obtained and provided for better clarity of the process. At the September 19, 2001 board meeting, the board tabled the item and asked that staff make changes and bring it back to the board at the next meeting in October.

Additionally, during the spring of 2001 while TDHCA was developing its Appeals Process which was to cover all agency housing programs, the Texas legislature was in session and as part of Senate Bill 322, legislation was passed outlining an appeals process that must be used for the Low Income Housing Tax Credit (LIHTC) Program. This legislation became effective September 1, 2001 and is contained in Subchapter DD: Section 2306.6715 of Senate Bill 322.

As a result of SB 322, the LIHTC portion of the appeals process has been removed from this proposed Appeals Process. The LIHTC Program in accordance with requirements of SB 322 will include its prescribed appeals process in the rules as a part of the program's Qualified Allocation Plan (QAP). The QAP is the process used for rules in the LIHTC Program. The QAP is currently being revised and will be presented to the board for approval as a separate agenda item.

The Appeals Process for all other Housing Programs is now being presented to the board for initial approval. The policy will not be final until it goes through the rule making process. Under the rule making process TDHCA will obtain public comment after this initial approval by the board, and then will resubmit a final Appeals Process to the board for approval after receiving those public comments.

RECOMMENDATION

The Board Appeals Process Committee recommends approval of the attached Board Appeals Process.

* This process covers all housing programs except the Low Income Housing Tax Credit Program

Texas Department of Housing & Community Affairs

Staff Appeals Process

The Texas Department of Housing and Community Affairs (“TDHCA”) has established the following process for hearing appeals from staff decisions for all programs except the Low Income Housing Tax Credit Program. The appeals process for the Low Income Housing Tax Credit Program will be included in the Qualified Allocation Plan.

An applicant for funding may only appeal the disposition of its application based on the following grounds:

- **Misplacement of an application:** if all or a portion of an application is lost, misfiled, or otherwise misplaced by TDHCA staff, resulting in unequal consideration of the applicant’s proposal.
- **Mathematical error:** if, in rating the application, the score on any selection criteria is arrived at incorrectly by TDHCA.
- **Procedural error:** if the application is not processed by TDHCA staff in accordance with the procedures in effect for the current application cycle as contained in TDHCA rules.

An applicant must file a written appeal with TDHCA not later than the fourteenth (14th) day after the date the department publishes through a notice on its website the results of the application evaluation process or in the case of private activity mortgage revenue bond programs, after written notice has been provided to an applicant, whichever is earlier. The notice must include specific information relating to the disposition of each application including reasons for disqualifications or summaries detailing points awarded. In the appeal, the applicant must specifically identify the applicant’s grounds for appeal based on the disposition of its application. Upon receipt of an appeal, staff shall prepare a file for the Executive Director’s review.

The Executive Director shall respond in writing to the appeal not later than the fourteenth (14th) day after the date of receipt of the appeal. The Executive Director may take one of the following actions:

- (1) Concur with the appeal and make the appropriate adjustments to the staff’s decision; or
- (2) Disagree with the appeal and provide the basis for rejecting the appeal to the applicant.

If the applicant is not satisfied with the Executive Director’s response to the appeal, the applicant may appeal in writing directly to the Board within sixty (60) days after the Executive Director’s response.

The Executive Director shall prepare an appeal file for the Board’s review. The Board may not review any information not submitted by the applicant at least seven (7) days before the Board meeting.

In instances in which the appeal, if sustained by the Board, would have resulted in an award to the applicant, the application shall be approved by the Board contingent on the availability of funds. If no funds are available in the current year’s funding cycle, then the applicant shall be awarded funds from the next year’s available funding or from the pool of deobligated funds. In the case of private activity mortgage revenue bond programs, the applicant shall be encouraged to reapply in the next years program funding cycle. If the appeal is rejected, TDHCA will notify the applicant of its decision, including the basis for denial.

Appeals not submitted in accordance with these requirements will be dismissed and will not be granted an extension to refile if the time period for filing an appeal has expired. The decision of the Board is final.

Board Appeals Process

The Texas Department of Housing and Community Affairs (“TDHCA”) has established a committee of the Board of Directors to handle appeals of Board actions for all programs except the Low Income Housing Tax Credit Program. The appeals process for the Low Income Housing Tax Credit Program will be included in the Qualified Allocation Plan. The Board Appeals Process Committee (the “Committee”) consists of three (3) members of the Board of Directors of TDHCA appointed by the presiding officer.

An applicant for funding may only appeal the disposition of its application based on an action taken by the Board which was allegedly not made in accordance with the applicable rules.

All Board appeals must be submitted in writing to TDHCA; must specify the alleged error; and must be received not more than fourteen (14) days after the Board meeting at which the award decision was made. A detailed explanation of the alleged error must be provided including any supporting documentation. The specific rule must be cited as well as an explanation of the manner in which the applicant believes that the rule has been violated and how the alleged error adversely affects the applicant's ability to receive funds.

The TDHCA Board Appeals Process Committee may take one of the following actions:

- (1) Concur with the appeal and recommend the appropriate adjustments to the Board's decision; or
- (2) Disagree with the appeal and provide the basis for rejecting the appeal to the applicant and to the Board.

Upon receipt of an appeal, the Executive Director shall prepare a file for the Board Appeals Process Committee to consider at the next regularly scheduled Board meeting. The Committee may not review any information not submitted by the applicant at least seven (7) days before the Committee meeting. The Committee shall make a final recommendation based on the reviewed findings for the full Board of Directors to consider. The Board of Directors shall review the Committee's recommendation and make a final decision.

In instances in which the appeal sustained by the Board would have resulted in an applicant receiving an award, the application shall be approved by the Board contingent on the availability of funds. If no funds are available in the current year's funding cycle, then the applicant shall be awarded funds from the next year's available funding or from a pool of deobligated funds. In the case of private activity mortgage revenue bond programs, the applicant shall be encouraged to re-apply in the next years funding cycle. If the appeal is rejected, TDHCA will notify the applicant of its decision, including the basis for final denial.

Appeals not submitted in accordance with these requirements will be dismissed and will not be granted an extension to refile if the time period for filing an appeal has expired. The decision of the Board is final.

TEXAS DEPARTMENT OF HOUSING AND COMMUNITY AFFAIRS<

CHAPTER 1. ADMINISTRATION<

Subchapter A. GENERAL POLICIES AND PROCEDURES<

10 TAC §§1.7 and 1.8

The Texas Department of Housing and Community Affairs (TDHCA) proposes new §§1.7 and 1.8 to establish a process whereby the program funding decisions of TDHCA staff may be appealed to the executive director and to TDHCA's board of directors and whereby such decisions of the executive director may be appealed to the board. The new section is necessary to comply with Section 2306.0321 of the Texas Government Code, as added by SB 322, 77th Session of the Texas Legislature.

Ruth Cedillo, Acting Executive Director, has determined that for the first five-year period the sections are in effect there will be no fiscal implications for state or local government as a result of enforcing or administering the rule.

Ms. Cedillo also has determined that for each year of the first five years the sections are in effect, the public benefit anticipated as a result of enforcing the section will be more checks and balances for TDHCA funding decisions. There will be no effect on persons, small businesses or micro-businesses. There are no anticipated economic costs to persons, small businesses or micro-businesses who are required to comply with the sections as proposed.

Comments may be submitted to Anne O. Paddock, Deputy General Counsel, Texas Department of Housing and Community Affairs, P.O. Box 13941, Austin, Texas, 78711-3941 or by email at the following address: apaddock@tdhca.state.tx.us.

The proposed new sections are proposed under the Texas Government Code, Chapter 2306. No other code, article or statute is affected by the new section.

1.7. Staff Appeals Process.

Definitions. The following words and terms, when used in this subchapter, shall have the following meanings, unless the context clearly indicates otherwise.

- (1) Appeal file- The written record of an appeal that contains the applicant's appeal; the responses of Department staff, the executive director, and the board, as applicable; and the final decision.
- (2) Applicant - A person who submits, or is preparing to submit, to the Department an application for Department funds or other assistance.
- (3) Application - The written request for Department funds or other assistance in the format required by the Department including any exhibits or other supporting material.
- (4) Board - The board of directors of the Texas Department of Housing and Community Affairs.
- (5) Department - The Texas Department of Housing and Community Affairs.

Low-income housing tax credit - The credit against federal income tax as provided for in Section 42 of the Internal Revenue Code (42 U.S.C. Section 42.)

- (7) Person- Any individual, partnership, corporation, association, unit of government, community action agency, public or private organization of any character.

Grounds. An applicant for funding or other assistance from the Department, other than low-income housing tax credits, may only appeal the disposition of its application by Department staff based on one or more of the following grounds.

Misplacement of an application. All or a portion of the application is lost, misfiled, or otherwise misplaced by Department staff resulting in unequal consideration of the applicant's proposal.

Mathematical error. In rating an application, the score on any selection criteria is incorrectly computed by the Department due to human or computer error.

Procedural error. The application is not processed by Department staff in accordance with the application and selection rules in effect for the current application cycle.

(c) Appeal to the executive director. An applicant must file a written appeal with the Department not later than the fourteenth day after the date the Department publishes notice on its website of the results of the application evaluation process or, in the case of private activity mortgage revenue bond programs, after written notice has been provided to the applicant, whichever is earlier. The notice must include specific information relating to the disposition of each application, including the reasons for disqualification or summaries detailing the points awarded. The applicant must specifically identify the applicant's grounds for the appeal based on the disposition of its application. Upon receipt of an appeal, staff shall prepare an appeal file for the executive director's review. The executive director shall respond in writing to the appeal not later than the fourteenth day after the date of receipt of the appeal. The executive director may take one of the following actions.

Concur with the appeal and make the appropriate adjustments to the staff's decision; or
Disagree with the appeal and provide the basis for rejecting the appeal to the applicant.

(d) Appeal to the Board. If the applicant is not satisfied with the executive director's response to the appeal, the applicant may appeal in writing directly to the board within sixty days after the date of the executive director's response. The executive director shall prepare an appeal file for the board's review. The board may not review any information not submitted by the applicant at least seven days before the board meeting.

(e) Possible actions. In instances in which the appeal if sustained by the board could have resulted in an award to the applicant, the application shall be approved by the board contingent on the availability of funds. If no funds are available in the current year's funding cycle, then the applicant shall be awarded funds from the next year's available funding or from the pool of deobligated funds. In the case of private activity mortgage revenue bond programs, the applicant shall be encouraged to reapply in the next year's program funding cycle. If the appeal is rejected, the Department shall notify the applicant of its decision, including the basis for final denial.

Final Decision. Appeals not submitted in accordance with this section are dismissed and shall not be granted an extension to refile if the time period for filing an appeal has expired. The decision of the board is final.

§1.8. Board Appeals Process

(a) Definitions. The following words and terms, when used in this subchapter, shall have the following meanings, unless the context clearly indicates otherwise.

Appeal file- The written record of an appeal that contains the applicant's appeal; the responses of Department staff, the executive director, and the board, as applicable; and the final decision.

(2) Applicant - A person who submits, or is preparing to submit, to the Department an application for Department funds or other assistance.

(3) Application - The written request for Department funds or other assistance in the format required by the Department including any exhibits or other supporting material.

(4) Board - The board of directors of the Texas Department of Housing and Community Affairs.

(5) Board Appeals Committee- A committee of three board members appointed by the presiding officer of the board to handle appeals of board actions.

(6) Committee. The Board Appeals Process Committee.

(7) Department - The Texas Department of Housing and Community Affairs.

(8) Low-income housing tax credit - The credit against federal income tax as provided for in Section 42 of the Internal Revenue Code (42 U.S.C. Section 42.)

(9) Person- Any individual, partnership, corporation, association, unit of government, community action agency, pr public or private organization of any character.

(b) Grounds. An applicant for funding or other assistance from the Department, other than low-income housing tax credits, may only appeal the disposition of its application by the board based on an action taken by the board which was allegedly not made in accordance with the applicable rules.

(c) Appeal to the Board Appeals Process Committee. An applicant must file a written appeal with the Department not later than the fourteenth day after the date of the board meeting at which the award decision appealed was made. The applicant must specify the alleged error and provide a detailed explanation of the alleged error, including any supporting documentation. The specific rule must be cited as well as an explanation of the manner in which the alleged error adversely affects the applicant's ability to receive funds. Upon receipt of the appeal, the executive

director shall prepare a file for the Committee to consider at the next regularly scheduled meeting of the board. The Committee may not review any information not submitted by the applicant at least seven days before the Committee meeting. The Committee shall make a final recommendation for the entire board to consider based on the reviewed findings.

(d) Possible Actions. In instances in which the appeal is sustained by the board would have resulted in an award to the applicant, the application shall be approved by the board contingent on the availability of funds. If no funds are available in the current year's funding cycle, then the applicant shall be awarded funds from the next year's available funding or from the pool of deobligated funds. In the case of private activity mortgage revenue bond programs, the applicant shall be encouraged to reapply in the next year's funding cycle. If the appeal is rejected, the Department shall notify the applicant of its decision, including the basis for final denial.

(e) Final Decision. Appeals not submitted in accordance with this section are dismissed and shall not be granted an extension to refile if the time period for filing an appeal has expired. The decision of the board is final.

AGENDA ITEM NO. 3(B)
Texas Department of Housing and Community Affairs
OFFICE OF COLONIA INITIATIVES

**REQUEST APPROVAL TO APPOINT ADDITIONAL MEMBERS TO THE COLONIA RESIDENT
ADVISORY COMMITTEE
THROUGH THE TDHCA
OFFICE OF COLONIA INITIATIVES**

ACTION ITEM

RECOMMENDATION

Request approval to appoint new members to the Colonia Resident Advisory Committee (additional recommendations).

BACKGROUND

The Texas Department of Housing and Community Affairs (the “Department”) was mandated by the 74th Texas Legislature, through SB 1509 to create 5 Colonia Self-Help Centers in the following five counties (El Paso, Webb, Starr, Hidalgo, and Cameron/Willacy). Within the five colonias in each county, the Colonia Self-Help Centers are required to provide concentrated technical assistance in the areas of housing rehabilitation, new construction, surveying and platting, construction skills training, tool library access for self-help, housing finance, credit and debt counseling, grant preparation, infrastructure constructions and access, contract-for-deed conversions, and capital access for mortgages and other improvements. Furthermore, the Legislature mandated that 2½% of Community Development Block Grant (CDBG) allocation be set aside for this initiative, approximately \$2.2 million per year. Under SB 322 Subchapter Z, Section 2306.584, mandates the Department “Board of Directors to appoint no fewer than five persons who are residents of colonias to serve on a colonia resident advisory committee (C-RAC). These members must reside in a colonia in the county the member represents, and may not be a board member, contractor, or employee of or have any ownership interest in an entity that is awarded a contract under this subchapter”. The duties of the C-RAC members are to advise the Department the needs of colonia residents and activities that may be undertaken through the Colonia Self-Help Centers to better serve the needs of colonia residents. Attached is a list of members by county. The current Colonia Self-Help Center (a nonprofit corporation) and County Officials have agreed to this list as it relates to its particular county. Approval of the above recommendations will allow the Department to continue the existence of the Colonia Resident Advisory Committee to work together to enter into new contracts that will continue the services of the Colonia Self-Help Center’s for the next four years.

**Colonia Resident Advisory Committee
(Additional Recommendations)**

Cameron County

(Secondary)

Jose Luis Almazan
9301 Alaska
Brownsville, Texas 78521

Hidalgo County

(Secondary)

Jorge Gonzales
Route 27 Box 2249
Mission, Texas 78572

El Paso County

(Secondary)

Gloria Morales
852 Ascencion
El Paso, Texas 79927

Willacy County

(Primary)

Lionel Tamez
Rt. 2 Box 542
Raymondville, Texas 78580

(Secondary)

Rudy Cantu
1 mile South of 1052/P.O. Box 125
La Sara, Texas 78561

Texas Department of Housing & Community Affairs

Approval of Long Term Affordability and Safety of Multifamily Rental Housing Developments Policy

BACKGROUND

Senate Bill 322, the Departments sunset legislation, requires that the Department of Housing and Community Affairs ("Department") adopt policies and procedures on the long-term affordability and safety of multifamily rental housing developments under section 2306.185 of the Texas Government Code no later than November 1, 2001. The proposed policy intended to show affirmative compliance with the policy requirements of the bill.

The program managers and directors met on September 28th 2001 to discuss the proposed policy and evaluate for consistency with existing program rules. Through this meeting and prior and subsequent correspondence, consensus was reached upon the proposed policy.

The Draft QAP rules appear to be in compliance with this proposed policy and the remainder of the program manager and directors will be responsible for ensuring that their program rules comply or be adjusted to comply with this policy as their rules go through the rulemaking/public hearing process.

Because this policy as proposed is not a rule in and of itself and is only a reflection of the requirements in the statute pursuant to the adoption of a policy, it has not undergone additional public hearings. Department staff has, however, conferred with advocate and developer groups to explain and obtain input on this policy and will continue to do so as this policy is implemented in the more formal rulemaking process.

RECOMMENDATION

Staff recommends approval of the attached Long Term Affordability and Safety of Multifamily Rental Housing Developments Policy

Texas Department of Housing & Community Affairs

Long Term Affordability and Safety of Multifamily Rental Housing Developments

The Texas Department of Housing and Community Affairs (“Department”) has established the following policy to ensure that owner’s of multifamily rental housing developments funded through the Department with loans, grants or tax credits:

1. keep the rents affordable for low income tenants for the longest period that is economically feasible; and
2. provide regular maintenance to keep the development sanitary, decent, and safe.

In each of the Department’s programs that fund multifamily development projects, the Department will provide scoring incentives for projects that extend the affordability of the multifamily housing development for households of extremely low, very low and moderate incomes. The Department will also require the inclusion of sufficient reserve for replacements, a minimum of \$200 per unit per year for new construction or \$300 per unit per year for acquisition/rehabilitation developments, be included in the owner’s proposed budget and underwriting evaluation of operating expenses for all multifamily rental housing developments being considered for funding.

In addition, for projects in which the Department provides a loan or grant or a loan guarantee for a loan in an amount greater than 33 percent of the market value of the development as determined by a third party state certified appraiser on the date the owner takes legal possession of the development or for projects in which the Department provides low income housing tax credits, but excluding multifamily housing development supported by qualified 501(c)(3) bonds, the Department will:

1. require a minimum affordability period of 30 years or the existing term of the federal government assistance or the term of repayment of the Department funding, whichever is greater;
2. require that owners agree to renew rental subsidies if available and if the subsidies are sufficient to maintain the economic viability of the multifamily development; and,
3. require that the Land Use Restriction Agreement between the owner and the Department provides for enforcement of the restrictions by the Department, a tenant, or a private party that includes the right to recover reasonable attorney’s fees if the party seeking enforcement of the restriction is successful.

Provisions provided in this policy will be outlined in further detail through the formal rulemaking process.

Texas Department of Housing and Community Affairs

Section 8 Program

Request approval of TDHCA Section 8 Payment Standard for Housing Choice Vouchers.

BACKGROUND

The TDHCA Section 8 Program is required by the U S Department of Housing and Urban Development (HUD) to adopt a payment standard schedule that estimates voucher payment standard amounts for each Fair Market Rent (FMR) area in the Public Housing Authority (PHA) jurisdiction. The PHA must establish payment standard amounts for each unit size. Unit size is measured by number of bedrooms (one-bedroom, two-bedroom, and so on).

TDHCA in operating as a PHA in non-participating jurisdictions may establish the payment standard amount for a unit size at any level between 90 percent and 110 percent of the published FMR for that rent size. TDHCA recommends establishing its payment standard at 100 percent of FMR. Accordingly, we are requesting approval of the attached Payment Standards for TDHCA Section 8 Housing Choice Vouchers.

RECOMMENDATION BY SECTION 8 STAFF

Staff recommends approval of the Section 8 Payment Standards for Housing Choice Vouchers in accordance with 24 CFR Part 982.503.

RESOLUTION NUMBER 01-42

RESOLUTION OF THE BOARD OF DIRECTORS ADOPTING PAYMENT STANDARD FOR SECTION 8 HOUSING CHOICE VOUCHERS IN COMPLIANCE WITH 24 CFR 982.503

WHEREAS, the Texas Department of Housing and Community Affairs (the "Department") has been duly created and organized pursuant to Chapter 2306, Texas Government Code, as amended (the "Act"), for the purpose, among others, of providing a means of financing the costs of residential ownership, development and rehabilitation that will provide decent, safe, and affordable living environments for persons and families of low and very low income (as defined in the Act) and families of moderate income (as described in the Act and determined by the Governing Board of the Department (the "Board") from time to time);

WHEREAS, 24 CFR Part 982.503, Voucher tenancy, states that a Public Housing Authority (PHA) must adopt a payment standard schedule that establishes voucher payment standard amounts for each Fair Market Rent (FMR) area in the PHA jurisdiction. The PHA must establish payment standard amounts for each "unit size." Unit size is measured by the number of bedrooms (zero-bedroom, one-bedroom, and so on).

- (1) The payment standard amounts on the PHA schedule are used to calculate the monthly housing assistance payment for a family.
- (2) The PHA voucher payment standard schedule shall establish a single payment standard for each unit size in an FMR area;

WHEREAS, the Department in operating as a PHA in non-participating jurisdictions may establish the payment standard amount for a unit size at any level between 90 percent and 110 percent of the published FMR for that unit size;

WHEREAS, the Department has caused the Payment Standards to be reviewed and updated, establishes its Payment Standards at 100 percent of FMR, as referenced in the attached Payment Standards;

WHEREAS, the Board desires to authorize the Executive Director of the Department to approve payments up to 110 percent of FMR in extenuating circumstances; and

WHEREAS, such Payment Standards meet the guidelines of the Federal Registers, HUD Handbooks, Notices, Transmittals, and the needs of these communities.

NOW, THEREFORE, BE IT RESOLVED BY THE GOVERNING BOARD OF THE TEXAS DEPARTMENT OF HOUSING AND COMMUNITY AFFAIRS THAT:

Section 1 - Approval and Adoption of the Section 8 Payment Standards for Housing Choice Vouchers. The Governing Board hereby approves and adopts the attached Section 8 Payments Standards for Housing Choice Vouchers for each non-participating jurisdiction in which the Department participates as a PHA. The Payment Standards are attached as Exhibit A.

Section 2 - Authority of Executive Director of the Department to Approve Payments up to 110 Percent FMR. The Governing Board hereby authorizes the Executive Director to approve Section 8 housing voucher payments up to 110 percent FMR in extenuating circumstances.

Section 3 - Effective Date. This Resolution shall be in full force and effect from and upon its adoption. The Department shall initiate the Payment Standards effective immediately.

Section 4 - Open Meetings; Open Records. Written notice of the date, hour and place of the meeting of the Board at which this Resolution was considered and of the subject of this Resolution was furnished to the Secretary of State and posted on the Internet for at least seven (7) days preceding the convening of such meeting, that during the regular office hours, a computer terminal located in a place convenient to the public, in the office of the Secretary of State, was provided such that the general public could view such posting; that such meeting was open to the public as required by law at all times during which this Resolution and the subject matter hereof was discussed, considered and formally acted upon, all as required by the Open Meetings Law, Chapter 551, Texas Government Code, as amended; and that written notice of the date, hour and place of the meeting of the Board and of the subject of this Resolution was published in the Texas Register at least seven (7) days preceding the convening of such meeting, as required by the Administrative Procedure and Texas Register Act, Chapter 2002 and 2001, Texas Government Code, as amended. Additionally, all of the materials in the possession of the Department

relevant to the subject of this Resolution was posted on the Department's website, made available in hard-copy at the Department not later than seven (7) days before the meeting of the Board as required by Section 2306.032, Texas Government Code.

PASSED AND APPROVED this 17th day of October, 2001.

Chair of the Governing Board

ATTEST:

Secretary to the Board

VOUCHER PAYMENT STANDARDS

Dallas Region

	Bedroom Size				
	0 BR	1 BR	2 BR	3 BR	4 BR
<u>Cosque County:</u>					
HUD FMR	289	334	402	540	616
Payment Standard	289	334	402	540	616
% of Payment Standard	100%	100%	100%	100%	100%
<u>Manche County:</u>					
HUD FMR	289	334	402	540	616
Payment Standard	289	334	402	540	616
% of Payment Standard	100%	100%	100%	100%	100%
<u>Rockett County:</u>					
HUD FMR	289	334	402	540	616
Payment Standard	289	334	402	540	616
% of Payment Standard	100%	100%	100%	100%	100%
<u>Wenton County:</u>					
HUD FMR	548	631	810	1120	1325
Payment Standard	548	631	810	1120	1325
% of Payment Standard	100%	100%	100%	100%	100%
<u>Ellis County:</u>					
HUD FMR	548	631	810	1120	1325
Payment Standard	548	631	810	1120	1325
% of Payment Standard	100%	100%	100%	100%	100%
<u>Ellis County:</u>					
HUD FMR	299	339	438	567	616
Payment Standard	299	339	438	567	616
% of Payment Standard	100%	100%	100%	100%	100%
<u>Falls County:</u>					
HUD FMR		289	334	402	540
Payment Standard		289	334	402	540
% of Payment Standard		100%	100%	100%	100%
<u>Freestone County:</u>					
HUD FMR		289	334	402	540
Payment Standard		289	334	402	540
% of Payment Standard		100%	100%	100%	100%
<u>Johnson County:</u>					
HUD FMR		502	546	707	988
Payment Standard		502	546	707	988
% of Payment Standard		100%	100%	100%	100%

Dallas Region (continued)

	Bedroom Size				
	0 BR	1 BR	2 BR	3 BR	4 BR
<u>Limestone County:</u>					
HUD FMR		289	334	402	540
Payment Standard		289	334	402	540
% of Payment Standard		100%	100%	100%	100%
<u>Mason County:</u>					
HUD FMR		289	334	402	540
Payment Standard		289	334	402	540

% of Payment Standard	100%	100%	100%	100%
<u>McLennan County:</u>				
HUD FMR	322	394	519	690
Payment Standard	322	394	519	690
% of Payment Standard	100%	100%	100%	100%
<u>Menard County:</u>				
HUD FMR	289	334	402	540
Payment Standard	289	334	402	540
% of Payment Standard	100%	100%	100%	100%
<u>Navarro County:</u>				
HUD FMR	346	364	437	555
Payment Standard	346	364	437	555
% of Payment Standard	100%	100%	100%	100%
<u>Schleicher County:</u>				
HUD FMR	289	334	402	540
Payment Standard	289	334	402	540
% of Payment Standard	100%	100%	100%	100%
<u>Wise County:</u>				
HUD FMR	289	337	405	564
Payment Standard	289	337	405	564
% of Payment Standard	100%	100%	100%	100%

VOUCHER PAYMENT STANDARDS
Houston Region

	Bedroom Size				
	0 BR	1 BR	2 BR	3 BR	4 BR
Counties:		334	402	552	616
HUD FMR	289	334	402	552	616
Payment Standard	289 100%	334 100%	402 100%	552 100%	616 100%
Comal County:		547	683	952	1120
HUD FMR	491	547	683	952	1120
Payment Standard	491 100%	547 100%	683 100%	952 100%	1120 100%
Guadalupe County:		548	709	988	1165
HUD FMR	487	548	709	988	1165
Payment Standard	487 100%	548 100%	709 100%	988 100%	1165 100%
Imperial County:		334	402	540	616
HUD FMR	289	334	402	540	616
Payment Standard	289 100%	334 100%	402 100%	540 100%	616 100%
Investon County:		495	620	861	1017
HUD FMR	482	495	620	861	1017
Payment Standard	482 100%	495 100%	620 100%	861 100%	1017 100%
Robertson County:		383	426	540	616
HUD FMR	289	383	426	540	616
Payment Standard	289 100%	383 100%	426 100%	540 100%	616 100%

VOUCHER PAYMENT STANDARDS
San Antonio Region

	Bedroom Size				
	0 BR	1 BR	2 BR	3 BR	4 BR
<u>Kansas County:</u>					
HUD FMR	289	356	473	659	663
Payment Standard	289	356	473	659	663
% of Payment Standard	100%	100%	100%	100%	100%
<u>Tacososa County:</u>					
HUD FMR	289	334	402	540	616
Payment Standard	289	334	402	540	616
% of Payment Standard	100%	100%	100%	100%	100%
<u>Burnet County:</u>					
HUD FMR	367	424	522	726	849
Payment Standard	367	424	522	726	849
% of Payment Standard	100%	100%	100%	100%	100%
<u>Oldwell County:</u>					
HUD FMR	551	667	887	1233	1457
Payment Standard	551	667	887	1233	1457
% of Payment Standard	100%	100%	100%	100%	100%
<u>Madalupe County:</u>					
HUD FMR	413	477	616	857	1014
Payment Standard	413	477	616	857	1014
% of Payment Standard	100%	100%	100%	100%	100%
<u>Adalgo County:</u>					
HUD FMR	288	383	439	547	616
Payment Standard	288	383	439	547	616
% of Payment Standard	100%	100%	100%	100%	100%
<u>Jim Wells County:</u>					
HUD FMR		289	334	402	540
Payment Standard		289	334	402	540
% of Payment Standard		100%	100%	100%	100%
<u>Kerr County:</u>					
HUD FMR		289	374	467	651
Payment Standard		289	374	467	651
% of Payment Standard		100%	100%	100%	100%
<u>Lee County:</u>					
HUD FMR		327	368	413	577
Payment Standard		327	368	413	577
% of Payment Standard		100%	100%	100%	100%

San Antonio Region (continued)

	Bedroom Size				
	0 BR	1 BR	2 BR	3 BR	4 BR
<u>Live Oak County:</u>					
HUD FMR		289	334	402	540
Payment Standard		289	334	402	540
% of Payment Standard		100%	100%	100%	100%
<u>Llano County:</u>					
HUD FMR		289	372	495	620
Payment Standard		289	372	495	620
% of Payment Standard		100%	100%	100%	100%
<u>Medina County:</u>					
HUD FMR		289	334	402	540

Payment Standard	289	334	402	540
% of Payment Standard	100%	100%	100%	100%
<u>Nueces County:</u>				
HUD FMR	369	453	578	787
Payment Standard	369	453	578	
% of Payment Standard	100%	100%	100%	100%

AGENDA ITEM NO. 3(E)

Summary of the Disaster Relief Recommendations

Staff is pleased to present the award recommendations for Disaster Relief utilizing HOME deobligated funds. In June 2001, the Department reserved \$1,000,000 in deobligated HOME funds for disaster relief applications as allowed under the Department's Deobligation Policy. This was in response to requests from the Governor's Office as described below. A modified Disaster Relief application was prepared by HOME staff and distributed to potential applicants. The same threshold requirements were imposed as in the 2001 HOME Program application. However, due to the emergency status of these applications, modifications were made to the score model that included removal of match funds and cash reserves scoring components.

- Donley County experienced flooding from May 3 - 4, 2001, which resulted in damage to homes and infrastructure. Governor Rick Perry signed a State disaster declaration on June 5, 2001 declaring Donley County a disaster area and requested the Department provide assistance to this county. Donley County did not receive a Federal Disaster Declaration. On July 18, 2001 HOME staff conducted an application workshop in Donley County to explain the HOME Program and the application process to Judge Jack Hall and other elected officials. One application for assistance was received.
- Tropical Storm Allison moved ashore on June 5, 2001 in Southeast Texas and caused widespread flooding and damage. On June 9, 2001 Governor Rick Perry submitted a request for an expedited declaration. The request was approved and a Presidential disaster declaration was issued on June 9, 2001 (FEMA-1379-DR-TX). On July 24, 2001 HOME staff conducted a workshop in Houston to explain the HOME Program and the application process to several Southeast Texas city and county officials, consultants and other interested parties. One application for assistance was received.
- HOME staff scored each application. Recommendations were to be made based on the highest scoring applicants with priority being given to applicants serving non-participating jurisdictions. However, no applications were received from participating jurisdictions.
- A list of recommended applicants was distributed to all Department Divisions requesting notification regarding any fiscal, programmatic or contractual non-compliance on any loans or contracts the recommended applicants may have had with the Department. No issues were identified.
- Letters were mailed to all applicants, whether recommended or declined, and recommendations were posted on our agency web-site for the general public to view.
- Please see the attached spreadsheet for more summary information regarding the applicants. *It should be noted that the City of China submitted this application on 8/31/01 and their delinquent Audit Certification Forms were delivered to the Compliance Division on 7/20/01.*

Recommendation:

- **\$540,000 total dollar amount is recommended for funding from HOME deobligated funds for these Disaster Relief applications. Recommendations include 4% administrative funds based on the amount of project dollars recommended for each applicant.**

**2001 HOME Program
Disaster Relief Recommendations**

Owner Occupied Housing Assistance

Appl. Number	Applicant Name	Region	Units Req.	AMFI targeted				Project \$'s Requested	Score	PJ	Project \$ Request	Units Recom.
				30%	31-50%	51-60%	61-80%					
20010247	Donley County	01	2	0	0	2	0	\$ 40,000	188	N	\$ 40,000	2
20010246	China, City of	05	9	9	0	0	0	\$500,000	271	N	\$500,000	9
Total Applicants			11	9	0	2	0	\$540,000			\$540,000	1

AGENDA ITEM NO. 3(F)

2001 HOME Program Application Cycle and Recommendations

Staff is pleased to present the award recommendations for the 2001 HOME Investment Partnerships Program Funding Cycle. In an effort to assist the Board members in understanding the HOME Program and the annual funding cycle, staff is also presenting a cursory review of the HOME Program.

Background of the HOME Program:

With the institution of new management in the HOME Program, a decision was made to change many of the existing policies and procedures. The HOME Program has gone through numerous audits with findings regarding poor file documentation, subjective application process, and lack of subrecipient monitoring during the contract period. HUD has also monitored the HOME Program and concerns noted include lack of adequate oversight and monitoring. Improvements implemented by HOME management and staff include:

- New contract performance monitoring and general oversight procedures.
- New amendment request and processing procedures to ensure performance statement requirements are met, which includes adequate documentation to ensure consistency in effort to monitor administrator performance during contract period.
- Staff review and approval of forms submitted by administrators to ensure contract performance statement requirements are being followed.
- Three FTE's were transferred from the Single Family Division to the HOME Program to assist in the implementation of these changes.

Changes to the HOME Application Cycle:

- HOME management and staff performed a complete revision of the application package and guidelines. This included the consolidation of three (3) eligible activities – Homebuyer Assistance (HBA), Owner Occupied Housing Assistance (OCC) and Tenant Based Rental Assistance (TBRA) – into one application with common elements and requirements clearly identified. The revised HOME application also utilized the most recent version of the draft Uniform Application to serve as an interim step to the anticipated TDHCA Uniform Application and Funding Cycle.
- A complete revision of the HOME Scoring Model – see next section.
- HOME management developed and implemented a list of participating and non-participating jurisdictions to provide clarity to applicants and the general public. This is the first time this list was prepared and published by the HOME Program with the assistance of and verification by HUD staff. According to Senate Bill 322 and effective with the 2002 HOME Funding Cycle, the Program must expend 95% of the annual allocation for applicants serving non-participating jurisdictions. The remaining 5% of the funds must be utilized for applicants serving persons with disabilities, which is not limited to non-participating jurisdictions.
- The application guidelines were changed to state the following with regard to Rider 3: *In accordance with Rider 3 of the Department's Appropriation for the current biennium, in those counties where the median family income is lower than the state average median family income (\$50,200), the administrator shall use the average state median income in interpreting this rider.*
- Minimum threshold requirements were developed and implemented by HOME management and staff to ensure compliance with the Texas Administrative Code and State HOME rules. A comprehensive check of the threshold requirements was performed and documented by HOME staff. An informal review process was conducted in response to the complaints

received from disqualified applicants. Please refer to the agenda item regarding the disqualified applications for more detail.

- HOME management developed revised score sheets with complete instructions to ensure consistency with the new HOME score model and the scoring process. Additionally, an all day training session was held with scoring staff and sample scoring of an application from each activity was performed in a group setting.
- Scoring teams consisted of two HOME staff members and one Department management staff member. To ensure consistency within the regional competition, each team included a team leader and assignments were made based on the team member's knowledge and experience regarding the activity. The scoring teams met on a regular basis to discuss and review scores of all applicants and were provided clarification from HOME management regarding scoring questions and issues, both to further ensure consistency in the scoring process.
- HOME management performed an independent review of all applications and score sheets, in general. HOME management also performed a detailed review of the match and cash reserves scoring elements of each application. Adjustments to the score sheets and total score were made to ensure consistency in scoring, ensure inclusion of contract performance requirements for awardees, and to minimize the Department's risk associated with the HOME Program's annual match liability and documentation requirements. The HOME Program received a fair amount of public criticism for these elements during last year's application cycle. A management review to this level of detail has not previously occurred.
- Applications were available on the web, and with the assistance of the Information Systems Division, HOME staff provided web updates during the entire application process.
- A list of recommended applicants was distributed to all Department Divisions requesting notification regarding any fiscal, programmatic or contractual non-compliance on any loans or contracts the recommended applicants may have had with the Department. No issues were identified with the exception of those described in the agenda item regarding the disqualified applications.
- An informal review and discussion was held with the newly established Department Executive Award and Review Advisory Committee.
- Letters were mailed to all applicants, whether recommended, declined or disqualified, and recommendations were posted on the TDHCA web site for the general public to view.

Changes to HOME Score Model:

The HOME Score Model was completely revised to address the audit findings and recommendations regarding the development of a more objective score model.

- The previous years' score model included a large amount of points based on a narrative description on need. This allowed a wide range of subjectivity based on the scorer's judgement and the variety of information that may have been included in the application package. In conjunction with the Office of Strategic Planning and Housing Resource Center, HOME staff assisted in the development of the Affordable Housing Need (AHN) Scoring Component. This scoring component totaled to 80 points out of a possible 300 points and is based on 3 components as follows: census data exactly the same as required by SB 1112 for the Regional Allocation formula (50%), census data specific to the activity applied for (25%), and data based on the Community Needs Survey conducted by the Housing Resource Center. Since the scoring component is based heavily upon census data, it allowed for a completely objective scoring component for need, which integrated the Regional Allocation Formula and communities' representation of need. The scoring component excluded data regarding participating jurisdictions. A complete listing of the score was available on the TDHCA web site and in the application, detailed by city, county, activity, special needs, and CHDO.
- Factors were included to ensure the most points were awarded for TDHCA and HOME Program priorities. These factors included income targeting with heavier weighting of points

for applicants targeting households at or below 30% AMFI, matching fund contributions, cash reserves and previous HOME contract or loan performance.

- Readiness-to-proceed scoring factors were included for each type of activity to measure an applicant's analysis of demand and resources available to meet that demand. These factors included citizen surveys (canvassing of community), letters from lenders, letters from contractors, homebuyer counseling programs, availability of rental units and self sufficiency plans.
- Administrative capacity scoring factors were completely revised to ensure that points were awarded based on an applicant's capacity to administer the program including staff availability, commitment, experience, and financial statements.

In summary, it is extremely important to note that these changes were incorporated while also maintaining the current administration of the program consisting of approximately 250+ active contracts, completing the HUD-mandated IDIS conversion consisting of more than 12,000 projects, filling vacancies and transfer of new staff to the HOME program, the annual HUD monitoring visit, and the HOME database development and reconciliation. Due to new selection criteria and application requirements and the associated appeals by the public of the same, HOME management and staff reserved a longer than expected application review time to ensure a thorough and equitable treatment of all applicants against the selection criteria. It is anticipated that the 2001 HOME Program recommendations and the resulting performance measures will be reported to the LBB in the first quarter of FY 2002.

Current and upcoming changes to the administration of the HOME Program:

- Development of HOME Program Policies and Procedures Manual to replace and consolidate the existing annual HOME Implementation Manual and various other sources of policies and procedures.
- Reassignment and specialization of staff tasks and responsibilities.
- Development and implementation of a complete process for administrative oversight, technical assistance and capacity building. Additional procedures will be implemented to refine oversight of contracts during the contract period conducted by HOME Program staff.
- Complete update and revision of the State HOME rules, including the incorporation of threshold requirements.
- Uniform application and funding cycle.
- An open CHDO funding cycle.

2001 HOME Funding Cycle Recommendation and Analysis:

The HOME Program funds allow for the application of four different types of activities – Homebuyer Assistance (HBA), Owner Occupied Housing Assistance (OCC), Tenant Based Rental Assistance (TBRA) and Rental Housing Development (RHD). A percentage estimate of each activity that would be made available to applicants during the 2001 HOME Funding Cycle was projected in the 2001 Program Year HUD Consolidated Plan. Recommendations are to be made based on the highest scoring applicants with priority being given to applicants serving non-participation jurisdictions. These projections and funding recommendations were determined after review of all public comment and after a review of all bills and mandates related to the Department's operations.

- The HOME Program received a total of 244 applications, 213 were eligible for scoring and 97 are being recommended for awards at this time. Of the recommended applications, 6 are serving a participating jurisdiction, however these are limited to TBRA applications serving special needs populations as defined by the 2001 Program Year Consolidated Plan.
- The 2001 HOME Program Funding Plan is attached and summarizes

- I. Allocation: The annual allocation and set asides in accordance with the Consolidated Plan
- II. Projections: The total dollar and unit projections based on the recommended applications
- III. Regional Allocation Formula Analysis: An analysis of the Regional Allocation Formula based on the recommended applications.

The 2001 HOME Program Funding Plan also includes summary information regarding the Demonstration Fund applications, presented and approved for awards in July 2001.

- Compliance with the Regional Allocation Formula was maintained as a priority, along with the 2001 Consolidated Plan requirements, in the preparation of the recommendations. In regions where an insufficient number of applicants existed under an activity, recommendations are being made to applicants in the same region for the activity with the most eligible applications, also in accordance with the 2001 Consolidated Plan. As the summary indicates, more funds were recommended in the Owner Occupied and Special Needs set-asides than initially projected.
- Application numbers that are shaded on the attached list of recommendations annotate those applications originally disqualified but later accepted after correcting application deficiencies. Please refer to the agenda item regarding the disqualified applications for more details.
- The State HOME rules include a minimum score requirement based on 60% of the total score established for the respective activity to be considered for a funding recommendation. This requirement equates to 180 points based on an availability of 300 total points and is annotated by the bold line on the attached lists. Applicants that did not pass the minimum score requirement were not eligible for recommendations.
- The minimum score requirement for CHDO Rental Housing Development applications serving a participating jurisdiction is 132 points. This was based on the maximum number of total points available for this category of applicant being limited to 220 points since the participating jurisdiction data was excluded from the AHN Scoring Component (up to 80 points). These applications were assigned 0 points for the AHN Scoring Component to ensure priority funding to CHDO applicants serving non-participating jurisdictions. As a result, the minimum score requirement is lower for these applications since CHDO RHD applications serving a participating jurisdiction were allowable. Additionally, since the CHDO set-aside is typically under-subscribed this also allows additional eligible applications to be considered for recommendation and may facilitate the commitment and expenditure requirements regarding the HUD-mandated CHDO set aside.

Recommendations:

- **HOME management recommends additional time be allowed for further Department review and analysis, to provide applicants a deficiency period to submit necessary documentation and verification, and for the potential formation of a recommendation for funding for all of the CHDO RHD applications as detailed on the attached list.** During the underwriting review of the CHDO Rental Housing Development applications, it was determined by both the Underwriting staff and HOME management that all of the applications under this set-aside lack a general readiness-to-proceed and commitment of funding sources.
- **HOME management requests approval of the 2001 HOME Program Recommendations for all set asides and activities as detailed on the attached lists.**
- **HOME management recommends and requests approval of 4% administrative funds for all applicants, except for-profit organizations, based on the amount of project**

dollars recommended and 5% to CHDO applicants for operating expenses based on the amount of project dollars recommended.

2001 HOME Program Funding Plan

as of October 2001

I. Allocation

HOME Allocation	\$41,517,000
less Administration (10%)	(\$4,151,700)
less CHDO Operating Expenses	(\$2,075,850)
Total Project Funds	<u>\$35,289,450</u>
less CHDO Set Aside	(\$6,227,550)
less Special Needs Set Aside	(\$4,151,700)
less Contract for Deed (Rider 14/867)	(\$2,000,000)
add Uncommitted 1999 Project Funds	\$1,377,415
add Uncommitted 2000 Project Funds	\$1,945,786
Funds Remaining for HOME Activities	<u>\$26,233,401</u>

CHDO Set Aside	\$6,227,550
add Uncommitted 1999 CHDO Funds	\$500,928
add Uncommitted 2000 CHDO Funds	\$1,066,957
Total CHDO Set Aside	<u>\$7,795,435</u>

Set Aside calculations:

<i>CHDO</i>	<i>CHDO Operating</i>	<i>Special Needs</i>
\$41,517,000	\$41,517,000	\$41,517,000
x .15	x .05	x .10
<u>\$6,227,550</u>	<u>\$2,075,850</u>	<u>\$4,151,700</u>

II. Projections

Owner-Occupied Hsg. Asst. (40%)
Homebuyer Assistance (30%)
Tenant Based Rental Asst. (20%)
Demonstration Fund (10%)

CHDO Set Aside
Special Needs Set Aside
Contract for Deed Program

TOTALS

Total Project Funds Avail.	Total Project		Estimated Subsidy per Unit	Percentage of Project Funds
	Funds Recomm.	Total Units Recomm.		
\$10,493,360	\$17,652,196	360	\$49,088	70.48%
\$7,870,020	\$3,903,670	524	\$7,444	15.59%
\$5,246,680	\$1,542,730	138	\$11,168	6.16%
\$2,623,340	\$1,946,801	165	\$11,799	7.77%
\$26,233,401	\$25,045,396	1187	\$21,097	100.00%
\$7,795,435	\$437,500	45	\$9,722	
\$4,151,700	\$4,663,165	446	\$10,462	
\$2,000,000	To be determined during 2002 Funding Cycle			
<u>\$40,180,536</u>	<u>\$30,146,061</u>	<u>1678</u>	<u>\$17,967</u>	

Total Units Recommended: 1678				Totals
AMFI recommended				
30%	31-50%	51-60%	61-80%	
62	0	126	337	524
345	3	9	2	360
119	19	0	0	138
62	25	56	22	165
5	0	11	29	45
429	7	9	1	446
Totals	1022	54	211	391

HBA Units
OCC Units
TBRA Units
Demonstration Units
CHDO Units
Special Needs Units

III. Regional Allocation Formula Analysis

	Region 1	Region 2	Region 3	Region 4	Region 5	Region 6	Region 7	Region 8A	Region 8B	Region 9	Region 10	Totals
Percentage	4.01%	4.02%	13.22%	12.10%	8.52%	9.70%	14.34%	8.55%	17.92%	4.63%	2.98%	100.00%
OCC available	\$420,884	\$422,320	\$1,387,569	\$1,269,944	\$893,916	\$1,018,260	\$1,504,382	\$897,243	\$1,880,381	\$486,102	\$312,360	\$10,493,360
OCC recommended	\$946,989	\$950,220	\$2,167,030	\$2,344,874	\$2,011,312	\$1,785,000	\$2,030,769	\$1,422,876	\$2,630,857	\$893,730	\$468,539	\$17,652,196

HBA available	\$315,663	\$316,740	\$1,040,677	\$952,458	\$670,437	\$763,695	\$1,128,287	\$672,932	\$1,410,286	\$364,577	\$234,270	\$7,870,020
HBA recommended	\$0	\$0	\$455,000	\$512,500	\$0	\$0	\$601,900	\$300,000	\$1,600,000	\$200,000	\$234,270	\$3,903,670

TBRA available	\$210,442	\$211,160	\$693,784	\$634,972	\$446,958	\$509,130	\$752,191	\$448,621	\$940,191	\$243,051	\$156,180	\$5,246,680
TBRA recommended	\$0	\$0	\$500,000	\$0	\$0	\$0	\$746,810	\$295,920	\$0	\$0	\$0	\$1,542,730

Recommended - not subject to RAF:

Demo Fund	\$500,000	\$0	\$575,000	\$300,000	\$0	\$0	\$0	\$0	\$571,801	\$0	\$0	\$1,946,801
CHDO	\$0	\$0	\$0	\$0	\$0	\$37,500	\$0	\$0	\$400,000	\$0	\$0	\$437,500
Special Needs	\$1,200,769	\$158,170	\$499,895	\$392,000	\$0	\$477,000	\$500,000	\$500,000	\$935,331	\$0	\$0	\$4,663,165

**2001 HOME Program
CHDO Set Aside Recommendations**

Not Subject to Regional Allocation Formula

Total Amount available in Set-Aside: \$7,795,435

Applicants below the bold line did not meet the threshold score requirement.

Homebuyer Assistance:

Application Number	Applicant Name	Region	Units Requested	AMFI targeted				Project \$'s Requested	Score	PJ	Project \$'s Recommended	Units Rec.
				30%	31-50%	51-60%	61-80%					
20010137	CDC OF BROWNSVILLE	8B	40	4		8	28	\$ 400,000	233	N	\$ 400,000	40
20010198	WALKER-MONTGOMERY CDC	06	5	1		3	1	\$ 37,500	238	N	\$ 37,500	5
20010193	MARVELLOUS LIGHT CORPORATION	T00N	50					\$ 500,000	102			
3	Total Applicants		95	5	0	11	29	\$ 937,500			\$ 437,500	45
5.61%	Percent of Set Aside Recommended							Amount recommended: \$ 437,500				

Rental Housing Development:

Application Number	Applicant Name	Region	Units Requested	AMFI targeted				Project \$'s Requested	Score	PJ	Project \$'s Recommended	Units Rec.
				30%	31-50%	51-60%	61-80%					
20010149	EAST AUSTIN ECONOMIC DEV. CORP	CORP	20	4		14	2	\$ 999,890	212	N	To be determined	
20010151	ST JOHN COLONY NEIGHBORHOOD	07	36	10		10	16	\$ 324,000	211	N	To be determined	
20010185	COM. SERV AGENCY OF SO TX, INC	8B	16			3	13	\$ 718,407	189	N	To be determined	
20010189	FOUNDATION COMMUNITIES INC	07	85	35		50		\$ 1,000,000	158	Y	To be determined	
20010161	COMM.PARTNERSHIP FOR HOMELESS	05S	30	3			27	\$ 1,000,000	143	Y	To be determined	
20010188	WILLIAM-BURNET CO OPP., INC	07	16					\$ 963,357	136	N		
20010179	NHS OF DIMMIT COUNTY, INC.	8B	16					\$ 780,900	133	N		
20010160	AVENIDA GUADALUPE ASSOC., INC	8A	6					\$ 300,000	90	Y		
8	Total Applicants		225	52	0	77	58	\$ 6,086,554			\$ -	0
0.00%	Percent of Set Aside Recommended							Amount recommended: \$ -				

2001 HOME Program Special Needs Set Aside Recommendations

Not Subject to Regional Allocation Formula

Total Amount available in Set-Aside: \$4,151,700
 Amount available from OCC Region 6: \$506,084
 Amount available from TBRA Region 7: \$ 5,381
\$4,663,165

Applicants below the bold line did not meet the threshold score requirement.

Homebuyer Assistance:

Application Number	Applicant Name	Activity	Region	Units Requested	AMFI targeted				Project \$'s Requested	Score	PJ	Project \$'s Recommended	Units Rec.
					80%	51-50%	51-60%	61-80%					
20010166	LAREDO-WEBB NHS	HBA	8B	20				20	\$ 300,000	106	N	\$ -	
1	Total Applicants			20	0	0	0	20	\$ 300,000			\$ -	0

0.00% Percent of Set Aside Recommended

Amount recommended: \$ -

Owner Occupied Housing Assistance:

Application Number	Applicant Name	Activity	Region	Units Requested	AMFI targeted				Project \$'s Requested	Score	PJ	Project \$'s Recommended	Units Rec.
					80%	51-50%	51-60%	61-80%					
20010158	CAPROCK CAA, INC.	OCC	01	10	8	2			\$ 500,000	260	N	\$ 500,000	10
20010218	ENCINAL, CITY OF	OCC	8B	10	10				\$ 500,000	258	N	\$ 235,331	5
20010146	SINTON, CITY OF	OCC	8B	4	4				\$ 220,000	255	N	\$ 220,000	4
20010141	MATADOR, CITY OF	OCC	01	4	4				\$ 220,000	254	N	\$ 220,000	4
20010111	BROWNWOOD, CITY OF	OCC	02	5	5				\$ 275,000	254	N	\$ 55,000	1
20010148	SAN PATRICIO, COUNTY OF	OCC	8B	9	9				\$ 495,000	253	N		
20010052	LAMESA, CITY OF	OCC	09	5	5				\$ 250,000	251	N		
20010145	MILES, CITY OF	OCC	02	4	4				\$ 220,000	250	N		
20010090	TAHOKA, CITY OF	OCC	01	5	5				\$ 250,000	249	N		
20010211	LASALLE COUNTY	OCC	8B	5	5				\$ 85,714	249	N		
20010053	NACOGDOCHES, CITY OF	OCC	05	10	10				\$ 500,000	247	N		
20010070	BOWIE, CITY OF	OCC	02	7	7				\$ 210,442	245	N		
20010021	GREENVILLE, CITY OF	OCC	03	8	8				\$ 400,000	244	N		
20010092	SUDAN, CITY OF	OCC	01	5	5				\$ 250,000	230	N		
20010023	LINDALE, CITY OF	OCC	04	6	6				\$ 300,000	228	N		
20010055	PALESTINE, CITY OF	OCC	04	8	8				\$ 400,000	222	N		
20010022	LUFKIN, CITY OF	OCC	05	10	10				\$ 500,000	214	N		
20010049	JUNCTION, CITY OF	OCC	09	5	5				\$ 250,000	213	N		
20010054	BIG LAKE, CITY OF	OCC	09	5	5				\$ 250,000	213	N		

Owner Occupied Housing Assistance (continued):

Number	Applicant Name	Activity	Region	Requested	B0%	B1-50%	B51-60%	B61-80%	Requested	Score	PJ	Recommended	Rec.
20010026	GILMER, CITY OF	OCC	04	6	6				\$ 300,000	211	N		
20010024	BELLMEAD, CITY OF	OCC	07	10	10				\$ 500,000	210	N		
20010050	SLATON, CITY OF	OCC	01	5	5				\$ 250,000	209	N		
20010089	SUNDOWN, CITY OF	OCC	01	5	5				\$ 250,000	209	N		
20010045	VAN HORN, CITY OF	OCC	10	9	9				\$ 495,000	206	N		
20010025	GLADEWATER, CITY OF	OCC	04	10	10				\$ 500,000	205	N		
20010051	WILLS POINT, CITY OF	OCC	04	6	6				\$ 300,000	202	N		
20010091	STAMFORD, CITY OF	OCC	02	5	5				\$ 250,000	201	N		
20010119	KLEBERG COUNTY	OCC	8B	31	24	7			\$ 250,000	177	N		
20010170	CAC OF VICTORIA	OCC	8A	9	9				\$ 495,000	171	N		
20010120	BROOKS COUNTY	OCC	8B	24	19	5			\$ 250,000	158	N		
20010203	SOUTHEAST TEXAS HFC	OCC	06	5	5				\$ 200,000	143	Y		
20010167	LAREDO-WEBB NHS	OCC	8B	14					\$ 500,000	123	Y		
32	Total Applicants			264	236	14	0	0	\$10,616,156			\$1,230,331	24

26.38% Percent of Set Aside Recommended

Amount recommended: \$ 1,230,331

Tenant Based Rental Assistance:

Application Number	Applicant Name	Activity	Region	Units Requested	AMFI targeted				Project \$'s Requested	Score	PJ	Project \$'s Recommended	Units Rec.
					80%	51-50%	51-60%	61-80%					
20010176	NUECES CO MHMR COMMUNITY C	TBA	8A	55	52	3			\$ 500,000	274	Y	\$ 500,000	55
20010173*	BLUEBONNET TRAILS COM. MHMR	TBA	8A	55	55				\$ 500,000	246	Y	\$ -	0
20010232	TRI-COUNTY MHMR SERVICES	TBA	06	75	72		3		\$ 477,000	243	N	\$ 477,000	75
20010201	DALLAS AREA NORTHSTAR AUTH.	TBA	03	35	35				\$ 499,895	224	Y	\$ 499,895	35
20010214	LUBBOCK REGIONAL MHMR CENTE	TBA	01	50	50				\$ 480,769	220	Y	\$ 480,769	50
20010079	SABINE VALLEY CENTER	TBA	04	25	23		2		\$ 192,000	219	N	\$ 192,000	25
20010229	SPECIAL HEALTH RESOURCES	TBA	04	25	22	2		1	\$ 200,000	214	Y	\$ 200,000	25
20010217	CENTRAL TEXAS MHMR	TBA	02	10	6		4		\$ 103,170	204	N	\$ 103,170	10
20010001	TRAVIS COUNTY HOUSING AUTHO	TBA	07	51	51				\$ 500,000	193	Y	\$ 500,000	51
20010195	TROPICAL TEXAS CENTER FOR M	TBA	8B	96	96				\$ 480,000	189	Y	\$ 480,000	96
20010085	ANDREWS CENTER, THE	TBA	04	34	34				\$ 357,168	178	N		
20010199	LIFE MANAGEMENT CTR. FOR MH	TBA	10	45	45				\$ 405,000	174	Y		
20010194	HUNT COUNTY MHMR	TBA	03	20	10	10			\$ 491,088	171	N		
20010086	ANDREWS CENTER, THE	TBA	04	24	24				\$ 265,400	166	N		
20010241	LIFETIME INDEPENDENCE FOR E	TBA	01	25	19	6			\$ 230,820	146	Y		
20010236	LIFENET COMM. BEHAVIORAL HCA	TBA	03	30	30				\$ 480,000	142	Y		
20010231	ARLINGTON HOUSING AUTHORITY	TBA	03	44	33	8	3		\$ 500,000	132	Y		
20010190	C.H.A.M.P.	TBA	06	25	15	10			\$ 382,775	112	Y		
20010196	HARRIS COUNTY HOSPITAL DIST.	TBA	06	20	20				\$ 373,800	106	Y		
20010233	ALT AFFORDABLE HSG. SVCS. INC.	TBA	8A	32	23		7	2	\$ 345,600	90	Y		
20	Total Applicants			776	715	39	19	3	\$ 7,764,485			\$ 3,432,834	422

73.62% Percent of Set Aside Recommended

Amount recommended: \$ 3,432,834

*Applicant received a recommendation for award in Region 7 under the Tenant Based Rental Assistance Set Aside for \$500,000. \$500,000 award limitation per applicant per activity in accordance with 10 TAC 53.53 (1).

2001 HOME Program Homebuyer Assistance Recommendations

Subject to Regional Allocation Formula

Total Amount available in Set-Aside: **\$7,870,020**

Applicants below the bold line did not meet the threshold score requirement.

REGION 1:

Application Number	Applicant Name	Units Requested	AMFI targeted				Project \$'s Requested	Score	PJ	Project \$'s Recommended	Units Rec.
			30%	31-50%	51-60%	61-80%					
20010003	PANHANDLE COMMUNITY SERVICES	100	14	42	14	30	\$ 500,000	155	N	\$ -	0
1	Total Applicant	100	14	42	14	30	\$ 500,000			\$ -	0

4.01% Percent available according to RAF

Amount available: \$ 315,663

Moved to OCC: \$ 315,663

Total Recommended for Region: \$ -

REGION 2:

Application Number	Applicant Name	Units Requested	AMFI targeted				Project \$'s Requested	Score	PJ	Project \$'s Recommended	Units Rec.
			30%	31-50%	51-60%	61-80%					
0	Total Applicants	0	0	0	0	0	\$ -			\$ -	0

4.02% Percent available according to RAF

Amount available: \$ 316,740

Moved to OCC: \$ 316,740

Total Recommended for Region: \$ -

REGION 3:

Application Number	Applicant Name	Units Requested	AMFI targeted				Project \$'s Requested	Score	PJ	Project \$'s Recommended	Units Rec.
			30%	31-50%	51-60%	61-80%					
20010230	COMMERCE, CITY OF	21				21	\$ 105,000	200	N	\$ 105,000	21
20010206	MCKINNEY, CITY OF	30			15	15	\$ 150,000	189	N	\$ 150,000	30
20010087	GREENVILLE, CITY OF	40				40	\$ 200,000	180	N	\$ 200,000	40
20010153	ALLIED MORTGAGE CAPITAL CORP.	100			75	25	\$ 495,000	133	Y		
4	Total Applicants	191	0	0	90	101	\$ 950,000			\$ 455,000	91

13.22% Percent available according to RAF

Amount available: \$ 1,040,677

Moved to OCC: \$ 585,677

Total Recommended for Region: \$ 455,000

REGION 4:

Application Number	Applicant Name	Units Requested	AMFI targeted				Project \$'s Requested	Score	PJ	Project \$'s Recommended	Units Rec.
			30%	31-50%	51-60%	61-80%					
20010133	DEKALB, CITY OF	15				15	\$ 112,500	229	N	\$ 112,500	15
20010088	ATHENS, CITY OF	13				13	\$ 100,000	193	N	\$ 100,000	13
20010116	DAINGERFIELD, CITY OF	20				20	\$ 150,000	180	N	\$ 150,000	20
20010208	PITTSBURG, CITY OF	20	2		6	12	\$ 150,000	180	N	\$ 150,000	20
20010063	LINDALE, CITY OF	13				13	\$ 100,000	171	N		
20010126	KILGORE, CITY OF	20			6	14	\$ 150,000	155	N		
6	Total Applicants	101	2	0	12	87	\$ 762,500			\$ 512,500	68

12.10% Percent available according to RAF

Amount available: \$ 952,458

Moved to OCC: \$ 439,958

Total Recommended for Region: \$ 512,500

REGION 5:

Application Number	Applicant Name	Units Requested	AMFI targeted				Project \$'s Requested	Score	PJ	Project \$'s Recommended	Units Rec.
			30%	31-50%	51-60%	61-80%					
0	Total Applicants	0	0	0	0	0	\$ -			\$ -	0

8.52% Percent available according to RAF

Amount available: \$ 670,437

Moved to OCC: \$ 670,437

Total Recommended for Region: \$ -

REGION 6:

Application Number	Applicant Name	Units Requested	AMFI targeted				Project \$'s Requested	Score	PJ	Project \$'s Recommended	Units Rec.
			30%	31-50%	51-60%	61-80%					
20010204	SOUTHEAST TEXAS HFC	30			10	20	\$ 150,000	137	N	\$ -	
1	Total Applicants	30	0	0	10	20	\$ 150,000			\$ -	-

9.70% Percent available according to RAF

Amount available: \$ 763,695

Moved to OCC: \$ 763,695

Total Recommended for Region: \$ -

REGION 7:

Application		Units Requested	AMFI targeted				Project \$'s Requested	Score	PJ	Project \$'s Recommended	Units Rec.
Number	Applicant Name		30%	31-50%	51-60%	61-80%					
20010125	TEMPLE HOUSING AUTHORITY	35				35	\$ 262,500	247	N	\$ 262,500	35
20010007	TEMPLE, CITY OF	20				20	\$ 100,000	191	N	\$ 100,000	20
20010082	TAYLOR HOUSING AUTHORITY	47	20		22	5	\$ 239,400	189	N	\$ 239,400	47
20010171	H.L.H. DEVELOPMENT, LP	67					\$ 500,000	146	N		
20010002	HAMILTON, CITY OF	10				10	\$ 100,000	128	N		
5	Total Applicants	179	20	0	22	70	\$ 1,201,900			\$ 601,900	102

14.34% Percent available according to RAF

Amount available: \$ 1,128,287

Moved to OCC: \$ 526,387

Total Recommended for Region: \$ 601,900

REGION 8A:

Application		Units Requested	AMFI targeted				Project \$'s Requested	Score	PJ	Project \$'s Recommended	Units Rec.
Number	Applicant Name		30%	31-50%	51-60%	61-80%					
20010157	MEIER MORTGAGE, INC.	40				40	\$ 300,000	213	N	\$ 300,000	40
20010172	H.L.H MANAGEMENT, INC.	67				67	\$ 500,000	135	N		
2	Total Applicants	107	0	0	0	107	\$ 800,000			\$ 300,000	40

8.55% Percent available according to RAF

Amount available: \$ 672,932

Moved to OCC: \$ 372,932

Total Recommended for Region: \$ 300,000

REGION 8B:

Application		Units Requested	AMFI targeted				Project \$'s Requested	Score	PJ	Project \$'s Recommended	Units Rec.
Number	Applicant Name		30%	31-50%	51-60%	61-80%					
20010152	CDC OF GREATER BROWNSVILLE	30	3		4	23	\$ 300,000	238	N	\$ 300,000	30
20010243	RIO HONDO, CITY OF	30			18	12	\$ 300,000	204	N	\$ 300,000	30
20010244	SAN BENITO, CITY OF	30			18	12	\$ 300,000	188	N	\$ 300,000	30
20010242	PHARR, CITY OF	20			12	8	\$ 200,000	185	N	\$ 200,000	20
20010210	HA OF THE CITY OF DEL RIO	50	30		15	5	\$ 500,000	180	N	\$ 500,000	50
20010215	COMM. COUNCIL OF SW TX INC.	25	15		8	2	\$ 275,000	154	N		
7	Total Applicants	185	48	0	75	62	\$ 1,875,000			\$ 1,600,000	160

17.92% Percent available according to RAF

Amount available: \$ 1,410,286

Amount from TBRA: \$ 189,714

Total Recommended for Region: \$ 1,600,000

REGION 9:

Application		Units Requested	AMFI targeted				Project \$'s Requested	Score	PJ	Project \$'s Recommended	Units Rec.
Number	Applicant Name		30%	31-50%	51-60%	61-80%					
20010197	MIDLAND, CITY OF	40	6		16	18	\$ 200,000	206	N	\$ 200,000	40
20010234	TOWN OF PECOS CITY	30			8	22	\$ 300,000	127	N		
2	Total Applicants	70	6	0	24	40	\$ 500,000			\$ 200,000	40

4.63% Percent available according to RAF

Amount available: \$ 364,577

Moved to OCC: \$ 164,577

Total Recommended for Region: \$ 200,000

REGION 10:

Application Number	Applicant Name	Units Requested	AMFI targeted				Project \$'s Requested	Score	PJ	Project \$'s Recommended	Units Rec.
			30%	31-50%	51-60%	61-80%					
20010156*	MEIER MORTGAGE, INC.	30				30	\$ 300,000	229	N	\$ 200,000	20
20010205	PATRIOT MORTGAGE	20	5			15	\$ 200,000	197	N	\$ 34,270	3
2	Total Applicants	50	5	0	0	45	\$ 500,000			\$ 234,270	23

2.98% Percent available according to RAF

Amount available: \$ 234,270

Total Recommended for Region: \$ 234,270

*Applicant received a recommendation for award in Region 8A for \$300,000. \$500,000 award limitation per applicant per activity in accordance with 10 TAC 53.53 (1).

**2001 HOME Program
Owner Occupied Housing Assistance Recommendations**

Subject to Regional Allocation Formula

Total Amount available in Set-Aside: \$10,493,360

Applicants below the bold line did not meet the threshold score requirement.

REGION 1:

Application Number	Applicant Name	Units Requested	AMFI targeted				Project \$'s Requested	Score	PJ	Project \$'s Recommended	Units Rec.
			30%	31-50%	51-60%	61-80%					
20010147	PETERSBURG, CITY OF	5	5				\$ 275,000	223	N	\$ 275,000	5
20010057	SUDAN, CITY OF	5	5				\$ 250,000	222	N	\$ 250,000	5
20010058	SLATON, CITY OF	5	5				\$ 250,000	221	N	\$ 250,000	5
20010094	TAHOKA, CITY OF	5	5				\$ 250,000	218	N	\$ 171,989	3
20010056	SUNDOWN, CITY OF	5	5				\$ 250,000	213	N	\$ -	
5	Total Applicants	25	25	0	0	0	\$ 1,275,000			\$ 946,989	18

4.01% **Percent available according to RAF**

Amount available: \$ 420,884
Amount from HBA: \$ 315,663
Amount from TBRA: \$ 210,442
Total Recommended for Region: \$ 946,989

REGION 2:

Application Number	Applicant Name	Units Requested	AMFI targeted				Project \$'s Requested	Score	PJ	Project \$'s Recommended	Units Rec.
			30%	31-50%	51-60%	61-80%					
20010109	BROWNWOOD, CITY OF	4	4				\$ 220,000	246	N	\$ 220,000	4
20010098	TYE, CITY OF	4	4				\$ 220,000	242	N	\$ 220,000	4
20010067	BOWIE, CITY OF	7	7				\$ 350,000	228	N	\$ 350,000	7
20010059	STAMFORD, CITY OF	5	5				\$ 250,000	182	N	\$ 160,220	3
4	Total Applicants	20	20	0	0	0	\$ 1,040,000			\$ 950,220	18

4.02% **Percent available according to RAF**

Amount available: \$ 422,320
Amount from HBA: \$ 316,740
Amount from TBRA: \$ 211,160
Total Recommended for Region: \$ 950,220

REGION 3:

Application Number	Applicant Name	Units Requested	AMFI targeted				Project \$'s Requested	Score	PJ	Project \$'s Recommended	Units Rec.
			30%	31-50%	51-60%	61-80%					
20010159	COMMERCE, CITY OF	10	10				\$ 500,000	277	N	\$ 500,000	10
20010034	GREENVILLE, CITY OF	8	8				\$ 400,000	270	N	\$ 400,000	8
20010068	FERRIS, CITY OF	6	6				\$ 300,000	266	N	\$ 300,000	6
20010066	FARMERSVILLE, CITY OF	4	4				\$ 200,000	245	N	\$ 200,000	4
20010143	MELISSA, CITY OF	4	4				\$ 220,000	239	N	\$ 220,000	4
20010069	SANGER, CITY OF	5	5				\$ 250,000	235	N	\$ 250,000	5
20010030	CRANDALL, CITY OF	5	5				\$ 250,000	225	N	\$ 250,000	5
20010207	MCKINNEY, CITY OF	20	10	5	5		\$ 150,000	200	N	\$ 47,030	6
20010191	CELINA, CITY OF	7	6		1		\$ 200,000	181	N	\$ -	0
9	Total Applicants	69	58	5	6	0	\$ 2,470,000			\$ 2,167,030	48

13.22% Percent available according to RAF

Amount available: \$ 1,387,569
 Amount from HBA: \$ 585,677
 Amount from TBRA: \$ 193,784
 Total Recommended for Region: \$ 2,167,030

REGION 4:

Application Number	Applicant Name	Units Requested	AMFI targeted				Project \$'s Requested	Score	PJ	Project \$'s Recommended	Units Rec.
			30%	31-50%	51-60%	61-80%					
20010035	LINDALE, CITY OF	6	6				\$ 300,000	250	N	\$ 300,000	6
20010131	DEKALB, CITY OF	10	10				\$ 500,000	247	N	\$ 500,000	10
20010132	MAUD, CITY OF	5	5				\$ 250,000	242	N	\$ 250,000	5
20010061	PALESTINE, CITY OF	8	8				\$ 400,000	239	N	\$ 400,000	8
20010099	TEXARKANA, CITY OF	9	9				\$ 495,000	238	N	\$ 495,000	9
20010134	LONE STAR, CITY OF	5	5				\$ 250,000	231	N	\$ 250,000	5
20010006	ATLANTA, CITY OF	6	6				\$ 300,000	228	N	\$ 149,874	3
20010029	GILMER, CITY OF	6	6				\$ 300,000	219	N		
20010135	DOMINO, CITY OF	8	8				\$ 400,000	218	N		
20010038	HAWKINS, CITY OF	6	6				\$ 300,000	217	N		
20010093	WILLS POINT, CITY OF	6	6				\$ 300,000	215	N		
20010062	MURCHISON, CITY OF	4	4				\$ 200,000	213	N		
20010130	SULPHUR SPRINGS, CITY OF	10	10				\$ 500,000	213	N		
20010027	GLADEWATER, CITY OF	10	10				\$ 500,000	209	N		
20010028	EDGEWOOD, CITY OF	5	5				\$ 300,000	204	N		
20010040	JEFFERSON, CITY OF	10	10				\$ 500,000	196	N		
16	Total Applicants	114	114	0	0	0	\$ 5,795,000			\$ 2,344,874	46

12.10% Percent available according to RAF

Amount available: \$ 1,269,944
 Amount from HBA: \$ 439,958
 Amount from TBRA: \$ 634,972
 Total Recommended for Region: \$ 2,344,874

REGION 5:

Application Number	Applicant Name	Units Requested	AMFI targeted				Project \$'s Requested	Score	PJ	Project \$'s Recommended	Units Rec.
			30%	31-50%	51-60%	61-80%					
20010060	NACOGDOCHES, CITY OF	10	10				\$ 500,000	257	N	\$ 500,000	10
20010036	LUFKIN, CITY OF	10	10				\$ 500,000	235	N	\$ 500,000	10
20010018	SAN AUGUSTINE, CITY OF	6	6				\$ 300,000	224	N	\$ 300,000	6
20010015	ZAVALLA, CITY OF	6	6				\$ 300,000	210	N	\$ 300,000	6
20010009	SHEPHERD, CITY OF	6	6				\$ 300,000	204	N	\$ 300,000	6
20010013	TENAHA, CITY OF	6	6				\$ 300,000	204	N	\$ 111,312	2
20010032	BIG SANDY, CITY OF	5	5				\$ 250,000	200	N		
20010004	JOAQUIN, CITY OF	6	6				\$ 300,000	199	N		
20010019	GRAPELAND, CITY OF	6	6				\$ 300,000	186	N		
20010012	KOUNTZE, CITY OF	6	6				\$ 300,000	184	N		
20010005	PINELAND, CITY OF	6	6				\$ 300,000	180	N		
20010011	TRINITY, CITY OF	6	6				\$ 300,000	178	N		
12	Total Applicants	79	79	0	0	0	\$ 3,950,000			\$ 2,011,312	40

8.52% Percent available according to RAF
 Amount available: \$ 893,916
 Amount from HBA: \$ 670,437
 Amount from TBRA: \$ 446,958
 Total Recommended for Region: \$ 2,011,312

REGION 6:

Application Number	Applicant Name	Units Requested	AMFI targeted				Project \$'s Requested	Score	PJ	Project \$'s Recommended	Units Rec.
			30%	31-50%	51-60%	61-80%					
20010142	BAY CITY HOUSING AUTHORITY	9	9				\$ 495,000	266	N	\$ 495,000	9
20010048	WHARTON, CITY OF	9	9				\$ 495,000	251	N	\$ 495,000	9
20010138	HEART OF ANGLETON, INC.	9	9				\$ 495,000	250	N	\$ 495,000	9
20010010	DAISETTA, CITY OF	6	6				\$ 300,000	218	N	\$ 300,000	6
20010202	SOUTHEAST TEXAS HFC	5	5				200,000	155	N		
5	Total Applicants	38	38	0	0	0	\$ 1,985,000			\$ 1,785,000	33

9.70% Percent available according to RAF
 Amount available: \$ 1,018,260
 Amount from HBA: \$ 763,695
 Amount from TBRA: \$ 509,130
\$ 2,291,084
 Amount to Special Needs Set Aside: \$ 506,084
 Total Recommended for Region: \$ 1,785,000

REGION 7:

Application Number	Applicant Name	Units Requested	AMFI targeted				Project \$'s Requested	Score	PJ	Project \$'s Recommended	Units Rec.
			30%	31-50%	51-60%	61-80%					
20010104	HARKER HEIGHTS, CITY OF	6	6				\$ 330,000	252	N	\$ 330,000	6
20010033	BELLMEAD, CITY OF	10	10				\$ 500,000	249	N	\$ 500,000	10
20010107	BELTON, CITY OF	9	9				\$ 495,000	244	N	\$ 495,000	9
20010100	MART, CITY OF	4	4				\$ 220,000	243	N	\$ 220,000	4
20010008	TEMPLE, CITY OF	10	5		3	2	\$ 416,000	225	N	\$ 416,000	10
20010221	BERTRAM, CITY OF	8	4	4			\$ 320,000	202	N	\$ 69,769	2
20010095	TEAGUE, CITY OF	6	6				\$ 300,000	199	N		
20010220	ITASCA, CITY OF	8	4	4			\$ 320,000	198	N		
20010183	GROESBECK, CITY OF	8	4	4			\$ 320,000	196	N		
20010181	TAYLOR, CITY OF	8	4		4		\$ 320,000	193	N		
20010016	MARQUEZ, CITY OF	6					\$ 300,000	187	N		
20010219	WILLIAMSON, COUNTY OF	8	4	4			\$ 320,000	177	N		
20010182	WEIR, CITY OF	8	4	4			\$ 320,000	175	N		
20010180	BURNET, CITY OF	8	4	4			\$ 320,000	158	N		
20010184	BURLESON COUNTY	8	4	4			\$ 320,000	150	N		
20010224	LEANDER, CITY OF	8	4	4			\$ 320,000	142	N		
20010121	BIBLE WAY COMM. DEV. ACADEMY						\$ 500,000	131	N		
17	Total Applicants	143	76	32	7	2	\$ 5,941,000			\$ 2,030,769	41

14.34% Percent available according to RAF

Amount available: \$ 1,504,382
 Amount from HBA: \$ 526,387
Total Recommended for Region: \$ 2,030,769

REGION 8A:

Application Number	Applicant Name	Units Requested	AMFI targeted				Project \$'s Requested	Score	PJ	Project \$'s Recommended	Units Rec.
			30%	31-50%	51-60%	61-80%					
20010118	GONZALES, CITY OF	9	9				\$ 500,000	261	N	\$ 500,000	9
20010043	CHARLOTTE, CITY OF	5	5				\$ 275,000	221	N	\$ 275,000	5
20010042	FALLS CITY, CITY OF	5	5				\$ 275,000	217	N	\$ 275,000	5
20010046	JOURDANTON, CITY OF	5	5				\$ 275,000	215	N	\$ 275,000	5
20010044	RUNGE, CITY OF	5	5				\$ 175,000	207	N	\$ 97,876	3
20010169	VICTORIA, CITY OF	11	11				\$ 500,000	196	N		
7	Total Applicants	40	40	0	0	0	\$ 2,000,000			\$ 1,422,876	27

8.55% Percent available according to RAF

Amount available: \$ 897,243
 Amount from HBA: \$ 372,932
 Amount from TBRA: \$ 152,701
Total Recommended for Region: \$ 1,422,876

REGION 8B:

Application Number	Applicant Name	Units Requested	AMFI targeted				Project \$'s Requested	Score	PJ	Project \$'s Recommended	Units Rec.
			30%	31-50%	51-60%	61-80%					
20010097	ORANGE GROVE, CITY OF	4	4				\$ 197,376	257	N	\$ 197,376	4
20010106	ALICE, CITY OF	10	10				\$ 493,440	256	N	\$ 493,440	10
20010096	AGUA DULCE, CITY OF	4	4				\$ 220,000	246	N	\$ 220,000	4
20010103	JIM WELLS, COUNTY OF	8	8				\$ 394,752	246	N	\$ 394,752	8
20010105	DRISCOLL, CITY OF	4	4				\$ 220,000	241	N	\$ 220,000	4
20010162	ROBSTOWN, CITY OF	10	10				\$ 250,000	223	N	\$ 250,000	10
20010108	BISHOP, CITY OF	5	5				\$ 275,000	223	N	\$ 275,000	5
20010041	MATHIS, CITY OF	9	9				\$ 495,000	223	N	\$ 495,000	9
20010136	CDC OF BROWNSVILLE	16	10	3	3		\$ 250,000	208	N	\$ 85,289	5
20010102	NUECES COUNTY CAA	11	8	2	1		\$ 499,521	196	N		
20010168	CRYSTAL CITY, CITY OF	12	12				\$ 304,262	192	N		
20010186	COM SERV AGENCY OF SO TX, INC	8					\$ 440,000	172	N		
20010128	WEBB, COUNTY OF	13	10		3		\$ 480,000	163	N		
20010209	HA OF THE CITY OF DEL RIO	115	60	20	20	15	\$ 500,000	148	N		
20010216	COMM. COUNCIL OF SW TX. INC.25						\$ 280,000	147	N		
20010127	JIM HOGG, COUNTY OF	33		33			\$ 500,000	117	N		
16	Total Applicants	287	162	58	27	15	\$ 5,799,351			\$ 2,630,857	59

17.92% Percent available according to RAF

Amount available: \$ 1,880,381
 Amount from TBRA: \$ 750,476
 Total Recommended for Region: \$ 2,630,857

REGION 9:

Application Number	Applicant Name	Units Requested	AMFI targeted				Project \$'s Requested	Score	PJ	Project \$'s Recommended	Units Rec.
			30%	31-50%	51-60%	61-80%					
20010039	LAMESA, CITY OF	5	5				\$ 250,000	260	N	\$ 250,000	5
20010112	COAHOMA, CITY OF	9	9				\$ 495,000	249	N	\$ 495,000	9
20010122	MIDLAND, CITY OF	10	4		6		\$ 250,000	239	N	\$ 148,730	6
20010037	JUNCTION, CITY OF	5	5				\$ 250,000	201	N		
20010031	BIG LAKE, CITY OF	5	5				\$ 250,000	200	N		
5	Total Applicants	34	28	0	6	0	\$ 1,495,000			\$ 893,730	20

4.63% Percent available according to RAF

Amount available: \$ 486,102
 Amount from HBA: \$ 164,577
 Amount from TBRA: \$ 243,051
 Total Recommended for Region: \$ 893,730

REGION 10:

Application Number	Applicant Name	Units Requested	AMFI targeted				Project \$'s Requested	Score	PJ	Project \$'s Recommended	Units Rec.
			30%	31-50%	51-60%	61-80%					
20010110	BREWSTER, COUNTY OF	6	6				\$ 330,000	255	N	\$ 330,000	6
20010047	CULBERSON, COUNTY OF	6	6				\$ 330,000	229	N	\$ 138,539	3
20010228	ORGANIZACION PROGRESIVA	8	4	4			\$ 339,910	198	N		
3	Total Applicants	20	16	4	0	0	\$ 999,910			\$ 468,539	9

2.98% Percent available according to RAF

Amount available: \$ 312,360
 Amount from TBRA: \$ 156,180
 Total Recommended for Region: \$ 468,539

**2001 HOME Program
Tenant Based Rental Assistance Recommendations**

Subject to Regional Allocation Formula

Total Amount available in Set-Aside: **\$5,246,680**

Applicants below the bold line did not meet the threshold score requirement.

REGION 1:

Application Number	Applicant Name	Units Requested	AMFI targeted				Project \$'s Requested	Score	PJ	Project \$'s Recommended	Units Rec.
			30%	31-50%	51-60%	61-80%					
0	Total Applicant	0	0	0	0	0	0	0	0	0	0

4.01% Percent available according to RAF

Amount available: \$ 210,442

Moved to OCC: \$ 210,442

Total Recommended for Region: \$ -

REGION 2:

Application Number	Applicant Name	Units Requested	AMFI targeted				Project \$'s Requested	Score	PJ	Project \$'s Recommended	Units Rec.
			30%	31-50%	51-60%	61-80%					
0	Total Applicants	0	0	0	0	0	0	0	0	0	0

4.02% Percent available according to RAF

Amount available: \$ 211,160

Moved to OCC: \$ 211,160

Total Recommended for Region: \$ -

REGION 3:

Application Number	Applicant Name	Units Requested	AMFI targeted				Project \$'s Requested	Score	PJ	Project \$'s Recommended	Units Rec.
			30%	31-50%	51-60%	61-80%					
20010123	COLLIN COUNTY MHMR	59	59				209	N	\$ 500,000	34	
1	Total Applicants	59	59	0	0	0	0	0	\$ 500,000	34	

13.22% Percent available according to RAF

Amount available: \$ 693,784

Moved to OCC: \$ 193,784

Total Recommended for Region: \$ 500,000

REGION 4:

Application Number	Applicant Name	Units Requested	AMFI targeted				Project \$'s Requested	Score	PJ	Project \$'s Recommended	Units Rec.
			30%	31-50%	51-60%	61-80%					
0	Total Applicants	0	0	0	0	0	0	0	\$ -	-	

12.10% Percent available according to RAF

Amount available: \$ 634,972

Moved to OCC: \$ 634,972

Total Recommended for Region: \$ -

REGION 5:

Application	Units	AMFI targeted				Project \$'s			Project \$'s	Units
0 Total Applicants	0	0	0	0	0	\$ -			\$ -	0

8.52% Percent available according to RAF

Amount available: \$ 446,958

Moved to OCC: \$ 446,958

Total Recommended for Region: \$ -**REGION 6:**

Application	Units	AMFI targeted				Project \$'s			Project \$'s	Units	
Number	Applicant Name	Requested	30%	31-50%	51-60%	61-80%	Requested	Score	PJ	Recommended	Rec.
0 Total Applicants		0	0	0	0	0	\$ -			\$ -	-

9.70% Percent available according to RAF

Amount available: \$ 509,130

Moved to OCC: \$ 509,130

Total Recommended for Region: \$ -**REGION 7:**

Application	Units	AMFI targeted				Project \$'s			Project \$'s	Units	
Number	Applicant Name	Requested	30%	31-50%	51-60%	61-80%	Requested	Score	PJ	Recommended	Rec.
20010124	TEMPLE HOUSING AUTHORITY	19		19			\$ 246,810	253	N	\$ 246,810	19
20010175	BLUEBONNET TRAILS COM. MHMR	55	55				\$ 500,000	245	N	\$ 500,000	55
20010117	TWIN CITY MISSION	45	35	10			\$ 335,700	218	N	\$ -	0
20010187	WILLIAMSON-BURNET CO OPP, INC	20	10		10		\$ 120,000	163	N	\$ -	0
4 Total Applicants		139	100	29	10	0	\$ 1,202,510			\$ 746,810	74

14.34% Percent available according to RAF

Amount available: \$ 752,191

Amount to Special Needs Set Aside: \$ 5,381

Total Recommended for Region: \$ 746,810**REGION 8A:**

Application	Units	AMFI targeted				Project \$'s			Project \$'s	Units	
Number	Applicant Name	Requested	30%	31-50%	51-60%	61-80%	Requested	Score	PJ	Recommended	Rec.
20010174*	BLUEBONNET TRAILS COM. MHMR	33	33				\$ 297,000	257	N	\$ -	-
20010064	COMAL COUNTY HOUSING AUTHORITY	30					\$ 295,920	194	N	\$ 295,920	30
2 Total Applicants		63	63	0	0	0	\$ 592,920			\$ 295,920	30

8.55% Percent available according to RAF

Amount available: \$ 448,621

Moved to OCC: \$ 152,701

Total Recommended for Region: \$ 295,920

REGION 8B:

Application Number	Applicant Name	Units Requested	AMFI targeted				Project \$'s Requested	Score	PJ	Project \$'s Recommended	Units Rec.
			30%	31-50%	51-60%	61-80%					
0	Total Applicants	0	0	0	0	0	\$ -			\$ -	-

17.92% Percent available according to RAF

Amount available: \$ 940,191

Amount to OCC: \$ 750,476

Amount to HBA: \$ 189,714

Total Recommended for Region: \$ -**REGION 9:**

Application Number	Applicant Name	Units Requested	AMFI targeted				Project \$'s Requested	Score	PJ	Project \$'s Recommended	Units Rec.
			30%	31-50%	51-60%	61-80%					
0	Total Applicants	0	0	0	0	0	\$ -			\$ -	-

4.63% Percent available according to RAF

Amount available: \$ 243,051

Moved to OCC: \$ 243,051

Total Recommended for Region: \$ -**REGION 10:**

Application Number	Applicant Name	Units Requested	AMFI targeted				Project \$'s Requested	Score	PJ	Project \$'s Recommended	Units Rec.
			30%	31-50%	51-60%	61-80%					
0	Total Applicants	0	0	0	0	0	\$ -			\$ -	-

2.98% Percent available according to RAF

Amount available: \$ 156,180

Moved to OCC: \$ 156,180

Total Recommended for Region: \$ -

*Applicant received a recommendation for award in Region 7 for \$500,000. \$500,000 award limitation per applicant per activity in accordance with 10 TAC 53.53 (1).

AGENDA ITEM NO. 3(G)

2001 HOME Disqualified Applications Analysis and Recommendation

In light of the recent public comment regarding the 2001 HOME Program applications, which were disqualified, the HOME Program Management team would like to provide the Board with an overview of the disqualification process that was conducted during the 2001 HOME Funding Cycle.

Minimum thresholds were established to ensure the Program would be in compliance with Texas Administrative Code and State HOME rules by properly documenting the application files and providing the most objective score process to all applicants so that they would be treated fairly and objectively on a consistent basis. These minimum thresholds assisted in the determination of the administrative capacity of an applicant when applying for federal funds that are complex in nature and require a high level of responsibility during expenditure. The requirements were explained to all attendees during the application workshops that were held throughout the State. Attached is Exhibit 1, the Qualifying Threshold Requirements page of the 2001 HOME Application.

June 4, 2001 was the deadline for Demonstration Fund Rental Applications and June 11, 2001 was the deadline for all remaining applications. The HOME Program received a total of 244 applications and 47 were originally disqualified for not meeting minimum threshold requirements or applications that were received after the application submission deadline. HOME staff conducted a comprehensive threshold check for all requirements. In addition, HOME management conducted a Department-wide check for all applicants to ensure demonstrated fiscal, programmatic, and contractual compliance on previously awarded Department contracts or loan agreements and resolution of any previous audit findings and outstanding monetary obligation with the Department per 10 TAC Section 53.52 (c) (2) and (3). After conducting this final Department-wide check, 14 additional applications were disqualified. Attached is Exhibit 2, explanations of disqualifications, and Exhibit 3, a list of all disqualified applicants.

Due to the many comments received from the disqualified applicants, HOME Program management met with Executive management and Legal counsel and it was determined that a total of 21 applications out of 47 originally disqualified would be eligible for scoring in the 2001 cycle if application deficiencies were corrected. This decision was based on the reason for disqualification and what category it fell in. There were two categories of threshold requirements identified in the application. Part One stated, "if any of the following documents are not included in the application package, the Department may disqualify the applicant from applying for HOME funds". This included but was not limited to resolutions and complete application forms. The second part stated, "if any of the following are not satisfied, the applicant is automatically disqualified". This included past due audits, loan delinquencies, and minimum expenditure rate on HOME open contracts.

Recommendation:

- *Since the required Audit Certification Forms were not specifically outlined in the application guidelines, it is the recommendation of TDHCA Management that the disqualified applicants listed below, which had delinquent Audit Certification Forms with the Department, be allowed to submit those forms within 14 calendar days from the date of Board Approval for this recommendation. Should the forms disclose that the applicant was subject to a Single Audit, and should it be past due as of the application deadline or as of the date of recommendations, the applicant will not be eligible for scoring and will remain disqualified.*
 - ***Life Rebuilders, Inc. (Application #20010071 and #20010072)***
 - ***Foundation for Housing Resources (Application #20010212)***
 - ***City of Columbus (Application #20010014)***
 - ***City of La Coste (Application #20010101)***
 - ***City of China (Application #20010113)***
 - ***Angelica Homes Corp. (Application #20010150)***
 - ***City of Bartlett (Application #20010222 and #20010223)***
 - ***City of Broaddus (Application #20010017)***
 - ***EAC of the Gulf Coast (Application #20010139 and #20010140)***
 - ***City of Merkel (Application #20010144)***
 - ***City of Nash (Application #20010114 and #20010115)***
 - ***City of Plainview (Application #20010081)***
 - ***Statewide Consolidated CDC (Application #20010245)***
 - ***Willacy County (Application #20010235)***
- *Should the Board accept these recommendations, eligible applications will be scored and a final analysis will be conducted by HOME management to determine if the application would have received a recommendation for funding in the 2001 Funding Cycle based on the Regional Allocation Formula, activity set-aside and score. Applicants that receive a recommendation for funding will be awarded from the HOME Program's deobligated funds, with the exception of CHDO applicants, which will be funded out of the CHDO Set Aside.*
- *Furthermore, HOME staff is recommending all other disqualifications be upheld.*

Qualifying Threshold Requirements

Applicants must meet minimum requirements established in Texas Administrative Code Title 10, Chapter 53 (HOME Investment Partnership Program) to be considered for funding.

If any of the following documents is not included in the application package, the Department may disqualify the applicant from applying for HOME funding:

- The Certification and Application for Assistance Form is missing, incomplete or unsigned by the Applicant.
- Applicant disclosures identified in the Certification and Application for Assistance Form is missing or incomplete.
- Resolution from the applicant's direct governing body dated within six months of application submission deadline authorizing an application for HOME funds.

- Evidence of the applicant's ability to carry out the program in the areas of financing, acquiring, rehabilitating, reconstructing, developing, and/or managing affordable housing.
- All close out documents (Project Completion Reports, Certificate of Contract Completion, and HUB reports) for any prior expired HOME contract that has not been programmatically closed out (documented by a close out letter from the Department). The applicant must submit either the documents or a copy of the letter.
- Documentation of program income received by the applicant on any past HOME Contract.

If any of the following are not satisfied, the applicant is automatically disqualified:

- Applicant is not eligible to apply for funds unless any past due audit has been submitted to the Department in a satisfactory format on or before the application deadline for the funds according to 10 TAC Section 1.3 (b).
- Applicant is more than 90 days delinquent in repayment of any loan agreement with the Department as of the application submission deadline.
- Applicant has defaulted on a prior loan agreement with the Department which resulted in foreclosure.
- HOME Program expenditure performance requirements for any one individual open contract are not met as follows:
 - For previous Homebuyer Assistance and Owner Occupied Housing Assistance Contracts, 30% expended by June 11, 2001.
 - For previous Tenant Based Rental Assistance Contracts, 50% expended by June 11, 2001.
 - For 2000 HOME Tenant Based Rental Assistance Administrator, 100% committed by April 10, 2001.
 - Rental Housing Development Assistance (Demonstration Fund and CHDO only) applicants are not eligible to apply if any previous HOME loan has not closed by April 16, 2001.

Expenditure performance applies to the applicant for any open contract, regardless of activity applied for.

Expenditure rates will be determined by utilizing draw requests that have been accepted by the Department as of June 11, 2001. Please note, draw requests submitted by Administrators may not be approved until after the deadline, but will be allowed in the expenditure rate calculation if the draw request is approved after the deadline.

***Note:** Staff recommendations for funds will not be presented to the TDHCA Governing Board for applicants unless all unresolved audit findings, questioned or disallowed costs are resolved per 10 TAC Section 1.3(c). Furthermore, HOME staff will perform a Department-wide check for all applicants to ensure demonstrated fiscal, programmatic, and contractual compliance on previously awarded Department contracts or loan agreements and resolution of any previous audit findings and outstanding monetary obligation with the Department per 10 TAC Section 53.52 (c)(2) and (3). Any applicant with outstanding violations of the threshold requirements will not be presented to the TDHCA Governing Board for an award recommendation.*

- **Applications Received After the Deadline:**

- *Application Stated:* “Applications must be received by 5:00 pm on June 11, 2001. Mailed applications must be postmarked no later than June 11, 2001 and received at the HOME Program office within three (3) calendar days of the June 11, 2001 deadline.”

The HOME Program received the following applications on 6/15/01. However, the applications were postmarked 6/11/01 and therefore, the appeal was granted based on Executive management and Legal counsel review. The applications were accepted for scoring:

- **Lifetime Independence for Everyone (Application #20010241)**
- **City of Rio Hondo (Application #20010243)**
- **City of Pharr (Application #20010242)**
- **City of San Benito (Application #20010244)**
- **Statewide Consolidated CDC (Application #20010245)**

The HOME Program received the following application after the application submission deadline and it was postmarked 6/12/01. The application remained disqualified:

- **Tatum Apartments, Ltd.**

- *Applications with Invalid or Missing Resolutions*

- *Application Stated:* “The Department requires that all applications submitted must include a resolution dated within six (6) months from the application submission deadline. The resolution must be from the applicant’s direct governing body authorizing the submission of the application.”

Even though resolutions are very important to the application documentation process, they are not specifically required in the State HOME rules. Furthermore, the application guidelines indicated the applicant “may” be disqualified from applying if certain documentation was not included. Therefore, it was determined that applicants should have the ability to make corrections to documents submitted in the application if the corrections do not affect the competitive rating or ranking of the applicants or improve the substantive quality of the applications. HOME staff allowed applicants to submit a valid resolution authorizing the application for HOME funds, signed by the appropriate officer, within a 10-day deficiency period. The following applications were accepted for scoring since valid resolutions were provided during the time period allowed:

- **City of Miles (Application #20010145)**
- **CDC of Brownsville (Application #20010136 and #20010137)**
- **CDC of Greater Brownsville (Application #20010152)**
- **Allied Mortgage Capital Corp. (Application #20010153)**
- **C.H.A.M.P. (Application #20010190)**
- **Hunt County MHMR (Application #20010194)**

There were four other applications, which were not originally disqualified, but had incomplete or invalid resolutions. This was discovered during the scoring process. These applicants were also allowed to submit a valid resolution within a 10-day deficiency period, otherwise they would be disqualified. All four applications were accepted for scoring since valid resolutions were provided during the time period allowed:

- **Harris County Hospital District (Application #20010196)**
- **Life Management Center for MHMR (Application #20010199)**
- **Lubbock Regional MHMR Center (Application #20010214)**
- **Temple Housing Authority (Application #20010124 and #20010125)**

- *Applications with Certification or Application of Assistance Forms Incomplete or Missing*

- *Applicant Stated: "It is the applicant's responsibility to submit a clear, complete, and accurate application and to apply on or before the final deadline. In addition, the Department may, in its sole discretion, request clarification of information provided that such information does not affect the competitive rating and ranking of the application or improve the substantive quality of the application. No information, whether written or oral, will be accepted if the provision of such information would result in a competitive advantage to the applicant or a competitive disadvantage to other applicants."*

The following applicants either submitted an application form with incomplete blanks or disclosures, or indicated in their appeal that they had checked a box in error. Complete applications are required per State HOME rules and the application guidelines indicated the applicant "may" be disqualified from applying if certain documentation were not included. However, it was determined that applicants should have the ability to make corrections to documents submitted in the application since the corrections did not affect the competitive rating or ranking of the applicants or improve the substantive quality of the applications. HOME staff allowed applicants to submit complete application forms within a 10-day deficiency period. The following applications were accepted for scoring since the required information was provided or clarified within the time period allowed:

- **City of Farmersville (Application #20010066)**
- **City of Bowie (Application #20010067 and #20010070)**
- **City of Robstown (Application #20010162)**
- **City of Merkel (Application #20010144)**

The following two applications were not accepted since two pages were missing from the application form (Alternative Building Concepts), or the application was not signed (City of Encinal). It should be noted that City of Encinal also submitted a second application by the deadline, which was signed, and it was accepted. The following applications remained disqualified:

- **Alternative Building Concepts (Application #20010192)**
- **City of Encinal (Application #20010177)**

- *Applicants with Loan Delinquencies at the Department*

- *Application Stated:* “Applicant is not eligible to apply for funds if the applicant is more than 90 days delinquent in repayment of any loan agreement with the Department. Furthermore, applicant is not eligible if they have defaulted on a prior loan agreement, which resulted in foreclosure.”

State HOME rules indicate that threshold requirements must be satisfied in order for an applicant to be eligible to apply for HOME funds. Applicants must demonstrate fiscal, programmatic, and contractual compliance on previously awarded Department contracts or loan agreements; furthermore, they must resolve any previous audit findings and outstanding monetary obligations with the Department. They must also demonstrate reasonable HOME Program expenditure and project performance on open contract(s), as determined through program monitoring. It was determined that applicants with loan delinquencies that were past 90 days as of the application deadline would remain disqualified.

The following applications remained disqualified:

- **People for Progress, Inc. (Application #20010163, #20010164, #20010178)**
 - **Brazos Valley Affordable Housing (Application #20010213)**
 - **Pineywoods Home Team (Application #20010020)**
- *Applications Not Meeting Minimum Expenditure Rate with HOME Program Open Contracts*

- *Application Stated:* “Applicant is not eligible to apply for funds if the applicant has not met the expenditure performance requirements for any one individual open contract. (Example: for HBA and OO the minimum requirements were 30% expended by June 11, 2001; for TBRA must be 50% expended by June 11, 2001.)”

The following two applications were allowed since HOME management was able to verify that eligible draws were submitted to the Department in advance of the application deadline, which once processed, established a 30% expenditure rate for the current open HOME contract:

- **City of Gilmer (Application #20010026 and #20010029)**

It was determined that applicants that did not meet the minimum expenditure rate requirements would remain disqualified. The following applications remained disqualified:

- **City of Huntsville (Application #20010073)**
- **City of Paris (Application #20010084)**
- **City of Mount Pleasant (Application #20010129)**
- **Travis County HFC (Application #20010154)**
- **Combined Community Action, Inc. (Application #20010155)**
- **City of Socorro (Application #20010200)**
- **Community Resource Group, Inc. (Application #20010065)**

- *Applicants Ineligible:*

Three applicants submitted applications that were not eligible for the following reasons and remained disqualified:

- **City of Mission (Application #20010226 and #20010227)**
During the final compliance and eligibility verifications by the HOME staff, it was determined that the City of Mission would not be eligible to apply for HOME funds due to an Opinion of Counsel issued by the TDHCA Legal Division with regard to the Conflict of Interest rules that the TDHCA Board of Directors must follow. Mr. Norberto Salinas, who is a current member of the TDHCA Governing Board, serves as Mayor for the City of Mission, therefore the applicant is not eligible to receive funding from the Department.
- **Somerville Place, Ltd. (Application #20010074)**
The applicant applied under the HOME Demonstration Fund, which is reserved for funding eligible applicants proposing projects for the preservation of existing affordable housing or subsidized rental housing. The applicant applied for the new construction of rental housing development, which is only an eligible activity under the CHDO Set-Aside. Somerville Place Ltd. is not a state certified CHDO and was therefore, disqualified.
- **Grand Central Texas Development Corporation (Application #20010165)**
Applicant applied under the Homebuyer Assistance activity but completed a Rental Housing Development application. Since the application lacked substantial information, it could not be properly scored for the requested activity and was therefore, disqualified.

- *Applicants with Past Due Audit Reports:*

- *Application Stated: "Applicant is not eligible to apply for funds unless any past due audit has been submitted to the Department in a satisfactory format on or before the application deadline."*

It was determined that an Audit Certification Form that was delinquent was considered to be a past due audit report required by the Department. Compliance cannot verify whether a Single Audit is due if the administrator does not properly disclose the amount of federal funds expended during a given year in order to be in compliance with HUD.

Per 10 Texas Administrative Code Section 1.3:

(4) Past due audit--An audit report required by the department that has not been received by the department on or before its due date.

- (b) *A person is not eligible to apply for funds or any other assistance from the department unless any past due audit has been submitted to the department in a satisfactory format on or before the application deadline for the funds or other assistance.*

(c) *Except as provided in this subsection, a person is not eligible to receive funds, a new contract, loan, or allocation of low-income housing tax credits from the department until any*

unresolved audit finding or questioned or disallowed cost is resolved. This section does not apply to the receipt of CSBG or energy assistance funds.

Article 18.1 of the HOME Program Contract states:

18.1. Unless otherwise directed by Department, Administrator shall arrange for the performance of an annual financial and compliance audit of funds received and performances rendered under this Contract, subject to the following conditions and limitations:

A. Administrator shall have an audit conducted in accordance with 24 C.F.R. part 92, 24 C.F.R. parts 44 and 45, and all OMB circulars referenced therein, and 31 U.S.C. 7501 for any of its fiscal years included within the Contract Period specified in Article 1 of this Contract in which Administrator receives more than \$300,000 in federal financial assistance provided by a federal agency in the form of grants, contracts, loans, loan guarantees, property, cooperative agreements, interest subsidies, insurance or direct appropriations, but does not include direct federal cash assistance to individuals. The term federal financial assistance includes awards of financial assistance received directly from federal agencies, or indirectly through other units of State and local government.

Compliance Procedures:

For every fiscal year a contract is open, the TDHCA Compliance Division requires the administrator to submit an Audit Certification Form indicating whether or not they are subject to a Single Audit. Compliance notifies administrators of this requirement during the annual Implementation workshops, and in the form of letters, which are sent to administrators up to three times a year requesting the Audit Certification Forms. These letters also state that not complying with the requirement may affect future funding from the Department.

Compliance tracks all administrators on a list for required audits. If an administrator has not submitted the required Audit Certification Form within 90 days (which changed to 60 days effective 9/1/01) from the end of their fiscal year, then they are shown as “delinquent” on the compliance tracking list. Compliance cannot determine whether a Single Audit will be required of an administrator until such time as the Audit Certification Form is received.

The following two applications were accepted for scoring since their past due Single Audit was included in their HOME application. This was brought to the attention of HOME staff and the Single Audit was submitted to the Compliance Division and subsequently accepted. It should also be noted that this applicant submitted an incomplete application form, but was allowed the 10-day grace period for deficiency corrections as described earlier. The following applications were accepted for scoring:

- ***Housing Authority of the City of Del Rio (Application #20010209 and #200102100)***

The following applications were originally disqualified for a delinquent Single Audit:

- ***CAC of South Texas (Application #20010237, #20010238, #20010239)***
- ***Catholic Family Services, Inc. (Application #20010083)***

In addition to the initial threshold checks, and in accordance with 10 TAC Section 53.52 (c) (2) and (3), HOME management performed the final Department-wide check of all applicants being recommended for funding to ensure demonstrated fiscal, programmatic, and contractual compliance on previously awarded Department contracts or loan agreements and resolution of any previous audit findings and outstanding monetary obligations with the Department. During this process, there were 18 applications, which were either originally disqualified or later disqualified upon final checks. These had not submitted their Audit Certification Forms to the TDHCA Compliance Division as of the 6/11/01 application deadline or became delinquent since the application deadline. The following applications are being recommended for scoring as explained in the recommendation to the Board:

- ***Life Rebuilders, Inc. (Application #20010071 and #20010072)***
- ***Foundation for Housing Resources (Application #20010212)***
- ***City of Columbus (Application #20010014)***
- ***City of La Coste (Application #20010101)***
- ***City of China (Application #20010113)***
- ***Angelica Homes Corp. (Application #20010150)***
- ***City of Bartlett (Application #20010222 and #20010223)***
- ***City of Broaddus (Application #20010017)***
- ***EAC of the Gulf Coast (Application #20010139 and #20010140)***
- ***City of Merkel (Application #20010144)***
- ***City of Nash (Application #20010114 and #20010115)***
- ***City of Plainview (Application #20010081)***
- ***Statewide Consolidated CDC (Application #20010245)***
- ***Willacy County (Application #20010235)***

The following applicants were accepted in the score round after originally being disqualified, but were allowed to

Appl. No.	Appl. Accepted	Originally Disqualified	Applicant Name	Activity	Score	Region	Project Req.	Specific
20010153	Yes	Yes	ALLIED MORTGAGE CAPITAL CORP.	HBA	133	03	\$495,000	Invalid
20010067	Yes	Yes	BOWIE, CITY OF	OCC	228 Recom.	02	\$350,000	Cert/Di
20010070	Yes	Yes	BOWIE, CITY OF	OCC	245	02	\$210,442	Cert/Di
20010190	Yes	Yes	C.H.A.M.P.	TBA	112	06	\$382,775	Invalid
20010136	Yes	Yes	CDC OF BROWNSVILLE	OCC	208 Recom.	8B	\$250,000	Invalid
20010137	Yes	Yes	CDC OF BROWNSVILLE	HBA	233 Recom.	8B	\$400,000	Invalid
20010152	Yes	Yes	CDC OF GREATER BROWNSVILLE	HBA	238 Recom.	8B	\$300,000	Invalid
20010066	Yes	Yes	FARMERSVILLE, CITY OF	OCC	245 Recom.	03	\$200,000	Cert/Di
20010026	Yes	Yes	GILMER, CITY OF	OCC	211	04	\$300,000	Expend
20010029	Yes	Yes	GILMER, CITY OF	OCC	219	04	\$300,000	Expend
20010210	Yes	Yes	HA OF THE CITY OF DEL RIO	HBA	180 Recom.	8B	\$500,000	Single
20010209	Yes	Yes	HA OF THE CITY OF DEL RIO	OCC	148	8B	\$500,000	Single
20010196	Yes	Yes	HARRIS COUNTY HOSPITAL DIST.	TBA	106	06	\$373,800	Invalid
20010194	Yes	Yes	HUNT COUNTY MHMR	TBA	171	03	\$491,088	Invalid
20010199	Yes	Yes	LIFE MANAGEMENT CTR. FOR MHMR	TBA	174	10	\$405,000	Invalid
20010241	Yes	Yes	LIFETIME INDEPENDENCE FOR EVERYONE	TBA	146	01	\$230,820	Postma
20010214	Yes	Yes	LUBBOCK REGIONAL MHMR CENTER	TBA	220 Recom.	01	\$480,769	Invalid
20010145	Yes	Yes	MILES, CITY OF	OCC	250	02	\$220,000	Invalid
20010242	Yes	Yes	PHARR, CITY OF	HBA	185 Recom.	8B	\$200,000	Postma
20010243	Yes	Yes	RIO HONDO, CITY OF	HBA	204 Recom.	8B	\$300,000	Postma
20010162	Yes	Yes	ROBSTOWN, CITY OF	OCC	223 Recom.	8B	\$250,000	Cert/Di
20010244	Yes	Yes	SAN BENITO, CITY OF	HBA	188 Recom.	8B	\$300,000	Postma
20010125	Yes	Yes	TEMPLE HOUSING AUTHORITY	HBA	247 Recom.	07	\$262,500	Invalid
20010124	Yes	Yes	TEMPLE HOUSING AUTHORITY	TBA	253 Recom.	07	\$246,810	Invalid

Total of 24 Applications

Recommending the following applications remain disqualified:

Appl. No.	Appl. Accepted	Currently Disqualified	Applicant Name	Activity	Score	Region	Project Req.	Specific
20010192	No	Disqualified	ALTERNATIVE BUILDING CONCEPTS	TBA	N/A	N/A	\$475,560	Applica
20010213	No	Disqualified	BRAZOS VALLEY AFFORDABLE HSG.	HBA	N/A	07	\$500,000	90 days
20010237	No	Disqualified	CAC OF SOUTH TEXAS	HBA	N/A	8B	\$100,000	Delinqu
20010238	No	Disqualified	CAC OF SOUTH TEXAS	OCC	N/A	8B	\$200,000	Delinqu
20010239	No	Disqualified	CAC OF SOUTH TEXAS	TBA	N/A	8B	\$144,000	Delinqu
20010083	No	Disqualified	CATHOLIC FAMILY SERVICE, INC.	HBA	N/A	01	\$75,000	Delinqu
20010155	No	Disqualified	COMBINED COMMUNITY ACTION, INC	RHD	N/A	07	\$589,993	Expend
20010065	No	Disqualified	COMMUNITY RESOURCE GROUP INC.	OCC	N/A	8B	\$500,000	Expend
20010177	No	Disqualified	ENCINAL, CITY OF	OCC	N/A	8B	\$500,000	Applica
20010165	No	Disqual. At Scoring	GRAND CENTRAL TX DEV. CORP.	HBA	N/A	8A	\$795,000	Ineligib
20010073	No	Disqualified	HUNTSVILLE, CITY OF	OCC	N/A	06	\$495,000	Expend
20010227	No	Disqual. at Final Ck.	MISSION, CITY OF	HBA	136	8B	\$250,000	Ineligib
20010226	No	Disqual. at Final Ck.	MISSION, CITY OF	OCC	153	8B	\$300,000	Ineligib
20010129	No	Disqualified	MOUNT PLEASANT, CITY OF	HBA	N/A	04	\$150,000	Expend
20010084	No	Disqualified	PARIS, CITY OF	HBA	N/A	04	\$1,875,007	Expend
20010163	No	Disqualified	PEOPLE FOR PROGRESS, INC.	OCC	N/A	02	\$480,565	90 days
20010164	No	Disqualified	PEOPLE FOR PROGRESS, INC.	TBA	N/A	02	\$225,000	90 days
20010178	No	Disqualified	PEOPLE FOR PROGRESS, INC.	RHD	N/A	02	\$969,494	90 days
20010020	No	Disqualified	PINEYWOODS HOME TEAM	HBA	N/A	04	\$500,000	90 days
20010200	No	Disqualified	SOCORRO, CITY OF	OCC	N/A	10	\$130,000	Expend
20010074	No	Disqualified	SOMERVILLE PLACE, LTD.	RHD	N/A	07	\$483,000	Ineligib
20010225	No	Disqualified	TATUM APARTMENTS, LTD.	RHD	N/A	04	\$200,000	Postma
20010154	No	Disqualified	TRAVIS COUNTY HFC	HBA	N/A	07	\$128,000	Expend

Total of 23 Applications

Recommending the following applications be eligible for scoring if they submit their Audit Cert. Form and if the

Appl. No.	Appl. Accepted	Currently Disqualified	Applicant Name	Activity	Score	Region	Project Req.	Specific
20010150	Recom.	Disqual. at Final Ck.		RHD	187	03	\$999,950	Delinqu
20010223	Recom.	Disqual. at Final Ck.	BARTLETT, CITY OF	HBA	199	07	\$100,000	Delinqu
20010222	Recom.	Disqual. at Final Ck.	BARTLETT, CITY OF	OCC	198	07	\$320,000	Delinqu
20010017	Recom.	Disqual. at Final Ck.	BROADDUS, CITY OF	OCC	182	05	\$300,000	Delinqu
20010113	Recom.	Disqualified	CHINA, CITY OF	OCC	N/A	05	\$495,000	Delinqu
20010014	Recom.	Disqualified	COLUMBUS, CITY OF	OCC	N/A	06	\$300,000	Delinqu
20010139	Recom.	Disqual. at Final Ck.	EAC OF THE GULF COAST, INC.	OCC	248	06	\$495,000	Delinqu
20010140	Recom.	Disqual. at Final Ck.	EAC OF THE GULF COAST, INC.	OCC	258	06	\$495,000	Delinqu
20010212	Recom.	Disqualified	FOUNDATION FOR HSG. RESOURCES	HBA	N/A	03	\$495,000	Delinqu
20010101	Recom.	Disqualified	LA COSTE, CITY OF	OCC	N/A	8A	\$246,720	Delinqu
20010071	Recom.	Disqualified	LIFE REBUILDERS, INC.	RHD	N/A	03	\$1,000,000	Delinqu
20010072	Recom.	Disqualified	LIFE REBUILDERS, INC.	RHD	N/A	03	\$1,000,000	Delinqu
20010144	Recom.	Disqual. at Final Ck.	MERKEL, CITY OF	OCC	242	02	\$220,000	Delinqu
20010115	Recom.	Disqual. at Final Ck.	NASH, CITY OF	HBA	181	04	\$150,000	Delinqu
20010114	Recom.	Disqual. at Final Ck.	NASH, CITY OF	OCC	226	04	\$500,000	Delinqu
20010081	Recom.	Disqual. at Final Ck.	PLAINVIEW, CITY OF	OCC	190	01	\$125,000	Delinqu
20010245	Recom.	Disqual. at Final Ck.	STATEWIDE CONSOLIDATED CDC	RHD	214	5	\$636,841	Delinqu
20010235	Recom.	Disqual. at Final Ck.	WILLACY COUNTY	HBA	201	8B	\$300,000	Delinqu

Total of 18 Applications

FINANCE ITEMS

TEXAS DEPARTMENT OF HOUSING AND COMMUNITY AFFAIRS

BOARD OF DIRECTOR'S MEETING

OCTOBER 17, 2001

PRESENTATION, DISCUSSION AND POSSIBLE APPROVAL OF EXTENSION OF CERTIFICATE PURCHASE PERIODS FOR PROGRAMS 55A

The Certificate Purchase Period related to the Department's Residential Mortgage Revenue Bond Series 2000 A (Program 55A) will end on December 28, 2001. The balance in the acquisition funds is approximately \$5.9 million for Program 55A. Unused proceeds calls must be made if the purchase period is not extended.

Staff believes that with an extended purchase period, all funds will be converted into mortgage loans.

RECOMMENDATION

The Board approve the attached Resolution extending the certificate purchase period for Program 55A until December 28, 2002.

RESOLUTION NO. 01-40

RESOLUTION AUTHORIZING THE EXTENSION OF CERTIFICATE PURCHASE PERIOD FOR RESIDENTIAL MORTGAGE REVENUE REFUNDING BONDS, SERIES 2000A; AUTHORIZING ARRANGEMENTS RELATING TO AN INVESTMENT AGREEMENT; AUTHORIZING THE EXECUTION AND DELIVERY OF DOCUMENTS AND INSTRUMENTS RELATING THERETO; MAKING CERTAIN FINDINGS AND DETERMINATIONS IN CONNECTION THEREWITH; AND CONTAINING OTHER PROVISIONS RELATING TO THE SUBJECT

WHEREAS, the Texas Department of Housing and Community Affairs (the "Department") has been duly created and organized pursuant to and in accordance with the provisions of Chapter 2306, Texas Government Code (the "Act"), as amended from time to time for the purpose of providing a means of financing the costs of residential ownership, development and rehabilitation that will provide decent, safe, and sanitary housing for individuals and families of low income and very low income and families of moderate income (as described in the Act as determined by the Governing Board of the Department (the "Board") from time to time) at prices they can afford; and

WHEREAS, the Act authorizes the Department: (a) to make and acquire and finance, and to enter into advance commitments to make and acquire and finance, mortgage loans and participating interests therein, secured by mortgages on residential housing in the State of Texas (the "State"); (b) to issue its bonds, for the purpose, among others, of obtaining funds to acquire, finance or acquire participating interests in such mortgage loans, to establish necessary reserve funds and to pay administrative and other costs incurred in connection with the issuance of such bonds; and (c) to pledge all or any part of the revenues, receipts or resources of the Department, including the revenues and receipts to be received by the Department from such single family mortgage loans or participating interests, and to mortgage, pledge or grant security interests in such mortgages or participating interests, mortgage loans or other property of the Department, to secure the payment of the principal or redemption price of and interest on such bonds; and

WHEREAS, the Department has issued its Residential Mortgage Revenue Refunding Bonds, Series 2000A in the aggregate principal amount of \$50,000,000 (the "Series 2000A Bonds") pursuant to a Residential Mortgage Revenue Bond Trust Indenture dated November 1, 1987 between the Department, as successor to the Texas Housing Agency, and Bank One, Texas, N.A., as successor trustee (the "Trustee"), as supplemented by the Fifteenth Supplemental Residential Mortgage Revenue Bond Trust Indenture dated as of April 1, 2000 (the "Fifteenth Supplement") between the Department and the Trustee, for the purpose of refunding certain outstanding bonds of the Department, thereby making funds available to make and acquire qualified mortgage loans (including participating interests therein) during the Certificate Purchase Period (as defined in the Fifteenth Supplement); and

WHEREAS, the Certificate Purchase Period with respect to the Series 2000A Bonds ends on December 28, 2001, unless extended; and

WHEREAS, the investment agreement pursuant to which certain proceeds of the Series 2000A Bonds are invested during the Certificate Purchase Period expires with respect to such proceeds on February 1, 2002; and

WHEREAS, the Department desires to approve and authorize (i) the extension of the Certificate Purchase Period for the Series 2000A Bonds up to December 28, 2002 in accordance with the terms of the Fifteenth Supplement, (ii) arrangements to obtain a new investment agreement to provide for the investment of proceeds of the Series 2000A Bonds during the Certificate Purchase Period, as so extended, (iii) all actions to be taken with respect thereto, and (iv) the execution and delivery of all documents and instruments in connection therewith;

NOW THEREFORE BE IT RESOLVED BY THE GOVERNING BOARD OF THE TEXAS DEPARTMENT OF HOUSING AND COMMUNITY AFFAIRS THAT:

Section 1.1--Approval of Extension of the Certificate Purchase Period. The extension of the Certificate Purchase Period up to December 28, 2002, or the first business day thereafter, is hereby authorized, subject to advice of any financial advisor, bond counsel or other advisor to the Department, such extension to be effectuated under and in accordance with the Indenture and the Fifteenth Supplement, and the authorized representatives of the Department

named in this Resolution each are authorized hereby to execute and deliver all documents and instruments in connection therewith and to request and deliver all certificates as may be required by the terms of the Fifteenth Supplement in connection therewith.

Section 1.2--Investment Agreement and Investment Agreement Broker. The investment of funds held under the Fifteenth Supplement is hereby approved and the Executive Director and the Director of Bond Finance each are authorized hereby to complete arrangements for investment in an investment agreement, including, without limitation, selection of the investment agreement broker, if any.

Section 1.3--Authorization of Investment Agreement. The execution and delivery of an investment agreement is hereby authorized and approved and the authorized representatives of the Department named in this Resolution each are authorized hereby to execute and deliver such investment agreement and all documents and instruments in connection therewith.

Section 1.4--Execution and Delivery of Other Documents. The authorized representatives of the Department named in this Resolution each are authorized hereby to execute and deliver all agreements, certificates, contracts, documents, instruments, releases, financing statements, letters of instruction, notices, written requests and other papers, whether or not mentioned herein, as may be necessary or convenient to carry out or assist in carrying out the purposes of this Resolution.

Section 1.5--Authorized Representatives. The following persons are each hereby named as authorized representatives of the Department for purposes of executing and delivering the documents and instruments referred to in this Article I: the Chairman of the Board; the Vice Chairman of the Board; the Secretary of the Board; the Executive Director of the Department; and the Director of Bond Finance of the Department.

ARTICLE II

GENERAL PROVISIONS

Section 2.1--Purpose of Resolution. The Board has expressly determined and hereby confirms that the acquisition of mortgage loans or the purchase of Mortgage Certificates resulting from the extension of the Certificate Purchase Period will accomplish a valid public purpose of the Department by assisting individuals and families of low and very low income and families of moderate income in the State to obtain decent, safe and sanitary housing, thereby (a) helping to eliminate a shortage of such housing in rural and urban areas which contributes to the creation and persistence of substandard living conditions and is inimical to the health, welfare and prosperity of the residents and communities of the State; (b) increasing the supply of residential housing for persons and families displaced by public actions and natural disasters; and (c) assisting private enterprise in providing in sufficient quantities the construction or rehabilitation of such housing.

Section 2.2--Effective Date. That this Resolution shall be in full force and effect from and upon its adoption.

Section 2.3-- Notice of Meeting. Written notice of the date, hour and place of the meeting of the Board at which this Resolution was considered and of the subject of this Resolution was furnished to the Secretary of State and posted on the Internet for at least seven (7) days preceding the convening of such meeting; that during regular office hours a computer terminal located in a place convenient to the public in the office of the Secretary of State was provided such that the general public could view such posting; that such meeting was open to the public as required by law at all times during which this Resolution and the subject matter hereof was discussed, considered and formally acted upon, all as required by the Open Meetings Act, Chapter 551, Texas Government Code, as amended; and that written notice of the date, hour and place of the meeting of the Board and of the subject of this Resolution was published in the Texas Register at least seven (7) days preceding the convening of such meeting, as required by the Administrative Procedure and Texas Register Act, Chapters 2001 and 2002, Texas Government Code, as amended. Additionally, all of the materials in the possession of the Department relevant to the subject of this Resolution were sent to interested persons and organizations, posted on the Department's website, made available in hard-copy at the Department, and filed with the

Secretary of State for publication by reference in the Texas Register not later than seven (7) days before the meeting of the Board as required by Section 2306.032, Texas Government Code, as amended.

PASSED AND APPROVED this 17th day of October, 2001.

Chairman

ATTEST:

Secretary

(SEAL)

AGENDA ITEM NO. 4(B)

**TEXAS DEPARTMENT OF HOUSING & COMMUNITY AFFAIRS
ENGAGEMENT OF BOND AND BOND/SECURITIES DISCLOSURE COUNSEL**

ACTION ITEM

RECOMMENDATIONS:

Approval to engage Vinson & Elkins as Bond Counsel for the Department and McCall, Parkhurst & Horton as Bond/Securities Disclosure Counsel for the Department.

BACKGROUND:

The Attorney General's Office notified all state agencies in June of 2000 that it continued to be the policy of the Attorney General to require the issuance of a Request for Proposal (RFP) annually for selected outside counsel when it is anticipated that legal fees under a contract, including any subsequent renewals to the contract, will exceed \$20,000. An exception was made in the case for the preparation, subscription and issuance of bonds by outside counsel. The standard outside counsel contract prepared by the Attorney General was modified in 2000 to allow for an option for renewal for one twelve-month period and the election of that option did not require the publication of an RFP. The Attorney General of Texas provides all state agencies with a standardized form of outside counsel contract, which may not be renegotiated. In accordance with this requirement, a Request for Proposals was issued for both Bond Counsel and Bond/Securities Disclosure Counsel. It was published in the August 17, 2001 issue of the *Texas Register* (26 TexReg 6155-6156) and published in the Texas Marketplace-Electronic State Business Daily on August 8, 2001. The deadline for proposals was September 10, 2001. Five requests were made for a copy of the RFP for bond counsel. Two written proposals were received by the Department before the close of September 10, 2001. Vinson & Elkins submitted a proposal for Bond Counsel and McCall, Parkhurst & Horton submitted a proposal for Bond/Securities Disclosure Counsel. Each proposal is summarized below.

SUMMARY OF PROPOSALS:

Bond Counsel:

Vinson & Elkins: The firm proposed that it be engaged by the Department to continue representing it as Bond Counsel. It proposed fees for its attorneys ranging from \$170 to \$350 per hour and stated its attorneys have expertise in federal tax matters in connection with the issuance of bonds. Only travel expenses will be set at State mandated rates and all other expenses are accepted at standard industry rates. The Department will be billed on a transactional basis with detailed billings for actual time and expenses for both single family and multifamily bond issues. The fees and expenses are the lowest customary hourly rates and valid for the duration of the initial one- year proposal to contract. The Department may extend this contract with one twelve-month extension allowed by the Attorney General of Texas. This firm's extended history with the Department's successful bond issues and vast experience would support this law firm's representation of the Department as bond counsel. The firm states that it has not represented other clients before the Department.

Bond/Securities Disclosure Counsel:

McCall, Parkhurst & Horton: The firm proposed that it be engaged by the Department to continue representing it as Bond/Securities Disclosure Counsel. It proposed fees for its paralegals and attorneys ranging from \$50 per hour and \$275 per hour, respectively, and stated its attorneys have expertise in federal tax matters in connection with the issuance of bonds. Only travel expenses will be set at State mandated rates and all other expenses are accepted at standard industry rates. It was proposed that the Department be billed on a transaction basis with detailed billings for actual time and expenses for both single family and

multifamily bond issues. The fees and expenses are the lowest customary hourly rates and valid for the duration of the initial one- year proposal to contract. The Department may extend this contract with one twelve-month extension allowed by the Attorney General of Texas. This firm's extended history and experience with the Department's successful bond issues as underwriter's counsel as well as disclosure counsel would support this law firm's representation of the Department as bond/securities disclosure counsel. The firm states that it has not represented other clients before the Department.

TEXAS DEPARTMENT OF HOUSING AND COMMUNITY AFFAIRS
HOUSING FINANCE DIVISION
PUBLIC FUNDS INVESTMENT ACT
Internal Management Report (Sec. 2256.023)
Quarter Ending August 31, 2001

(b) (4) Summary statement of each pooled fund group:

INDENTURE	FAIR VALUE (MARKET) @ 05/31/01	CARRYING VALUE @ 05/31/01	CHANGE IN CARRYING VALUE				CARRYING VALUE @ 08/31/01	FAIR VALUE (MARKET) @ 08/31/01	CHANGE IN FAIR VALUE (MARKET)
			ACCRETION/ PURCHASES	AMORTIZATION/ SALES	MATURITIES	TRANSFERS			
Single Family	358,106,708.89	365,890,169.49	13,219,554.28	(20,395,031.96)	(9,112,013.82)	0.00	349,602,677.99	348,246,144.05	6,426,926.66
RMRB	440,198,563.71	447,492,418.42	41,119,387.25	(45,907,331.64)	(6,563,806.24)	0.00	436,140,667.79	433,105,865.19	4,259,052.11
CHMRB	94,594,479.14	93,241,048.47	53,293.42	(3,781,465.04)	(3,135,024.19)	0.00	86,377,852.66	88,804,605.70	1,073,322.37
Multi Family	127,757,257.94	127,757,257.94	27,533,483.58	(36,822,535.66)	0.00	0.00	118,468,205.86	118,468,205.86	-
SF CHMRB 1993	33,109,748.86	32,783,934.49	132,811.96	(384,973.93)	(1,320,781.59)	0.00	31,210,990.93	31,954,974.21	418,168.91
SF CHMRB 1994/1995	62,409,392.70	61,732,882.44	165,066.24	(327,079.24)	(1,621,774.01)	0.00	59,949,095.43	61,408,940.29	783,334.60
Commercial Paper	5,740,664.62	5,740,664.62	9,899,698.07	0.00	0.00	0.00	15,640,362.69	15,640,362.69	-
General Fund	10,216,835.61	10,216,835.61	1,257,257.73	(180,414.64)	0.00	0.00	11,293,678.70	11,293,678.70	-
Housing Trust Fund	8,133,191.24	8,133,191.24	216,142.02	(580,062.06)	0.00	0.00	7,769,271.20	7,769,271.20	-
Administration	126,292.65	126,292.65	1,288.00	0.00	0.00	0.00	127,580.65	127,580.65	-
Compliance	4,970,323.91	4,970,323.91	15,759.11	(480,257.04)	0.00	0.00	4,505,825.98	4,505,825.98	-
Housing Initiatives	3,004,737.53	3,004,737.53	90,611.18	(34,094.72)	0.00	0.00	3,061,253.99	3,061,253.99	-
TOTAL	1,148,368,196.80	1,161,089,756.81	93,704,352.84	(108,893,245.93)	(21,753,399.85)	0.00	1,124,147,463.87	1,124,386,708.51	12,960,804.65

* No relationship can be drawn between the "ACCRUED INT RECVBL @ 08/31/01" figures and the corresponding investment values, because of various factors (e.g. purchase date of investment; interest payment terms-daily, monthly & semi-annual; etc.). In addition to the aforementioned factors with regards to the Multi Family Indenture, the Department is carrying \$102,957,828 of investments pledged as reserves by participating entities. The Department is carrying these investments with their corresponding liability purely for tracking the flow of funds.

(b) (8) The Department is in compliance with regards to investing its funds in a manner which will provide by priority the following objectives: (1) safety of principal, (2) sufficient liquidity to meet Department cash flow needs, (3) a market rate of return for the risk assumed, and (4) conformation to all applicable state statutes governing the investment of public funds including Section 2306 of the Department's enabling legislation and specifically, Section 2256 of the Texas Government Code, the Public Funds Investment Act.

Prepared By: _____	Date: _____
Reviewed By: _____	Date: _____
Approved By: _____	Date: _____

Beginning Carrying Value	1,161,089,756.81
Ending Carrying Value	1,124,147,463.87
Change in Carrying Value	36,942,292.94
Beginning Market Value	1,148,368,196.80
Ending Market Value	1,124,386,708.51
	23,981,488.29
Change in Carrying Value	36,942,292.94
Less Change in FMV	23,981,488.29
FMV Adjustment	12,960,804.65
	0.00

AGENDA ITEM NO. 4(D)

**TEXAS DEPARTMENT OF HOUSING
AND COMMUNITY AFFAIRS**

**Housing Finance Programs Division
Approval of Participating Lenders for Program 57 & 57A**

Invitations to Originate Mortgage Loans were recently sent to interested lenders for participation in upcoming Bond Program 57 & 57A. In order to proceed with the scheduled bond release of Program 57 on November 5, 2001, we would like to request that the following list of lenders be approved by the Board.

LENDER NAME

LENDER NAME

American National Bank
Banc One
*Bankers Financial Group, Inc.
CDC of Brownsville
CH Mortgage Co.
Chase Manhattan Mortgage Corp.
Countrywide Home Loans, Inc.
CTX Mortgage Co.
**ExtraCo Mortgage
Falcon International Bank
First Bank Southwest
First Community Bank, N.A.
First Horizon Home Loan Corp.
First Community Mortgage
Fort Worth Mortgage
Guarantee Residential Lending, Inc.
Hammersmith Financial
Hibernia Mortgage Banking
International Bank of Commerce
Irwin Mortgage
Judith O. Smith Mortgage
Kaufman & Broad Mortgage Co.
McAfee Mortgage
Mercedes National Bank
Mortgage Portfolio Services, Inc.

National Bank
National City Mortgage
*North American Mortgage
Northstar Mortgage Corporation
**Patriot Mortgage
Regions Bank
Rocky Mountain Mortgage Co.
Ryland Mortgage Co.
Southside Bank
Southtrust Mortgage
Sterling Capital Mortgage Co.
Summit Mortgage Corp.
Texas State Affordable Housing Corp.
U.S. Home Mortgage Corporation
Valley Mortgage Co., Inc.
Wells Fargo Home Mortgage

* Indicates new lender.

** Indicates new leader still under review
by our Master Servicer

RESOLUTION NO. 01-35

RESOLUTION DECLARING INTENT TO ISSUE MULTIFAMILY REVENUE BONDS WITH RESPECT TO RESIDENTIAL RENTAL PROJECTS; AUTHORIZING THE FILING OF APPLICATIONS FOR ALLOCATIONS OF PRIVATE ACTIVITY BONDS WITH THE TEXAS BOND REVIEW BOARD; AND AUTHORIZING OTHER ACTION RELATED THERETO

WHEREAS, the Texas Department of Housing and Community Affairs (the "Department") has been duly created and organized pursuant to and in accordance with the provisions of Chapter 2306, Texas Government Code (the "Act"), as amended from time, for the purpose, among others, of providing a means of financing the costs of residential ownership, development and rehabilitation that will provide decent, safe, and affordable living environments for persons and families of low and very low income (as defined in the Act) and families of moderate income (as described in the Act and determined by the Governing Board of the Department (the "Board") from time to time); and

WHEREAS, the Act authorizes the Department: (a) to make mortgage loans to housing sponsors to provide financing for multifamily residential rental housing in the State of Texas (the "State") intended to be occupied by persons and families of low and very low income and families of moderate income, as determined by the Department; (b) to issue its revenue bonds, for the purpose, among others, of obtaining funds to make such loans and provide financing, to establish necessary reserve funds and to pay administrative and other costs incurred in connection with the issuance of such bonds; and (c) to pledge all or any part of the revenues, receipts or resources of the Department, including the revenues and receipts to be received by the Department from such multifamily residential rental project loans, and to mortgage, pledge or grant security interests in such loans or other property of the Department in order to secure the payment of the principal or redemption price of and interest on such bonds; and

WHEREAS, it is proposed that the Department issue its revenue bonds for the purpose of providing financing for multi-family residential rental developments (each a "Project" and collectively, the "Projects") as more fully described in Exhibit "A" attached hereto. The ownership of each Project as more fully described in Exhibit "A" will consist of the ownership entity and its principals or a related person (each an "Owner" and collectively, the "Owners") within the meaning of the Internal Revenue Code of 1986, as amended (the "Code"); and

WHEREAS, each Owner has made not more than 60 days prior to the date hereof, payments with respect to its respective Project and expects to make additional payments in the future and desires that it be reimbursed for such payments and other costs associated with each respective Project from the proceeds of tax-exempt and taxable obligations to be issued by the Department subsequent to the date hereof; and

WHEREAS, each Owner has indicated its willingness to enter into contractual arrangements with the Department providing assurance satisfactory to the Department that 100 percent of the units of its Project will be occupied at all times by Eligible Tenants, as determined by the Board of the Department pursuant to the Act, that the other requirements of the Act and the Department will be satisfied and that its Project will satisfy Section 142(d) and other applicable Sections of the Code; and

WHEREAS, the Department desires to reimburse each Owner for the costs associated with its Project listed on Exhibit "A" attached hereto, but solely from and to the extent, if any, of the proceeds of tax-exempt and taxable obligations to be issued in one or more series to be issued subsequent to the date hereof; and

WHEREAS, at the request of each Owner, the Department reasonably expects to incur debt in the form of tax-exempt and taxable obligations for purposes of paying the costs of each respective Project described on Exhibit "A" attached hereto; and

WHEREAS, in connection with the proposed issuance of the Bonds (defined below), the Department, as issuer of the Bonds, is required to submit for each Project an Application for Allocation of Private Activity Bonds (the "Application") with the Texas Bond Review Board (the "Bond Review Board") with respect to the tax-exempt

Bonds to qualify for the Bond Review Board's Allocation Program in connection with the Bond Review Board's authority to administer the allocation of the authority of the state to issue private activity bonds; and

WHEREAS, the Board intends that the issuance of Bonds for any particular Project is not dependent or related to the issuance of Bonds for any other Project and that a separate Application shall be filed with respect to each Project; and

WHEREAS, the Board has determined to declare its intent to issue its multifamily revenue bonds for the purpose of providing funds to each Owner to finance its Project on the terms and conditions hereinafter set forth; NOW, THEREFORE,

BE IT RESOLVED BY THE GOVERNING BOARD OF THE TEXAS DEPARTMENT OF HOUSING AND COMMUNITY AFFAIRS THAT:

Section 1--Certain Findings. The Board finds that:

(a) each Project is necessary to provide decent, safe and sanitary housing at rentals that eligible tenants can afford;

(b) each Owner will supply, in its Project, well-planned and well-designed housing for eligible tenants;

(c) the financing of each Project pursuant to the provisions of the Act will constitute a public purpose and will provide a public benefit; and

(d) each Project will be undertaken within the authority conferred by the Act upon the Department and each Owner.

Section 2--Authorization of Issue. The Department declares its intent to issue its Multifamily Housing Revenue Bonds (the "Bonds") in amounts estimated to be sufficient (a) to fund a loan or loans to each Owner to provide financing for its Project in an aggregate principal amount not to exceed those amounts, corresponding to each respective Project, set forth in Exhibit "A"; (b) to fund a reserve fund with respect to the Bonds if needed; and (c) to pay certain costs incurred in connection with the issuance of the Bonds. Such Bonds will be issued as qualified residential rental project bonds. Final approval of the Department to issue the Bonds shall be subject to (i) the review by the Department's credit underwriters for financial feasibility, (ii) review by the Department's staff and legal counsel of compliance with federal income tax regulations and state law requirements regarding tenancy in each Project, (iii) approval by the Bond Review Board, (iv) approval by the Texas Attorney General, (v) satisfaction of the Board that each Project meets the Department's public policy criteria, and (vi) the ability of the Department to issue such Bonds in compliance with all federal and state laws applicable to the issuance of such Bonds.

Section 3--Terms of Bonds. The proposed Bonds shall be issuable only as fully registered bonds in authorized denominations to be determined by the Department; shall bear interest at a rate or rates to be determined by the Department; shall mature at a time to be determined by the Department but in no event later than 40 years after the date of issuance; and shall be subject to prior redemption upon such terms and conditions as may be determined by the Department.

Section 4--Reimbursement. The Department reasonably expects to reimburse each Owner for all costs ("Costs of each respective Project") that have been or will be paid subsequent to the date that is 60 days prior to the date hereof in connection with the acquisition of real property and construction of its Project and listed on Exhibit "A" attached hereto from the proceeds of the Bonds, in an amount which is reasonably estimated to be sufficient: (a) to fund a loan to provide financing for the acquisition and construction of its Project, including reimbursing each Owner for all costs that have been or will be paid subsequent to the date that is 60 days prior to the date hereof in connection with the acquisition and construction of its Project; (b) to fund any reserves that may be required for the benefit of the holders of the Bonds; and (c) to pay certain costs incurred in connection with the issuance of the Bonds.

Section 5--Principal Amount. Based on representations of each Owner, the Department reasonably expects that the maximum principal amount of debt issued to reimburse each Owner for the Costs of its respective Project will not exceed the amount set forth in Exhibit "A" which corresponds to its Project.

Section 6--Limited Obligations. The Owner may commence with the acquisition and construction of its Project, which Project will be in furtherance of the public purposes of the Department as aforesaid. On or prior to the issuance of the Bonds, each Owner will enter into a loan agreement on an installment payment basis with the Department under which the Department will make a loan to the Owner for the purpose of reimbursing each Owner for the Costs of its Project and each Owner will make installment payments sufficient to pay the principal of and any premium and interest on the applicable Bonds. The proposed Bonds shall be special, limited obligations of the Department payable solely by the Department from or in connection with its loan or loans to each Owner to provide financing for the Owner's Project, and from such other revenues, receipts and resources of the Department as may be expressly pledged by the Department to secure the payment of the Bonds.

Section 7--The Project. Substantially all of the proceeds of the Bonds shall be used to finance the Projects, each of which is to be occupied entirely by Eligible Tenants, as determined by the Department, and each of which is to be occupied partially (at least 20% by persons and families whose income is 50% or less than area median gross income, or alternatively, at least 40% by persons and families whose income is 60% or less than area median gross income) by persons and families of low income within the meaning of and for the period required by the Code.

Section 8--Payment of Bonds. The payment of the principal of and any premium and interest on the Bonds shall be made solely from moneys realized from the loan of the proceeds of the Bonds to reimburse each Owner for Costs of its Project.

Section 9--Costs of Project. The Costs of each respective Project may include any cost of acquiring, constructing, reconstructing, improving, installing and expanding the Project. Without limiting the generality of the foregoing, the Costs of each respective Project shall specifically include the cost of the acquisition of all land, rights-of-way, property rights, easements and interests, the cost of all machinery and equipment, financing charges, inventory, raw materials and other supplies, research and development costs, interest prior to and during construction and for one year after completion of construction whether or not capitalized, necessary reserve funds, the cost of estimates and of engineering and legal services, plans, specifications, surveys, estimates of cost and of revenue, other expenses necessary or incident to determining the feasibility and practicability of acquiring, constructing, reconstructing, improving and expanding the Project, administrative expenses and such other expenses as may be necessary or incident to the acquisition, construction, reconstruction, improvement and expansion of the Project, the placing of the Project in operation and that satisfy the Code and the Act. Each Owner shall be responsible for and pay any Costs of its Project incurred by it prior to issuance of the Bonds and will pay all Costs of its Project which are not or cannot be paid or reimbursed from the proceeds of the Bonds.

Section 10--No Commitment to Issue Bonds. Neither the Owners nor any other party is entitled to rely on this Resolution as a commitment to issue the Bonds and to loan funds, and the Department reserves the right not to issue the Bonds either with or without cause and with or without notice, and in such event the Department shall not be subject to any liability or damages of any nature. Neither the Owners nor any one claiming by, through or under each Owner shall have any claim against the Department whatsoever as a result of any decision by the Department not to issue the Bonds.

Section 11--No Indebtedness of Certain Entities. The Board hereby finds, determines, recites and declares that the Bonds shall not constitute an indebtedness, liability, general, special or moral obligation or pledge or loan of the faith or credit or taxing power of the State of Texas, the Department or any other political subdivision or municipal or political corporation or governmental unit, nor shall the Bonds ever be deemed to be an obligation or agreement of any officer, director, agent or employee of the Department in his or her individual capacity, and none of such persons shall be subject to any personal liability by reason of the issuance of the Bonds.

Section 12--Conditions Precedent. The issuance of the Bonds following final approval by the Board shall be further subject to, among other things: (a) the execution by each Owner and the Department of contractual arrangements providing assurance satisfactory to the Department that 100 percent of the units for each Project will be occupied at all times by Eligible Tenants, that all other requirements of the Act will be satisfied, that each Owner

will create a tenant advisory council or provide for other measures, acceptable to the Department, to insure local input regarding Project management and that each Project will satisfy the requirements of Section 142(d) of the Code (except for portions to be financed with taxable bonds); (b) the receipt of an opinion from Vinson & Elkins L.L.P. or other nationally recognized bond counsel acceptable to the Department, substantially to the effect that the interest on the tax-exempt Bonds is excludable from gross income for federal income tax purposes under existing law; and (c) receipt of the required approval of the Texas Bond Review Board and the Attorney General of the State of Texas.

Section 13--Certain Findings. The Board hereby finds, determines, recites and declares that the issuance of the Bonds to provide financing for each Project will promote the public purposes set forth in the Act, including, without limitation, assisting persons and families of low and very low income and families of moderate income to obtain decent, safe and sanitary housing at rentals they can afford.

Section 14--Authorization to Proceed. The Board hereby authorizes staff, Bond Counsel and other consultants to proceed with preparation of each Project's necessary review and legal documentation for the issuance of the Bonds, subject to satisfaction of the conditions specified in Section 2(i) and (ii) hereof.

Section 15--Related Persons. The Department acknowledges that financing of all or any part of each Project may be undertaken by any company or partnership that is a "related person" to the respective Owner within the meaning of the Code and applicable regulations promulgated pursuant thereto, including any entity controlled by or affiliated with the respective Owner.

Section 16--Declaration of Official Intent. This Resolution constitutes the Department's official intent for expenditures on Costs of each respective Project which will be reimbursed out of the issuance of the Bonds within the meaning of Sections 1.142-4(b) and 1.150-2, Title 26, Code of Federal Regulations, as amended, and applicable rulings of the Internal Revenue Service thereunder, to the end that the Bonds issued to reimburse Costs of each respective Project may qualify for the exemption provisions of Section 142 of the Code, and that the interest on the Bonds (except for any taxable Bonds) will therefore be excludable from the gross incomes of the holders thereof under the provisions of Section 103(a)(1) of the Code.

Section 17--Authorization of Certain Actions. The Department hereby authorizes the filing of and directs the filing of each Application in such form presented to the Board with the Bond Review Board and each director of the Board are hereby severally authorized and directed to execute each Application on behalf of the Department and to cause the same to be filed with the Bond Review Board.

Section 18--Effective Date. This Resolution shall be in full force and effect from and upon its adoption.

Section 19--Books and Records. The Board hereby directs this Resolution to be made a part of the Department's books and records that are available for inspection by the general public.

Section 20--Notice of Meeting. Written notice of the date, hour and place of the meeting of the Board at which this Resolution was considered and of the subject of this Resolution was furnished to the Secretary of State and posted on the Internet for at least seven (7) days preceding the convening of such meeting; that during regular office hours a computer terminal located in a place convenient to the public in the office of the Secretary of State was provided such that the general public could view such posting; that such meeting was open to the public as required by law at all times during which this Resolution and the subject matter hereof was discussed, considered and formally acted upon, all as required by the Open Meetings Act, Chapter 551, Texas Government Code, as amended; and that written notice of the date, hour and place of the meeting of the Board and of the subject of this Resolution was published in the Texas Register at least seven (7) days preceding the convening of such meeting, as required by the Administrative Procedure and Texas Register Act, Chapters 2001 and 2002, Texas Government Code, as amended. Additionally, all of the materials in the possession of the Department relevant to the subject of this Resolution were sent to interested persons and organizations, posted on the Department's website, made available in hard-copy at the Department, and filed with the Secretary of State for publication by reference in the Texas Register not later than seven (7) days before the meeting of the Board as required by Section 2306.032, Texas Government Code, as amended.

PASSED AND APPROVED this 17th day of October, 2001.

[SEAL]

By: _____
Chairman

Attest: _____
Secretary

EXHIBIT "A"

Description of each Owner and its Project

Project Name	Owner	Principals	Amount Not to Exceed
Arkansas Lane Apartments	Ascot Park Townhomes Limited Partnership	Brisben Texas, Inc., managing general partner	\$15,000,000
Costs: acquisition of real property located at 2400 Arkansas Lane, Grand Prairie, Dallas County, Texas, and (ii) the construction thereon of an approximately 280-unit multifamily residential rental housing project, in the amount not to exceed \$15,000,000			
Project Name	Owner	Principals	Amount Not to Exceed
Ash Tree Apartments	Ash Tree Apartment, L.P.	Artisan / American Corp. and Inland General Construction Co., general partners	\$15,000,000
Costs: acquisition of real property located at Spencer Highway and Myrtle Creek, La Porte, Harris County, Texas, and (ii) the construction thereon of an approximately 250-unit multifamily residential rental housing project, in the amount not to exceed \$15,000,000			
Project Name	Owner	Principals	Amount Not to Exceed
Bay Park Apartments	Bay Park Apartments, Ltd.	Artisan / American Corp. and Inland General Construction Co., general partners	\$15,000,000
Costs: acquisition of real property located at West Greens Road (Tract E) and Antoine Drive, Houston, Harris County, Texas, and (ii) the construction thereon of an approximately 250-unit multifamily residential rental housing project, in the amount not to exceed \$15,000,000			
Project Name	Owner	Principals	Amount Not to Exceed
Bay River Apartments	Bay River Apartment, L.P.	Artisan / American Corp. and Inland General Construction Co., general partners	\$15,000,000
Costs: acquisition of real property located at North Main and Cedar Bayou Lynchburg Road, Baytown, Harris County, Texas, and (ii) the construction thereon of an approximately 250-unit multifamily residential rental housing project, in the amount not to exceed \$15,000,000			

Project Name	Owner	Principals	Amount Not to Exceed
Birnam Woods Apartments	Finlay Interests 33, Ltd.	Finlay Interests GP 33, LLC, general partner, Finlay GP Holdings, Ltd., sole member, Finlay Holdings, Inc., general partner of the sole member	\$11,500,000
Costs: acquisition of real property located at the northwest corner of Birnamwood Boulevard and Treshwig Road, Spring, Harris County, Texas, and (ii) the construction thereon of an approximately 256-unit multifamily residential rental housing project, in the amount not to exceed \$11,500,000			
Project Name	Owner	Principals	Amount Not to Exceed
Blue Ash Apartments	Blue Ash Apartments Limited Partnership	TCR Blue Ash Partners Limited Partnership, managing general partner, TCR 2002 Housing, Inc., general partner of managing general partner	\$12,500,000
Costs: acquisition of real property located on the northwest corner of Airtex Boulevard and Blue Ash, Houston, Harris County, Texas, and (ii) the construction thereon of an approximately 240-unit multifamily residential rental housing project, in the amount not to exceed \$12,500,000			
Project Name	Owner	Principals	Amount Not to Exceed
Branch Creek Apartments	Finlay Interests 31, Ltd.	Finlay Interests GP 31, LLC, general partner, Finlay GP Holdings, Ltd., sole member, Finlay Holdings, Inc., general partner of the sole member	\$12,500,000
Costs: acquisition of real property located on Addicks-Clodine in between the intersections of Branch Forest and Gray Ridge Drive, Houston, Harris County, Texas, and (ii) the construction thereon of an approximately 224-unit multifamily residential rental housing project, in the amount not to exceed \$12,500,000			

Project Name	Owner	Principals	Amount Not to Exceed
Canterbury Trails Apartments	Canterbury Trails Apartments Limited Partnership	TCR Canterbury Trails Partners Limited Partnership, managing general partner, TCR 2002 Housing, Inc., general partner of managing general partner	\$14,500,000
Costs: acquisition of real property located near the intersection of Manchaca and Ravenscroft Drive, Austin, Travis County, Texas, and (ii) the construction thereon of an approximately 240-unit multifamily residential rental housing project, in the amount not to exceed \$14,500,000			
Project Name	Owner	Principals	Amount Not to Exceed
Central Park Apartments	Finlay Interests 40, Ltd.	Finlay Interests GP 40, LLC, general partner, Finlay GP Holdings, Ltd., sole member, Finlay Holdings, Inc., general partner of the sole member	\$14,000,000
Costs: acquisition of real property located northwest of Century Drive and Central Drive, Cedar Park, Williamson County, Texas, and (ii) the construction thereon of an approximately 264-unit multifamily residential rental housing project, in the amount not to exceed \$14,000,000			
Project Name	Owner	Principals	Amount Not to Exceed
Chestnut Park Apartments	Chestnut Park Apartments, Ltd.	Artisan / American Corp. and Inland General Construction Co., general partners	\$15,000,000
Costs: acquisition of real property located at West Greens Road and Antoine Drive (Tract B), Houston, Harris County, Texas, and (ii) the construction thereon of an approximately 250-unit multifamily residential rental housing project, in the amount not to exceed \$15,000,000			
Project Name	Owner	Principals	Amount Not to Exceed
City Place Apartments	Finlay Interests 39, Ltd.	Finlay Interests GP 39, LLC, general partner, Finlay GP Holdings, Ltd., sole member, Finlay Holdings, Inc., general partner of the sole member	\$8,500,000
Costs: acquisition of real property located Tracts A and B of Bender South Subdivision at South Houston Avenue and Humble-Westfield Road, Humble, Harris County, Texas, and (ii) the construction thereon of an approximately 160-unit multifamily residential rental housing project, in the amount not to exceed \$8,500,000			

Project Name	Owner	Principals	Amount Not to Exceed
Clarkridge Villas Apartments	Clarkridge Villas Housing, L.P.	Clarkridge Villas Development, LLC, managing general partner	\$15,000,000
Costs: acquisition of real property located on Clark Road and Clarkridge Road, Dallas, Dallas County, Texas, and (ii) the construction thereon of an approximately 260-unit multifamily residential rental housing project, in the amount not to exceed \$15,000,000			
Project Name	Owner	Principals	Amount Not to Exceed
Cutten Forest Apartments	Cutten Forest Partners, L.P.	Cutten Forest Development Company, L.L.C., managing general partner	\$12,500,000
Costs: acquisition of real property located on Cypresswood Drive and Cutten Road, Houston, Harris County Texas, and (ii) the construction thereon of an approximately 192-unit multifamily residential rental housing project, in the amount not to exceed \$12,500,000			
Project Name	Owner	Principals	Amount Not to Exceed
Cutten Woods Apartments	Cutten Woods Partners, L.P.	Cutten Woods Development Company, L.L.C., managing general partner	\$14,000,000
Costs: acquisition of real property located on Cypresswood Drive and Cutten Road, Houston, Harris County Texas, and (ii) the construction thereon of an approximately 216-unit multifamily residential rental housing project, in the amount not to exceed \$14,000,000			
Project Name	Owner	Principals	Amount Not to Exceed
Deerbrook One Apartments	Deerbrook One Apartments Limited Partnership	TCR Deerbrook One Partners Limited Partnership, managing general partner, TCR 2002 Housing, Inc., general partner of managing general partner	\$15,000,000
Costs: acquisition of real property located on the southeast corner of FM 1960 and Hightower, Houston, Harris County, Texas, and (ii) the construction thereon of an approximately 280-unit multifamily residential rental housing project, in the amount not to exceed \$15,000,000			

Project Name	Owner	Principals	Amount Not to Exceed
Deerbrook Two Apartments	Deerbrook Two Apartments Limited Partnership	TCR Deerbrook Two Partners Limited Partnership, managing general partner, TCR 2002 Housing, Inc., general partner of managing general partner	\$15,000,000
Costs: acquisition of real property located on the southeast corner of FM 1960 and Hightower, Houston, Harris County, Texas, and (ii) the construction thereon of an approximately 280-unit multifamily residential rental housing project, in the amount not to exceed \$15,000,000			
Project Name	Owner	Principals	Amount Not to Exceed
Elm Park Apartments	Elm Park Apartments, Ltd.	Artisan / American Corp. and Inland General Construction Co., general partners	\$15,000,000
Costs: acquisition of real property located on Mills Road between 1960 and Greens Road, Houston, Harris County, Texas, and (ii) the construction thereon of an approximately 250-unit multifamily residential rental housing project, in the amount not to exceed \$15,000,000			
Project Name	Owner	Principals	Amount Not to Exceed
The Enclave @ West Airport Apartments	Enclave Housing, Ltd.	Enclave Affordable Housing, L.L.C., managing general partner	\$11,000,000
Costs: acquisition of real property located on 4300 West Airport, Houston, Harris County, Texas, and (ii) the construction thereon of an approximately 200-unit multifamily residential rental housing project, in the amount not to exceed \$11,000,000			
Project Name	Owner	Principals	Amount Not to Exceed
Fairmont Parkway Apartments	Brisben Texas II Limited Partnership	Housing Initiatives Corporation, Inc., managing general partner	\$15,000,000
Costs: acquisition of real property located on the northeast corner of Fairmont Parkway and Luella Boulevard, LaPorte, Harris County, Texas, and (ii) the construction thereon of an approximately 260-unit multifamily residential rental housing project, in the amount not to exceed \$15,000,000			

Project Name	Owner	Principals	Amount Not to Exceed
Gates of Eden Apartments	Gates of Eden Apartments, L.P.	Gates of Eden Apartments I, L.L.C., managing general partner; Bozrah International Ministries, Inc., sole member of managing general partner	\$15,000,000
Costs: acquisition of real property located on Dairy Ashford, 840' North of Beechnut Houston, Harris County, Texas, and (ii) the construction thereon of an approximately 248-unit multifamily residential rental housing project, in the amount not to exceed \$15,000,000			
Project Name	Owner	Principals	Amount Not to Exceed
Gates of Galilee Apartments	Gates of Galilee Apartments, L.P.	Gates of Galilee Apartments I, L.L.C., managing general partner; Bozrah International Ministries, Inc., sole member of managing general partner	\$15,000,000
Costs: acquisition of real property located on the south side of the extension of Bow Willow at Willow Place Drive, Houston, Harris County, Texas, and (ii) the construction thereon of an approximately 248-unit multifamily residential rental housing project, in the amount not to exceed \$15,000,000			
Project Name	Owner	Principals	Amount Not to Exceed
Gray Ridge Apartments	Finlay Interests 35, Ltd.	Finlay Interests GP 35, LLC, general partner, Finlay GP Holdings, Ltd., sole member, Finlay Holdings, Inc., general partner of the sole member	\$12,500,000
Costs: acquisition of real property located at the southeast corner of Clayton Oaks at Gray Ridge Drive and Addicks Clodine Road, Houston, Harris County, Texas, and (ii) the construction thereon of an approximately 224-unit multifamily residential rental housing project, in the amount not to exceed \$12,500,000			

Project Name	Owner	Principals	Amount Not to Exceed
Green Crest Apartments	Finlay Interests 34, Ltd.	Finlay Interests GP 34, LLC, general partner, Finlay GP Holdings, Ltd., sole member, Finlay Holdings, Inc., general partner of the sole member	\$12,500,000
Costs: acquisition of real property located on the northwest corner of Greencrest Drive and Westpark Drive, Houston, Harris County, Texas, and (ii) the construction thereon of an approximately 224-unit multifamily residential rental housing project, in the amount not to exceed \$12,500,000			
Project Name	Owner	Principals	Amount Not to Exceed
Greenland Apartments	Greenland Apartments Limited Partnership	TCR Greenland Partners Limited Partnership, managing general partner, TCR 2002 Housing, Inc., general partner of managing general partner	\$12,500,000
Costs: acquisition of real property located on the southwest corner of Barker Cypress Road and Greenland Way, Houston, Harris County, Texas, and (ii) the construction thereon of an approximately 240-unit multifamily residential rental housing project, in the amount not to exceed \$12,500,000			
Project Name	Owner	Principals	Amount Not to Exceed
Groescke Apartments	Groescke Apartments Limited Partnership	TCR Groescke Partners Limited Partnership, managing general partner, TCR 2002 Housing, Inc., general partner of managing general partner	\$14,000,000
Costs: acquisition of real property located on the northwest corner of Barker Cypress and Groescke Road, Houston, Harris County, Texas, and (ii) the construction thereon of an approximately 260-unit multifamily residential rental housing project, in the amount not to exceed \$14,000,000			

Project Name	Owner	Principals	Amount Not to Exceed
Harbour Pointe Apartments	Wendover Tex II, Ltd.	TexWen II, Inc., general partner; Todd L. Borck, Jonathan Wolf, and Patrick Law, principals of the general partner	\$14,500,000
Costs: acquisition of real property located at River Run Road and Road A, Leander, Williamson County, Texas, and (ii) the construction thereon of an approximately 248-unit multifamily residential rental housing project, in the amount not to exceed \$14,500,000			
Project Name	Owner	Principals	Amount Not to Exceed
Heatherbrook Apartments	Wendover Tex IV, Ltd.	TexWen IV, Inc., general partner; Todd L. Borck, Jonathan Wolf, and Patrick Law, principals of the general partner	\$14,500,000
Costs: acquisition of real property located on the east side Dessau Road and the south side of Wells Branch Parkway, Pflugerville, Travis County, Texas, and (ii) the construction thereon of an approximately 248-unit multifamily residential rental housing project, in the amount not to exceed \$14,500,000			
Project Name	Owner	Principals	Amount Not to Exceed
Hickory Trace Apartments	Hickory Trace Housing, L.P.	Hickory Trace Development, LLC, managing general partner	\$15,000,000
Costs: acquisition of real property located on Wheatland and Old Hickory Road, Dallas, Dallas County, Texas, and (ii) the construction thereon of an approximately 260-unit multifamily residential rental housing project, in the amount not to exceed \$15,000,000			
Project Name	Owner	Principals	Amount Not to Exceed
John T. White One Apartments	John T. White One Apartments Limited Partnership	TCR John T. White One Partners Limited Partnership, managing general partner, TCR 2002 Housing, Inc., general partner of managing general partner	\$14,000,000
Costs: acquisition of real property located north of John T. White, east of Loop 820, Fort Worth, Texas, Tarrant County, Texas, and (ii) the construction thereon of an approximately 240-unit multifamily residential rental housing project, in the amount not to exceed \$14,000,000			

Project Name	Owner	Principals	Amount Not to Exceed
John T. White Two Apartments	John T. White Two Apartments Limited Partnership	TCR John T. White Two Partners Limited Partnership, managing general partner, TCR 2002 Housing, Inc., general partner of managing general partner	\$15,000,000
Costs: acquisition of real property located north of John T. White, east of Loop 820, Fort Worth, Texas, Tarrant County, Texas, and (ii) the construction thereon of an approximately 280-unit multifamily residential rental housing project, in the amount not to exceed \$15,000,000			
Project Name	Owner	Principals	Amount Not to Exceed
Katy-Flewellen Apartments	Katy-Flewellen Apartments, L.P.	Katy-Flewellen Development, L.L.C., managing general partner	\$15,000,000
Costs: acquisition of real property located in the 1500 Block of Katy Flewellen Road, Katy, Fort Bend County, Texas, and (ii) the construction thereon of an approximately 248-unit multifamily residential rental housing project, in the amount not to exceed \$15,000,000.			
Project Name	Owner	Principals	Amount Not to Exceed
Madison Point Apartments	Madison Point Limited Partnership	Picerne Madison Point, LLC, general partner, Robert M. Picerne and Picerne Development Corporation of Florida, members of general partner	\$12,500,000
Costs: acquisition of real property located at 3600 SRL Thornton Freeway, Dallas, Dallas County, Texas, and (ii) the construction thereon of an approximately 248-unit multifamily residential rental housing project, in the amount not to exceed \$12,500,000			
Project Name	Owner	Principals	Amount Not to Exceed
Main Street Apartments	Finlay Interests 32, Ltd.	Finlay Interests GP 32, LLC, general partner, Finlay GP Holdings, Ltd., sole member, Finlay Holdings, Inc., general partner of the sole member	\$12,700,000
Costs: acquisition of real property located on the north east corner of South Main Street and State Highway 146, Baytown, Harris County, Texas, and (ii) the construction thereon of an approximately 252-unit multifamily residential rental housing project, in the amount not to exceed \$12,700,000			

Project Name	Owner	Principals	Amount Not to Exceed
Mark IV Apartments	Ironwood Ranch Townhome Limited Partnership	Brisben Texas, Inc., managing general partner	\$15,000,000
Costs: acquisition of real property located on Old Denton Road and Mark IV Parkway, Fort Worth, Tarrant County, Texas, and (ii) the construction thereon of an approximately 280-unit multifamily residential rental housing project, in the amount not to exceed \$15,000,000			
Project Name	Owner	Principals	Amount Not to Exceed
Mayfield Apartments	Cobblestone Townhomes Limited Partnership	Brisben Texas, Inc., managing general partner	\$15,000,000
Costs: acquisition of real property located at NY Avenue and Mayfield Road, Arlington, Tarrant County, Texas, and (ii) the construction thereon of an approximately 280-unit multifamily residential rental housing project, in the amount not to exceed \$15,000,000			
Project Name	Owner	Principals	Amount Not to Exceed
McKinney Estates Apartments	Frisco Estates Housing, L.P.	Frisco Estates Development, LLC, managing general partner	\$15,000,000
Costs: acquisition of real property located South of West University Drive near Skyline Drive, McKinney, Collin County, Texas, and (ii) the construction thereon of an approximately 260-unit multifamily residential rental housing project, in the amount not to exceed \$15,000,000			
Project Name	Owner	Principals	Amount Not to Exceed
Mesquite Senior Apartments	PWA - Mesquite Senior Community, L.P.	PWA - Mesquite GP, LLC, managing general partner; PWA Coalition of Dallas, Inc., sole member of managing general partner	\$11,750,000
Costs: acquisition of real property located at 1600 feet south of Oates, one block north of Interstate Highway 30 on the south side of Northwest Drive, Mesquite, Dallas County, Texas, and (ii) the construction thereon of an approximately 200-unit multifamily residential rental housing project, in the amount not to exceed \$11,750,000			

Project Name	Owner	Principals	Amount Not to Exceed
Morton Apartments	Morton Apartments Limited Partnership	TCR Morton Partners Limited Partnership, managing general partner, TCR 2002 Housing, Inc., general partner of managing general partner	\$15,000,000
Costs: acquisition of real property located on the southwest corner of Barker Cypress Road and Morton Road, Houston, Harris County, Texas, and (ii) the construction thereon of an approximately 280-unit multifamily residential rental housing project, in the amount not to exceed \$15,000,000			
Project Name	Owner	Principals	Amount Not to Exceed
Mountain Creek Apartments	Mountain Creek Apartments LP	Camp Wisdom Apartments LP, general partner, Thomas M. Jones and Donald J. Hammond, Jr., principals of the general partner	\$15,000,000
Costs: acquisition of real property located at the southwest corner of Camp Wisdom Road and Clark Road, Dallas, Dallas County, Texas, and (ii) the construction thereon of an approximately 280-unit multifamily residential rental housing project, in the amount not to exceed \$15,000,000			
Project Name	Owner	Principals	Amount Not to Exceed
Newport Downs Apartments	Wendover Tex III, Ltd.	TexWen III, Inc., general partner; Todd L. Borck, Jonathan Wolf, and Patrick Law, principals of the general partner	\$14,500,000
Costs: acquisition of real property located at Bagdad Road and Road A, Leander, Williamson County, Texas, and (ii) the construction thereon of an approximately 248-unit multifamily residential rental housing project, in the amount not to exceed \$14,500,000			
Project Name	Owner	Principals	Amount Not to Exceed
North Vista Apartments	North Vista Apartments Limited Partnership	TCR North Vista Partners Limited Partnership, managing general partner, TCR 2002 Housing, Inc., general partner of managing general partner	\$15,000,000
Costs: acquisition of real property located north of North Vista Drive, east of Interstate 45, Houston, Harris County, Texas, and (ii) the construction thereon of an approximately 280-unit multifamily residential rental housing project, in the amount not to exceed \$15,000,000			

Project Name	Owner	Principals	Amount Not to Exceed
Oak Estates Apartments	Oak Estates Apartments, Ltd.	Artisan / American Corp. and Inland General Construction Co., general partners	\$15,000,000
Costs: acquisition of real property located at West Greens Road and Antoine Drive (Tract C), Houston, Harris County, Texas, and (ii) the construction thereon of an approximately 250-unit multifamily residential rental housing project, in the amount not to exceed \$15,000,000			
Project Name	Owner	Principals	Amount Not to Exceed
Orchard Apartments	Orchard Apartments, L.P.	Artisan / American Corp. and Inland General Construction Co., general partners	\$15,000,000
Costs: acquisition of real property located at West Greens Road and Bammel North (Tract B and C), Houston, Harris County, Texas, and (ii) the construction thereon of an approximately 250-unit multifamily residential rental housing project, in the amount not to exceed \$15,000,000			
Project Name	Owner	Principals	Amount Not to Exceed
Park Row One Apartments	Park Row One Apartments Limited Partnership	TCR Park Row One Partners Limited Partnership, managing general partner, TCR 2002 Housing, Inc., general partner of managing general partner	\$12,500,000
Costs: acquisition of real property located on the northwest corner of Snake River Road and Park Row, Houston, Harris County, Texas, and (ii) the construction thereon of an approximately 240-unit multifamily residential rental housing project, in the amount not to exceed \$12,500,000			
Project Name	Owner	Principals	Amount Not to Exceed
Park Row Two Apartments	Park Row Apartments Limited Partnership	TCR Park Row Two Partners Limited Partnership, managing general partner, TCR 2002 Housing, Inc., general partner of managing general partner	\$15,000,000
Costs: acquisition of real property located on the corners of Snake River Road, Park Row and Mastors Lane, Houston, Harris County, Texas, and (ii) the construction thereon of an approximately 280-unit multifamily residential rental housing project, in the amount not to exceed \$15,000,000			

Project Name	Owner	Principals	Amount Not to Exceed
Park Side Apartments	Finlay Interests 36, Ltd.	Finlay Interests GP 36, LLC, general partner, Finlay GP Holdings, Ltd., sole member, Finlay Holdings, Inc., general partner of the sole member	\$10,000,000
Costs: acquisition of real property located at Susan Drive, north of Park Row Drive East, Arlington, Tarrant County, Texas, and (ii) the construction thereon of an approximately 200-unit multifamily residential rental housing project, in the amount not to exceed \$10,000,000			
Project Name	Owner	Principals	Amount Not to Exceed
Parkside Terrace Apartments	Parkside Terrace, Ltd.	East Montgomery Housing, L.L.C., managing general partner	\$9,000,000
Costs: acquisition of real property located on 3350 Alice Street, Houston, Harris County, Texas, and (ii) the construction thereon of an approximately 220-unit multifamily residential rental housing project, in the amount not to exceed \$9,000,000			
Project Name	Owner	Principals	Amount Not to Exceed
Pepper Tree Apartments	Pepper Tree Apartment, L.P.	Artisan / American Corp. and Inland General Construction Co., general partners	\$15,000,000
Costs: acquisition of real property located at West Greens Road and Bammel North (Tract D), Houston, Harris County, Texas, and (ii) the construction thereon of an approximately 250-unit multifamily residential rental housing project, in the amount not to exceed \$15,000,000			
Project Name	Owner	Principals	Amount Not to Exceed
Preakness Apartments	Preakness Apartments Limited Partnership	TCR Preakness Partners Limited Partnership, managing general partner, TCR 2002 Housing, Inc., general partner of managing general partner	\$15,000,000
Costs: acquisition of real property located south of Preakness Lane; east of Loop 12, Dallas, Dallas County, Texas, and (ii) the construction thereon of an approximately 280-unit multifamily residential rental housing project, in the amount not to exceed \$15,000,000			

Project Name	Owner	Principals	Amount Not to Exceed
Reading Road Apartments	Reading Road Apartments, L.P.	Reading Road Development, L.L.C., managing general partner	14,000,000
Costs: acquisition of real property located at 2820 F.M. 2218, Rosenberg, Fort Bend County, Texas, and (ii) the construction thereon of an approximately 248-unit multifamily residential rental housing project, in the amount not to exceed \$14,000,000			
Project Name	Owner	Principals	Amount Not to Exceed
Redwood Apartments	Redwood Apartments, L.P.	Artisan / American Corp. and Inland General Construction Co., general partners	\$15,000,000
Costs: acquisition of real property located at Ella Boulevard and Airtex, Houston, Harris County, Texas, and (ii) the construction thereon of an approximately 250-unit multifamily residential rental housing project, in the amount not to exceed \$15,000,000			
Project Name	Owner	Principals	Amount Not to Exceed
Regency Arms Apartments	Wendover Tex I, Ltd.	TexWen I, Inc., general partner; Todd L. Borck, Jonathan Wolf, and Patrick Law, principals of the general partner	\$14,500,000
Costs: acquisition of real property located at Bagdad Road and West New Hope Road, Cedar Park, Williamson County, Texas, and (ii) the construction thereon of an approximately 248-unit multifamily residential rental housing project, in the amount not to exceed \$14,500,000			
Project Name	Owner	Principals	Amount Not to Exceed
Residences of Pemberton Hill Apartments	Pemberton Hill Seniors Housing Associates, Ltd.	Church of Christ on Pemberton Hill Road, managing general partner	\$6,500,000
Costs: acquisition of real property located on 250 Pemberton Hill Road, Dallas, Dallas County, Texas, and (ii) the construction thereon of an approximately 160-unit multifamily residential rental housing project, in the amount not to exceed \$6,500,000			
Project Name	Owner	Principals	Amount Not to Exceed
Richmond Apartments	Brisben Clarkridge Plaza Limited Partnership	Brisben Texas, Inc., managing general partner	\$15,000,000
Costs: acquisition of real property located at the 4300 Block of Riverwood Drive, Richmond, Fort Bend County, Texas, and (ii) the construction thereon of an approximately 280-unit multifamily residential rental housing project, in the amount not to exceed \$15,000,000			

Project Name	Owner	Principals	Amount Not to Exceed
Smithstone Place Apartments	Smithstone 529 Apartments, L.P.	Smithstone 529 Apartments I, L.L.C., managing general partner; Michael G. Robinson, sole member of managing general partner	\$15,000,000
Costs: acquisition of real property located on 15800 Smithstone Drive, Houston, Harris County Texas, and (ii) the construction thereon of an approximately 280-unit multifamily residential rental housing project, in the amount not to exceed \$15,000,000			
Project Name	Owner	Principals	Amount Not to Exceed
Stonebrook Courtyards Apartments	Stonebrook Courtyards Housing, L.P.	Stonebrook Courtyards Development, LLC, managing general partner	\$15,000,000
Costs: acquisition of real property located on Peregrine Drive at Virginia Parkway, McKinney, Collin County, Texas, and (ii) the construction thereon of an approximately 270-unit multifamily residential rental housing project, in the amount not to exceed \$15,000,000			
Project Name	Owner	Principals	Amount Not to Exceed
Stonebrook Villas Apartments	Stonebrook Villas Housing	Stonebrook Villas Development, LLC, managing general partner	\$15,000,000
Costs: acquisition of real property located on Peregrine Drive at Virginia Parkway, McKinney, Collin County, Texas, and (ii) the construction thereon of an approximately 270-unit multifamily residential rental housing project, in the amount not to exceed \$15,000,000			
Project Name	Owner	Principals	Amount Not to Exceed
Stuebner One Apartments	Stuebner One Apartments Limited Partnership	TCR Stuebner One Partners Limited Partnership, managing general partner, TCR 2002 Housing, Inc., general partner of managing general partner	\$15,000,00
Costs: acquisition of real property located on Stuebner Airline, north of Greens Road, Houston, Harris County, Texas, and (ii) the construction thereon of an approximately 280-unit multifamily residential rental housing project, in the amount not to exceed \$15,000,000			

Project Name	Owner	Principals	Amount Not to Exceed
Stuebner Two Apartments	Stuebner Two Apartments Limited Partnership	TCR Stuebner Two Partners Limited Partnership, managing general partner, TCR 2002 Housing, Inc., general partner of managing general partner	\$15,000,00
Costs: acquisition of real property located on Stuebner Airline, north of Greens Road, Houston, Harris County, Texas, and (ii) the construction thereon of an approximately 280-unit multifamily residential rental housing project, in the amount not to exceed \$15,000,000			
Project Name	Owner	Principals	Amount Not to Exceed
Sundown Village Apartments	Saums Sundown Village, Ltd.	Richco Rinehart Investments, LLC, managing general partner	\$9,250,000
Costs: acquisition of real property located on 20300 Saums Road Houston, Harris County, Texas, and (ii) the construction thereon of an approximately 168-unit multifamily residential rental housing project, in the amount not to exceed \$9,250,000			
Project Name	Owner	Principals	Amount Not to Exceed
Teakwood Apartments	Teakwood Apartments, L.P.	Artisan / American Corp. and Inland General Construction Co., general partners	\$15,000,000
Costs: acquisition of real property located at West Greens Road and Bammel North (Tract E), Houston, Harris County, Texas, and (ii) the construction thereon of an approximately 250-unit multifamily residential rental housing project, in the amount not to exceed \$15,000,000			
Project Name	Owner	Principals	Amount Not to Exceed
Toulouse Villas Apartments	Toulouse Villas Limited Partnership	Queenston Development, LLC, managing general partner	\$12,750,000
Costs: acquisition of real property located on the west side of Queenston Boulevard, North of Keith Harrow, Houston, Harris County, Texas, and (ii) the construction thereon of an approximately 240-unit multifamily residential rental housing project, in the amount not to exceed \$12,750,000			

Project Name	Owner	Principals	Amount Not to Exceed
Veterans Memorial Apartments	Trails of Sycamore Townhomes Limited Partnership	Housing Initiatives Corporation, Inc., managing general partner	\$15,000,000
Costs: acquisition of real property located on the Veterans Memorial just North of Gears Drive, Houston, Harris County, Texas, and (ii) the construction thereon of an approximately 250-unit multifamily residential rental housing project, in the amount not to exceed \$15,000,000			
Project Name	Owner	Principals	Amount Not to Exceed
Walnut Crest Apartments	Walnut Crest Apartment, L.P.	Artisan / American Corp. and Inland General Construction Co., general partners	\$15,000,000
Costs: acquisition of real property located on the Southern 13.12 acres of the 28.984 acres of land being all of the Villages at Lakeside, Rosenberg, Fort Bend County, Texas, and (ii) the construction thereon of an approximately 250-unit multifamily residential rental housing project, in the amount not to exceed \$15,000,000			
Project Name	Owner	Principals	Amount Not to Exceed
Walters Apartments	Walters Apartments Limited Partnership	TCR Walters Partners Limited Partnership, managing general partner, TCR 2002 Housing, Inc., general partner of managing general partner	\$15,000,000
Costs: acquisition of real property located on the east side of Walters Road, south of FM 1960, Houston, Harris County, Texas, and (ii) the construction thereon of an approximately 280-unit multifamily residential rental housing project, in the amount not to exceed \$15,000,000			
Project Name	Owner	Principals	Amount Not to Exceed
West Virginia Apartments	West Virginia Apartments Limited Partnership	TCR West Virginia Partners Limited Partnership, managing general partner, TCR 2002 Housing, Inc., general partner of managing general partner	\$10,000,000
Costs: acquisition of real property located on the 7600 block of West Virginia Drive, Dallas, Dallas County, Texas, and (ii) the construction thereon of an approximately 202-unit multifamily residential rental housing project, in the amount not to exceed \$10,000,000			

Project Name	Owner	Principals	Amount Not to Exceed
Westpark Apartments	Westpark Apartments Limited Partnership	TCR Westpark Partners Limited Partnership, managing general partner, TCR 2002 Housing, Inc., general partner of managing general partner	\$12,500,000
Costs: acquisition of real property located 15000 Westpark Drive, Houston, Harris County, Texas, and (ii) the construction thereon of an approximately 240-unit multifamily residential rental housing project, in the amount not to exceed \$12,500,000			
Project Name	Owner	Principals	Amount Not to Exceed
Wheatland Villas Apartments	Wheatland Villas Housing, L.P.	Wheatland Villas Development, LLC, managing general partner	\$15,000,000
Costs: acquisition of real property located on the Southwest corner of I-35 & Ledbetter, Dallas, Dallas County, Texas, and (ii) the construction thereon of an approximately 260-unit multifamily residential rental housing project, in the amount not to exceed \$15,000,000			
Project Name	Owner	Principals	Amount Not to Exceed
William Cannon One Apartments	William Cannon One Apartments Limited Partnership	TCR William Cannon One Partners Limited Partnership, managing general partner, TCR 2002 Housing, Inc., general partner of managing general partner	\$7,500,000
Costs: acquisition of real property located on the 2000 block of East William Cannon Drive, Austin, Travis County, Texas, and (ii) the construction thereon of an approximately 174-unit multifamily residential rental housing project, in the amount not to exceed \$7,500,000			
Project Name	Owner	Principals	Amount Not to Exceed
William Cannon Two Apartments	William Cannon Two Apartments Limited Partnership	TCR William Cannon Two Partners Limited Partnership, managing general partner, TCR 2002 Housing, Inc., general partner of managing general partner	\$15,000,000
Costs: acquisition of real property located at 2112 East William Cannon Drive, Austin, Travis County, Texas, and (ii) the construction thereon of an approximately 280-unit multifamily residential rental housing project, in the amount not to exceed \$15,000,000			

Project Name	Owner	Principals	Amount Not to Exceed
Willow Park Apartments	Willow Park Apartments, Ltd.	Artisan / American Corp. and Inland General Construction Co., general partners	\$15,000,000
Costs: acquisition of real property located at West Greens Road and Antoine Drive (Tract F), Houston, Harris County, Texas, and (ii) the construction thereon of an approximately 250-unit multifamily residential rental housing project, in the amount not to exceed \$15,000,000			
Project Name	Owner	Principals	Amount Not to Exceed
Woodway Village Apartments	Nuckols Crossing Partners, Ltd.	Richco Rinehart Investments, LLC, managing general partner	\$9,100,000
Costs: acquisition of real property located on 4500-4510 Nuckols Crossing Road, Austin, Travis County, Texas, and (ii) the construction thereon of an approximately 160-unit multifamily residential rental housing project, in the amount not to exceed \$9,100,000			
Project Name	Owner	Principals	Amount Not to Exceed
Wylie Senior Apartments	PWA - Wylie Senior Community, L.P.	PWA - Wylie GP, LLC, managing general partner; PWA Coalition of Dallas, Inc., sole member of managing general partner	\$8,500,000
Costs: acquisition of real property located at 400 feet southeast of 701 N. State Highway 78, Wylie, Collin County, Texas, and (ii) the construction thereon of an approximately 150-unit multifamily residential rental housing project, in the amount not to exceed \$8,500,000			

Texas Department of Housing and Community Affairs

2002 Multifamily Private-Activity Bonds

Priority 1 Transactions

<i>Application #</i>	<i>Project Information</i>	<i># Units</i>	<i>Bond Amount</i>	<i>Developer Information</i>	<i>Notes</i>
2002-001	Gates of Galilee Apts New Construction S. side extension of Bow Willow at Willow Place Dr. County: Harris City: Houston	248	\$15,000,000	Kim Hatfield Bozrah International Ministries, Inc. (281) 599-1627	Project relies on property tax exemptions.
2002-004	Gates of Eden New Construction Diary Ashford, 840' north of Beechnut County: Harris City: Houston	248	\$15,000,000	Kim Hatfield Bozrah International Ministries, Inc. (281) 599-1627	Project relies on property tax exemptions.
2002-005	Residences of Pemberton Hill New Construction 250 Pemberton Hill Road County: Dallas City: Dallas	160	\$6,500,000	Robert H. Voelker Pemberton Hill Seniors Housing Associates, Ltd. (972) 745-0756	Project is located in a QCT. Project relies on property tax exemptions.
2002-006	Parkside Terrace Apts New Construction 3350 Alice Street County: Harris City: Houston	220	\$9,000,000	James Washburn Parkside Terrace, Ltd. (281) 689-2030	Project is located in a QCT.
2002-014	West Virginia Apts New Construction 7600 Block of West Virginia Drive County: Dallas City: Dallas	202	\$10,000,000	Chris Bergmann West Virginia Apartments Limited Partnership (713) 781-5775	Project is located in a QCT.
2002-028	Wylie Senior Apts New Construction 5.232 acres 400ft SW of 701 Highway 78 County: Collin City: Wylie	150	\$8,500,000	Don Maison PWA Coalition of Dallas, Inc. (214) 941-0523	Project relies on property tax exemptions.

Priority 1 Transactions

<i>Application #</i>	<i>Project Information</i>	<i># Units</i>	<i>Bond Amount</i>	<i>Developer Information</i>	<i>Notes</i>
2002-029	Mesquite Senior Apts New Construction NW Drive 1600 ft South of Oates County: Dallas City: Mesquite	200	\$11,750,000	Don Maison PWA Coalition of Dallas, Inc. (214) 941-0523	Project relies on property tax exemptions.
2002-048	Mountain Creek Apts New Construction Camp Wisdom Rd, West of Patriot Pkwy County: Dallas City: Dallas	280	\$15,000,000	Thomas Jones Mountain Creek Apartments LP (512) 469-5980	
2002-051	Cedar Park Ranch Phase I New Construction FM 1431 & Bagdad Road County: Williamson City: Cedar Park	160	\$8,500,000	Lewis Foley Commonwealth Housing Corporation (281) 873-2118	Project relies on property tax exemptions.
2002-052	Stonebrook Courtyards New Construction Peregrine Dr. at Virginia Pkwy. County: Collin City: McKinney	270	\$15,000,000	Brian Potashnik Stonebrook Courtyards Housing, L.P. (214) 891-1402	
2002-053	Clarkridge Villas New Construction Clark Road & Clarkridge Road County: Dallas City: Dallas	260	\$15,000,000	Brian Potashnik Clarkridge Villas Housing, L.P. (214) 891-1402	
2002-054	McKinney Estates New Construction South of West University Dr. near Skyline Dr. County: Collin City: McKinney	260	\$15,000,000	Brian Potashnik Frisco Estates Housing, L.P. (214) 891-1402	
2002-055	Wheatland Villas New Construction SW corner of I-35 & Ledbetter County: Dallas City: Dallas	260	\$15,000,000	Brian Potashnik Wheatland Villas Housing, L.P. (214) 891-1402	

Priority 1 Transactions

<i>Application #</i>	<i>Project Information</i>	<i># Units</i>	<i>Bond Amount</i>	<i>Developer Information</i>	<i>Notes</i>
2002-056	Stonebrook Villas New Construction Peregrine Dr. at Virginia Pkwy County: Collin City: McKinney	270	\$15,000,000	Brian Potashnik Stonebrook Villas Housing, L.P. (214) 891-1402	
2002-057	Hickory Trace New Construction Wheatland & Old Hickory Roads County: Dallas City: Dallas	260	\$15,000,000	Brian Potashnik Hickory Trace Housing, L.P. (214) 891-1402	Project is located in a QCT.
2002-062	Madison Pointe Apts New Construction 3600 SRL Thornton Freeway County: Dallas City: Dallas	248	\$12,500,000	Kurt Kehoe Madison Point Limited Partnership (407) 772-0200	Project is located in a QCT.
2002-063	Park Side Apts New Construction Susan Drive, North of Park Row Drive East County: Tarrant City: Arlington	200	\$10,000,000	Jeffrey Spicer Finlay Interests 31-36, 39-40, Ltd. (904) 280-1000	
2002-069	Birnam Woods Apts New Construction NW corner of Birnamwood Blvd & Treshwig Road County: Harris City: Spring	256	\$11,500,000	Jeffrey Spicer Finlay Interests 31-36, 39-40, Ltd. (904) 280-1000	
2002-071	Veterans Memorial New Construction Veterans Memorial & Gears Drive County: Harris City: Houston	250	\$15,000,000	Frank Mendez Trails of Sycamore Townhomes Limited Partnership (512) 799-5030	Project relies on property tax exemptions.
2002-073	Fairmont Parkway New Construction NE Corner of Fairmont Pkwy & Luella Blvd County: Harris City: La Porte	260	\$15,000,000	Frank Mendez Brisben Texas II Limited Partnership (512) 799-5030	Project relies on property tax exemptions.

Priority 1 Transactions

<i>Application #</i>	<i>Project Information</i>	<i># Units</i>	<i>Bond Amount</i>	<i>Developer Information</i>	<i>Notes</i>
2002-074	Arkansas Lane New Construction 2400 Arkansas Lane County: Dallas City: Grand Prairie	280	\$15,000,000	Don Paxton Ascot Park Townhomes L.P. (513) 489-1990	
2002-076	The Richmond New Construction 4600 Block of Riverwood Drive County: Fort Bend City: Richmond	280	\$15,000,000	Don Paxton Brisben Clarkridge Plaza, L.P. (513) 489-1990	Project is located in a QCT.
2002-077	Harbour Pointe New Construction River Run Road & Road A County: Williamson City: Leander	248	\$14,500,000	Todd L. Borek WendoverTex 1-4, Ltd. (407) 333-3233	
2002-078	Newport Downs New Construction Bagdad Road & Road A County: Williamson City: Leander	248	\$14,500,000	Todd L. Borek WendoverTex 1-4, Ltd. (407) 333-3233	
2002-079	Regency Arms New Construction West New Hope Road County: Williamson City: Cedar Park	248	\$14,500,000	Todd L. Borek WendoverTex 1-4, Ltd. (407) 333-3233	
2002-080	Heatherbrook New Construction Eastside of Dassau Rd, Southside of Wells Branch Pkwy County: Travis City: Pflugerville	248	\$14,500,000	Todd L. Borek WendoverTex 1-4, Ltd. (407) 333-3233	
Totals:	26 Applications containing	6,214 units, requesting	\$341,250,000	in total bonds.	

**TEXAS DEPARTMENT OF HOUSING & COMMUNITY AFFAIRS
MULTIFAMILY FINANCE DIVISION
PREQUALIFICATION ANALYSIS**

Cedar Park Ranch Apts Phase I, FM 1431 & Bagdad Road, Cedar Park, TX 78613 (2002-051)

Unit Mix and Rental Rates					
Unit Type	Beds/Bath	# Units	Rents	Unit Size S.F.	Rent/S.F.
50% AMI	1BD/1BA	48	\$ 542	638	0.85
50% AMI	1BD/1BA	40	\$ 542	672	0.81
50% AMI	1BD/1BA	12	\$ 542	717	0.76
50% AMI	2BD/2BA	36	\$ 639	830	0.77
50% AMI	2BD/2BA	24	\$ 639	928	0.69
					0.00
Totals		160	\$ 1,110,480	118,260	\$ 0.78
Averages			\$ 578	739	

Uses of Funds/Project Costs				
	Costs	Per Unit	Per S.F.	Percent
Acquisition	\$ 1,161,725	\$ 7,261	\$ 9.82	0.11
Off-sites	0	0	0.00	0.00
Subtotal Site Costs	\$ 1,161,725	\$ 7,261	\$ 9.82	0.11
Sitework	0	0	0.00	0.00
Construction Costs	5,635,926	35,225	47.66	0.52
Contingency	120,000	750	1.01	0.01
General Requirements	280,000	1,750	2.37	0.03
Contractor's Fee	359,883	2,249	3.04	0.03
Subtotal Construction	\$ 6,395,809	\$ 39,974	\$ 54.08	0.59
Indirect Construction	1,070,960	6,694	9.06	0.10
Developer's Fee	1,079,648	6,748	9.13	0.10
Financing	679,377	4,246	5.74	0.06
Reserves	453,100	2,832	3.83	0.04
Legal & Closing Costs	24,191	151	0.20	0.00
Subtotal Other Costs	\$ 3,307,276	\$ 20,670	\$ 27.97	0.30
Total Uses	\$ 10,864,810	\$ 67,905	\$ 91.87	1.00

Applicant - Sources of Funds				
Source I	Net Proceeds	Sale Price	Applicable Percentage	
Tax Credits	\$ 2,446,329	\$0.70	4.00%	
Source II	Proceeds	Rate	Amort	Annual D/S
Bond Proceeds	\$ 8,418,481	6.30%	40	\$ 577,105
Source III	Proceeds	% Deferred	Remaining	
Deferred Developer Fee	\$ -	0.0%	\$1,079,648	
Source IV	Proceeds	Description	Annual D/S	
Other	\$ -		\$ -	
Total Sources	\$ 10,864,810			\$ 577,105

TDHCA - Sources of Funds				
Source I	Net Proceeds	Sale Price	Applicable Percentage	
Tax Credits	\$ 2,538,214	\$0.82	3.55%	
Source II	Proceeds	Rate	Amort	Annual D/S
Bond Proceeds	\$ 7,650,438	6.35%	30	\$ 571,245
Source III	Proceeds	% Deferred	Remaining	
Deferred Developer Fee	\$ 676,158	62.6%	\$ 403,490	
Source IV	Proceeds	Description	Annual D/S	
Other			\$ -	
Total Sources	\$ 10,864,810			\$ 571,245

Applicant - Operating Proforma/Debt Coverage				
		Per S.F.	Per Unit	
Potential Gross Income	\$1,110,480	\$9.39	\$6,941	
Other Income & Loss	48,396	0.41	302	
Vacancy & Collection	-6.48% (75,108)	-0.64	-469	
Effective Gross Income	\$1,083,768	9.16	6,774	
Total Operating Expenses	\$396,698	\$3.35	\$2,479	
Net Operating Income	\$687,070	\$5.81	\$4,294	
Debt Service	577,105	4.88	3,607	
Net Cash Flow	\$109,965	\$0.93	\$687	
Debt Coverage Ratio	1.19			
TDHCA/TSAHC Fees	\$0	\$0.00	\$0	
Net Cash Flow	\$109,965	\$0.93	\$687	
DCR after TDHCA Fees	1.19			
Break-even Rents/S.F.	0.69			
Break-even Occupancy	87.69%			

TDHCA - Operating Proforma/Debt Coverage				
		Per S.F.	Per Unit	
Potential Gross Income	\$1,110,480	\$9.39	\$6,941	
Other Income & Loss	19,200	0.16	120	
Vacancy & Collection	7.50% (84,726)	-0.72	-530	
Effective Gross Income	1,044,954	8.84	6,531	
Total Operating Expenses	38.0% \$396,698	\$3.35	\$2,479	
Net Operating Income	\$648,256	\$5.48	\$4,052	
Debt Service	571,245	4.83	3,570	
Net Cash Flow	\$77,011	\$0.65	\$481	
Debt Coverage Ratio	1.13			
TDHCA/TSAHC Fees	\$18,050	\$0.15	\$113	
Net Cash Flow	\$58,960	\$0.50	\$369	
DCR after TDHCA Fees	1.10			
Break-even Rents/S.F.	0.69			
Break-even Occupancy	88.79%			

Applicant - Expense Summary			
		Per S.F.	Per Unit
Management Fee	\$42,922	0.36	268.26
Salaries/Wages/Benefits	88,000	0.74	550.00
General and Admin.	40,000	0.34	250.00
Maintenance/Repairs	88,000	0.74	550.00
Utilities	40,000	0.34	250.00
Property Taxes	51,585	0.44	322.41
Insurance	14,191	0.12	88.69
Replacement Reserves	32,000	0.27	200.00
Other Expenses	-	0.00	0.00
Total Expenses	\$396,698	3.35	2,479.36

Staff Notes/Comments
1. 501(C)(3) Non-Profit
2. CHODO Tax Exemption
3. Gross rents trend 3%.
4. Incorporated maximum tax credits
5. Assuming property taxes of \$1,000 per unit, total operating expenses fall short of our underwriting range of \$3,200-\$3,400 per unit.

**TEXAS DEPARTMENT OF HOUSING & COMMUNITY AFFAIRS
MULTIFAMILY FINANCE DIVISION
PREQUALIFICATION ANALYSIS**

Harbour Pointe, River Run Road & Road A, Leander, TX 78641 (2002-077)

Unit Mix and Rental Rates					
Unit Type	Beds/Bath	# Units	Rents	Unit Size S.F.	Rent/S.F.
50% AMI	1BD/1BA	40	\$ 594	780	0.76
50% AMI	2BD/2BA	110	\$ 664	1,040	0.64
50% AMI	3BD/2BA	96	\$ 772	1,190	0.65
					0.00
					0.00
					0.00
					0.00
					0.00
					0.00
					0.00
					0.00
Totals		246	\$ 2,050,944	259,840	\$ 0.66
Averages			\$ 695	1,056	

Uses of Funds/Project Costs				
	Costs	Per Unit	Per S.F.	Percent
Acquisition	\$ 1,083,100	\$ 4,403	\$ 4.17	0.05
Off-sites	0	0	0.00	0.00
Subtotal Site Costs	\$ 1,083,100	\$ 4,403	\$ 4.17	0.05
Sitework	1,435,320	5,835	5.52	0.07
Construction Costs	9,468,093	38,488	36.44	0.47
Contingency	450,000	1,829	1.73	0.02
General Requirements	450,000	1,829	1.73	0.02
Contractor's Fee	630,000	2,561	2.42	0.03
Subtotal Construction	\$ 12,433,413	\$ 50,542	\$ 47.85	0.62
Indirect Construction	1,481,400	6,022	5.70	0.07
Developer's Fee	2,458,000	9,992	9.46	0.12
Financing	1,682,268	6,838	6.47	0.08
Reserves	769,597	3,128	2.96	0.04
Legal & Closing Costs	150,000	610	0.58	0.01
Subtotal Other Costs	\$ 6,541,265	\$ 26,591	\$ 25.17	0.33
Total Uses	\$ 20,057,778	\$ 81,536	\$ 77.19	1.00

Applicant - Sources of Funds				
Source I	Net Proceeds	Sale Price	Applicable Percentage	
Tax Credits	\$ 5,043,700	\$0.82	3.57%	
Source II	Proceeds	Rate	Amort	Annual D/S
Bond Proceeds	\$ 14,100,000	6.50%	30	\$1,069,459
Source III	Proceeds	% Deferred	Remaining	
Deferred Developer Fee	\$ 914,078	37.2%	\$1,543,922	
Source IV	Proceeds	Description	Annual D/S	
Other	\$ -		\$ -	
Total Sources	\$ 20,057,778			\$1,069,459

TDHCA - Sources of Funds				
Source I	Net Proceeds	Sale Price	Applicable Percentage	
Tax Credits	\$ 5,043,700	\$0.82	3.57%	
Source II	Proceeds	Rate	Amort	Annual D/S
Bond Proceeds	\$ 13,493,730	6.35%	30	\$ 1,007,554
Source III	Proceeds	% Deferred	Remaining	
Deferred Developer Fee	\$ 1,520,348	61.9%	\$ 937,652	
Source IV	Proceeds	Description	Annual D/S	
Other			\$ -	
Total Sources	\$ 20,057,778			\$ 1,007,554

Applicant - Operating Proforma/Debt Coverage				
		Per S.F.	Per Unit	
Potential Gross Income	\$2,050,944	\$7.89	\$8,337	
Other Income & Loss	88,380	0.34	359	
Vacancy & Collection	-7.48% (159,996)	-0.62	-650	
Effective Gross Income	\$1,979,328	7.62	8,046	
Total Operating Expenses	\$783,436	\$3.02	\$3,185	
Net Operating Income	\$1,195,892	\$4.60	\$4,861	
Debt Service	1,069,459	4.12	4,347	
Net Cash Flow	\$126,433	\$0.49	\$514	
Debt Coverage Ratio	1.12			
TDHCA/TSAHC Fees	\$0	\$0.00	\$0	
Net Cash Flow	\$126,433	\$0.49	\$514	
DCR after TDHCA Fees	1.12			
Break-even Rents/S.F.	0.59			
Break-even Occupancy	90.34%			

TDHCA - Operating Proforma/Debt Coverage				
		Per S.F.	Per Unit	
Potential Gross Income	\$2,050,944	\$7.89	\$8,337	
Other Income & Loss	29,520	0.11	120	
Vacancy & Collection	7.50% (156,035)	-0.60	-634	
Effective Gross Income	1,924,429	7.41	7,823	
Total Operating Expenses	40.9% \$787,200	\$3.03	\$3,200	
Net Operating Income	\$1,137,229	\$4.38	\$4,623	
Debt Service	1,007,554	3.88	4,096	
Net Cash Flow	\$129,676	\$0.50	\$527	
Debt Coverage Ratio	1.13			
TDHCA/TSAHC Fees	\$29,484	\$0.11	\$120	
Net Cash Flow	\$100,192	\$0.39	\$407	
DCR after TDHCA Fees	1.10			
Break-even Rents/S.F.	0.59			
Break-even Occupancy	88.95%			

Applicant - Expense Summary			
		Per S.F.	Per Unit
Management Fee	\$98,666	0.38	401.08
Salaries/Wages/Benefits	156,820	0.60	637.48
General and Admin.	54,920	0.21	223.25
Maintenance/Repairs	67,030	0.26	272.48
Utilities	144,250	0.56	586.38
Property Taxes	173,600	0.67	705.69
Insurance	38,550	0.15	156.71
Replacement Reserves	49,600	0.19	201.63
Other Expenses	-	0.00	0.00
Total Expnses	\$783,436	3.02	3,184.70

Staff Notes/Comments
1. Property not zoned. 60 days are required to zone the property.

**TEXAS DEPARTMENT OF HOUSING & COMMUNITY AFFAIRS
MULTIFAMILY FINANCE DIVISION
PREQUALIFICATION ANALYSIS**

Newport Downs, Bagdad Road & Road A, Leander, TX 78641 (2002-078)

Unit Mix and Rental Rates					
Unit Type	Beds/Bath	# Units	Rents	Unit Size S.F.	Rent/S.F.
50% AMI	1BD/1BA	40	\$ 594	780	0.76
50% AMI	2BD/2BA	110	\$ 664	1,040	0.64
50% AMI	3BD/2BA	96	\$ 772	1,190	0.65
					0.00
					0.00
					0.00
					0.00
					0.00
					0.00
					0.00
					0.00
Totals		246	\$ 2,050,944	259,840	\$ 0.66
Averages			\$ 695	1,056	

Uses of Funds/Project Costs				
	Costs	Per Unit	Per S.F.	Percent
Acquisition	\$ 1,123,900	\$ 4,569	\$ 4.33	0.06
Off-sites	0	0	0.00	0.00
Subtotal Site Costs	\$ 1,123,900	\$ 4,569	\$ 4.33	0.06
Sitework	1,435,320	5,835	5.52	0.07
Construction Costs	9,468,093	38,488	36.44	0.47
Contingency	450,000	1,829	1.73	0.02
General Requirements	450,000	1,829	1.73	0.02
Contractor's Fee	630,000	2,561	2.42	0.03
Subtotal Construction	\$ 12,433,413	\$ 50,542	\$ 47.85	0.62
Indirect Construction	1,481,400	6,022	5.70	0.07
Developer's Fee	2,458,000	9,992	9.46	0.12
Financing	1,682,268	6,838	6.47	0.08
Reserves	769,597	3,128	2.96	0.04
Legal & Closing Costs	150,000	610	0.58	0.01
Subtotal Other Costs	\$ 6,541,265	\$ 26,591	\$ 25.17	0.33
Total Uses	\$ 20,098,578	\$ 81,702	\$ 77.35	1.00

Applicant - Sources of Funds				
Source I	Net Proceeds	Sale Price	Applicable Percentage	
Tax Credits	\$ 5,043,700	\$0.82	3.57%	
Source II	Proceeds	Rate	Amort	Annual D/S
Bond Proceeds	\$ 14,100,000	6.50%	30	\$1,069,459
Source III	Proceeds	% Deferred	Remaining	
Deferred Developer Fee	\$ 954,878	38.8%	\$1,503,122	
Source IV	Proceeds	Description	Annual D/S	
Other	\$ -		\$ -	
Total Sources	\$ 20,098,578			\$1,069,459

TDHCA - Sources of Funds				
Source I	Net Proceeds	Sale Price	Applicable Percentage	
Tax Credits	\$ 5,043,700	\$0.82	3.54%	
Source II	Proceeds	Rate	Amort	Annual D/S
Bond Proceeds	\$ 13,493,730	6.35%	30	\$ 1,007,554
Source III	Proceeds	% Deferred	Remaining	
Deferred Developer Fee	\$ 1,561,148	63.5%	\$ 896,852	
Source IV	Proceeds	Description	Annual D/S	
Other			\$ -	
Total Sources	\$ 20,098,578			\$ 1,007,554

Applicant - Operating Proforma/Debt Coverage				
		Per S.F.	Per Unit	
Potential Gross Income		\$2,050,944	\$7.89	\$8,337
Other Income & Loss		88,380	0.34	359
Vacancy & Collection	-7.48%	(159,996)	-0.62	-650
Effective Gross Income		\$1,979,328	7.62	8,046
Total Operating Expenses		\$783,436	\$3.02	\$3,185
Net Operating Income		\$1,195,892	\$4.60	\$4,861
Debt Service		1,069,459	4.12	4,347
Net Cash Flow		\$126,433	\$0.49	\$514
Debt Coverage Ratio		1.12		
TDHCA/TSAHC Fees		\$0	\$0.00	\$0
Net Cash Flow		\$126,433	\$0.49	\$514
DCR after TDHCA Fees		1.12		
Break-even Rents/S.F.		0.59		
Break-even Occupancy		90.34%		

TDHCA - Operating Proforma/Debt Coverage				
		Per S.F.	Per Unit	
Potential Gross Income		\$2,050,944	\$7.89	\$8,337
Other Income & Loss		29,520	0.11	120
Vacancy & Collection	7.50%	(156,035)	-0.60	-634
Effective Gross Income		1,924,429	7.41	7,823
Total Operating Expenses	40.9%	\$787,200	\$3.03	\$3,200
Net Operating Income		\$1,137,229	\$4.38	\$4,623
Debt Service		1,007,554	3.88	4,096
Net Cash Flow		\$129,676	\$0.50	\$527
Debt Coverage Ratio		1.13		
TDHCA/TSAHC Fees		\$29,484	\$0.11	\$120
Net Cash Flow		\$100,192	\$0.39	\$407
DCR after TDHCA Fees		1.10		
Break-even Rents/S.F.		0.59		
Break-even Occupancy		88.95%		

Applicant - Expense Summary			
		Per S.F.	Per Unit
Management Fee	\$98,666	0.38	401.08
Salaries/Wages/Benefits	156,820	0.60	637.48
General and Admin.	54,920	0.21	223.25
Maintenance/Repairs	67,030	0.26	272.48
Utilities	144,250	0.56	586.38
Property Taxes	173,600	0.67	705.69
Insurance	38,550	0.15	156.71
Replacement Reserves	49,600	0.19	201.63
Other Expenses	-	0.00	0.00
Total Expenses	\$783,436	3.02	3,184.70

Staff Notes/Comments
1. Property is not zoned. 60 days are required to zone the property.

**TEXAS DEPARTMENT OF HOUSING & COMMUNITY AFFAIRS
MULTIFAMILY FINANCE DIVISION
PREQUALIFICATION ANALYSIS**

Regency Arms, West New Hope Road, Cedar Park, TX 78613 (2002-079)

Unit Mix and Rental Rates					
Unit Type	Beds/Bath	# Units	Rents	Unit Size S.F.	Rent/S.F.
50% AMI	1BD/1BA	40	\$ 550	780	0.71
50% AMI	2BD/2BA	110	\$ 664	1,040	0.64
50% AMI	3BD/2BA	96	\$ 773	1,190	0.65
					0.00
					0.00
					0.00
					0.00
					0.00
					0.00
					0.00
					0.00
					0.00
Totals		246	\$ 2,030,976	259,840	\$ 0.65
Averages			\$ 688	1,056	

Uses of Funds/Project Costs				
	Costs	Per Unit	Per S.F.	Percent
Acquisition	\$ 1,303,220	\$ 5,298	\$ 5.02	0.06
Off-sites	0	0	0.00	0.00
Subtotal Site Costs	\$ 1,303,220	\$ 5,298	\$ 5.02	0.06
Sitework	1,435,320	5,835	5.52	0.07
Construction Costs	9,468,093	38,488	36.44	0.47
Contingency	450,000	1,829	1.73	0.02
General Requirements	450,000	1,829	1.73	0.02
Contractor's Fee	630,000	2,561	2.42	0.03
Subtotal Construction	\$ 12,433,413	\$ 50,542	\$ 47.85	0.61
Indirect Construction	1,421,400	5,778	5.47	0.07
Developer's Fee	2,458,000	9,992	9.46	0.12
Financing	1,682,268	6,838	6.47	0.08
Reserves	769,597	3,128	2.96	0.04
Legal & Closing Costs	150,000	610	0.58	0.01
Subtotal Other Costs	\$ 6,481,265	\$ 26,347	\$ 24.94	0.32
Total Uses	\$ 20,217,898	\$ 82,187	\$ 77.81	1.00

Applicant - Sources of Funds				
Source I	Net Proceeds	Sale Price	Applicable Percentage	
Tax Credits	\$ 5,023,220	\$0.82	3.57%	
Source II	Proceeds	Rate	Amort	Annual D/S
Bond Proceeds	\$ 14,100,000	6.50%	30	\$1,069,459
Source III	Proceeds	% Deferred	Remaining	
Deferred Developer Fee	\$ 1,094,678	44.5%	\$1,363,322	
Source IV	Proceeds	Description	Annual D/S	
Other	\$ -		\$ -	
Total Sources	\$ 20,217,898			\$1,069,459

TDHCA - Sources of Funds				
Source I	Net Proceeds	Sale Price	Applicable Percentage	
Tax Credits	\$ 5,023,220	\$0.82	3.54%	
Source II	Proceeds	Rate	Amort	Annual D/S
Bond Proceeds	\$ 13,229,213	6.35%	30	\$ 987,803
Source III	Proceeds	% Deferred	Remaining	
Deferred Developer Fee	\$ 1,965,465	80.0%	\$ 492,535	
Source IV	Proceeds	Description	Annual D/S	
Other			\$ -	
Total Sources	\$ 20,217,898			\$ 987,803

Applicant - Operating Proforma/Debt Coverage				
		Per S.F.	Per Unit	
Potential Gross Income	\$2,030,976	\$7.82	\$8,256	
Other Income & Loss	88,380	0.34	359	
Vacancy & Collection	-7.39% (156,660)	-0.60	-637	
Effective Gross Income	\$1,962,696	7.55	7,978	
Total Operating Expenses	\$781,376	\$3.01	\$3,176	
Net Operating Income	\$1,181,320	\$4.55	\$4,802	
Debt Service	1,069,459	4.12	4,347	
Net Cash Flow	\$111,861	\$0.43	\$455	
Debt Coverage Ratio	1.10			
TDHCA/TSAHC Fees	\$0	\$0.00	\$0	
Net Cash Flow	\$111,861	\$0.43	\$455	
DCR after TDHCA Fees	1.10			
Break-even Rents/S.F.	0.59			
Break-even Occupancy	91.13%			

TDHCA - Operating Proforma/Debt Coverage				
		Per S.F.	Per Unit	
Potential Gross Income	\$2,030,976	\$7.82	\$8,256	
Other Income & Loss	29,520	0.11	120	
Vacancy & Collection	7.50% (154,537)	-0.59	-628	
Effective Gross Income	1,905,959	7.34	7,748	
Total Operating Expenses	41.3% \$787,200	\$3.03	\$3,200	
Net Operating Income	\$1,118,759	\$4.31	\$4,548	
Debt Service	987,803	3.80	4,015	
Net Cash Flow	\$130,956	\$0.50	\$532	
Debt Coverage Ratio	1.13			
TDHCA/TSAHC Fees	\$29,219	\$0.11	\$119	
Net Cash Flow	\$101,737	\$0.39	\$414	
DCR after TDHCA Fees	1.10			
Break-even Rents/S.F.	0.58			
Break-even Occupancy	88.84%			

Applicant - Expense Summary			
		Per S.F.	Per Unit
Management Fee	\$96,606	0.37	392.71
Salaries/Wages/Benefits	156,820	0.60	637.48
General and Admin.	54,920	0.21	223.25
Maintenance/Repairs	67,030	0.26	272.48
Utilities	144,250	0.56	586.38
Property Taxes	173,600	0.67	705.69
Insurance	38,550	0.15	156.71
Replacement Reserves	49,600	0.19	201.63
Other Expenses	-	0.00	0.00
Total Expnses	\$781,376	3.01	3,176.33

Staff Notes/Comments
1. Property is not zoned. 60 days are required to zone the property.

**TEXAS DEPARTMENT OF HOUSING & COMMUNITY AFFAIRS
MULTIFAMILY FINANCE DIVISION
PREQUALIFICATION ANALYSIS**

Heatherbrook, E.side of Dassau Rd & S. side of Wells Branch Pkwy, Pflugerville, TX 78660 (2002-080)

Unit Mix and Rental Rates					
Unit Type	Beds/Bath	# Units	Rents	Unit Size S.F.	Rent/S.F.
50% AMI	1BD/1BA	40	\$ 560	780	0.72
50% AMI	2BD/2BA	110	\$ 673	1,040	0.65
50% AMI	3BD/2BA	96	\$ 775	1,190	0.65
					0.00
					0.00
					0.00
					0.00
					0.00
					0.00
					0.00
					0.00
Totals		246	\$ 2,049,960	259,840	\$ 0.66
Averages			\$ 694	1,056	

Uses of Funds/Project Costs				
	Costs	Per Unit	Per S.F.	Percent
Acquisition	\$ 1,235,560	\$ 5,023	\$ 4.76	0.06
Off-sites	0	0	0.00	0.00
Subtotal Site Costs	\$ 1,235,560	\$ 5,023	\$ 4.76	0.06
Sitework	1,435,320	5,835	5.52	0.07
Construction Costs	9,468,093	38,488	36.44	0.47
Contingency	450,000	1,829	1.73	0.02
General Requirements	450,000	1,829	1.73	0.02
Contractor's Fee	630,000	2,561	2.42	0.03
Subtotal Construction	\$ 12,433,413	\$ 50,542	\$ 47.85	0.62
Indirect Construction	1,481,400	6,022	5.70	0.07
Developer's Fee	2,458,000	9,992	9.46	0.12
Financing	1,682,268	6,838	6.47	0.08
Reserves	769,597	3,128	2.96	0.04
Legal & Closing Costs	150,000	610	0.58	0.01
Subtotal Other Costs	\$ 6,541,265	\$ 26,591	\$ 25.17	0.32
Total Uses	\$ 20,210,238	\$ 82,155	\$ 77.78	1.00

Applicant - Sources of Funds				
Source I	Net Proceeds	Sale Price	Applicable Percentage	
Tax Credits	\$ 5,043,700	\$0.82	3.57%	
Source II	Proceeds	Rate	Amort	Annual D/S
Bond Proceeds	\$ 14,100,000	6.50%	30	\$1,069,459
Source III	Proceeds	% Deferred	Remaining	
Deferred Developer Fee	\$ 1,066,538	43.4%	\$1,391,462	
Source IV	Proceeds	Description	Annual D/S	
Other	\$ -		\$ -	
Total Sources	\$ 20,210,238			\$1,069,459

TDHCA - Sources of Funds				
Source I	Net Proceeds	Sale Price	Applicable Percentage	
Tax Credits	\$ 5,043,700	\$0.82	3.54%	
Source II	Proceeds	Rate	Amort	Annual D/S
Bond Proceeds	\$ 13,439,230	6.35%	30	\$ 1,003,484
Source III	Proceeds	% Deferred	Remaining	
Deferred Developer Fee	\$ 1,727,308	70.3%	\$ 730,692	
Source IV	Proceeds	Description	Annual D/S	
Other			\$ -	
Total Sources	\$ 20,210,238			\$ 1,003,484

Applicant - Operating Proforma/Debt Coverage				
		Per S.F.	Per Unit	
Potential Gross Income	\$2,049,960	\$7.89	\$8,333	
Other Income & Loss	88,380	0.34	359	
Vacancy & Collection	-7.33% (156,660)	-0.60	-637	
Effective Gross Income	\$1,981,680	7.63	8,056	
Total Operating Expenses	\$781,376	\$3.01	\$3,176	
Net Operating Income	\$1,200,304	\$4.62	\$4,879	
Debt Service	1,069,459	4.12	4,347	
Net Cash Flow	\$130,845	\$0.50	\$532	
Debt Coverage Ratio	1.12			
TDHCA/TSAHC Fees	\$0	\$0.00	\$0	
Net Cash Flow	\$130,845	\$0.50	\$532	
DCR after TDHCA Fees	1.12			
Break-even Rents/S.F.	0.59			
Break-even Occupancy	90.29%			

TDHCA - Operating Proforma/Debt Coverage				
		Per S.F.	Per Unit	
Potential Gross Income	\$2,049,960	\$7.89	\$8,333	
Other Income & Loss	29,520	0.11	120	
Vacancy & Collection	7.50% (155,961)	-0.60	-634	
Effective Gross Income	1,923,519	7.40	7,819	
Total Operating Expenses	40.9% \$787,200	\$3.03	\$3,200	
Net Operating Income	\$1,136,319	\$4.37	\$4,619	
Debt Service	1,003,484	3.86	4,079	
Net Cash Flow	\$132,835	\$0.51	\$540	
Debt Coverage Ratio	1.13			
TDHCA/TSAHC Fees	\$29,429	\$0.11	\$120	
Net Cash Flow	\$103,406	\$0.40	\$420	
DCR after TDHCA Fees	1.10			
Break-even Rents/S.F.	0.58			
Break-even Occupancy	88.79%			

Applicant - Expense Summary			
		Per S.F.	Per Unit
Management Fee	\$96,606	0.37	392.71
Salaries/Wages/Benefits	156,820	0.60	637.48
General and Admin.	54,920	0.21	223.25
Maintenance/Repairs	67,030	0.26	272.48
Utilities	144,250	0.56	586.38
Property Taxes	173,600	0.67	705.69
Insurance	38,550	0.15	156.71
Replacement Reserves	49,600	0.19	201.63
Other Expenses	-	0.00	0.00
Total Expnses	\$781,376	3.01	3,176.33

Staff Notes/Comments
1. Gross rents trend 3%.
2. Property is not zoned. 60 days are required to zone the property.

Texas Department of Housing and Community Affairs

2002 Multifamily Private-Activity Bonds

Priority 2 Transactions

<i>Application #</i>	<i>Project Information</i>	<i># Units</i>	<i>Bond Amount</i>	<i>Developer Information</i>	<i>Notes</i>
2002-003	Smithstone Place New Construction 15800 Smithstone Drive County: Harris City: Houston	280	\$15,000,000	Michael Robinson Smithstone 529 Apts., L.P. (713) 850-7168	
2002-007	The Enclave at West Airport New Construction 4300 West Airport County: Harris City: Houston	200	\$11,000,000	James E. Washburn Enclave Housing, Ltd. (281) 689-2030	
2002-008	Park Row II Apts New Construction Snake River Rd at Park Row & Mastors Manor Lane County: Harris City: Houston	280	\$15,000,000	Chris Bergman Park Row Two Apts. Limited Partnership (713) 781-5775	
2002-009	Morton Apts New Construction SW corner of Barker Cypress & Morton Rd County: Harris City: Houston	280	\$15,000,000	Chris Bergman Morton Apts. Limited Partnership (713) 781-5775	
2002-010	Preakness Apts New Construction South of Preakness Lane, East of Loop 12 County: Dallas City: Dallas	280	\$15,000,000	Chris Bergman Preakness Apts. Limited Partnership (713) 781-5775	
2002-011	North Vista Apts New Construction North of North Vista Dr., East of I-45 County: Harris City: Houston	280	\$15,000,000	Chris Bergman North Vista Apts. Limited Partnership (713) 781-5775	

Priority 2 Transactions

<i>Application #</i>	<i>Project Information</i>	<i># Units</i>	<i>Bond Amount</i>	<i>Developer Information</i>	<i>Notes</i>
2002-012	Greenland Apts New Construction SW corner of Barker Cypress & Greenland Way County: Harris City: Houston	240	\$12,500,000	Chris Bergman Greenland Apts. Limited Partnership (713) 781-5775	
2002-013	John T. White II Apts New Construction North of John T. White, East of Loop 820 County: Tarrant City: Fort Worth	280	\$15,000,000	Chris Bergman John T. White Two Apts. Limited Partnership (713) 781-5775	
2002-015	Park Row I Apts New Construction NW corner of Snake River Rd & Park Row County: Harris City: Houston	240	\$12,500,000	Chris Bergman Park Row One Apts. Limited Partnership (713) 781-5775	
2002-016	John T. White I Apts New Construction North of John T. White, East of Loop 820 County: Tarrant City: Fort Worth	240	\$14,000,000	Chris Bergman John T. White One Apts. Limited Partnership (713) 781-5775	
2002-017	Groescke Apts New Construction NW corner of Barker Cypress & Groescke County: Harris City: Houston	260	\$14,000,000	Chris Bergman Groescke Apts. Limited Partnership (713) 781-5775	
2002-018	Deerbrook II Apts New Construction SE corner of FM 1960 & Hightower County: Harris City: Houston	280	\$15,000,000	Chris Bergman Deerbrook Two Apts. Limited Partnership (713) 781-5775	
2002-019	Westpark Apts New Construction 15000 Westpark County: Harris City: Houston	240	\$12,500,000	Chris Bergman Westpark Apts. Limited Partnership (713) 781-5775	

Priority 2 Transactions

<i>Application #</i>	<i>Project Information</i>	<i># Units</i>	<i>Bond Amount</i>	<i>Developer Information</i>	<i>Notes</i>
2002-020	Stuebner II Apts New Construction Stuebner Airline, North of Greens Road County: Harris City: Houston	280	\$15,000,000	Chris Bergman Stuebner Two Apts. Limited Partnership (713) 781-5775	
2002-021	Stuebner I Apts New Construction Stuebner Airline, North of Greens Road County: Harris City: Houston	280	\$15,000,000	Chris Bergman Stuebner One Apts. Limited Partnership (713) 781-5775	
2002-022	Deerbrook I Apts New Construction SE corner of FM 1960 & Hightower County: Harris City: Houston	280	\$15,000,000	Chris Bergman Deerbrook One Apts. Limited Partnership (713) 781-5775	
2002-023	Canterbury Trails Apts New Construction Near Intersection of Manchaca & Ravenscroft Dr. County: Travis City: Austin	240	\$14,500,000	Chris Bergman Canterbury Trails Apts. Limited Partnership (713) 781-5755	
2002-024	William Cannon II Apts New Construction 2112 E. William Cannon Drive County: Travis City: Austin	280	\$15,000,000	Chris Bergman William Cannon Two Apts. Limited Partnership (713) 781-5775	
2002-025	William Cannon I Apts New Construction 2000 Block of William Cannon Drive County: Travis City: Austin	174	\$7,500,000	Chris Bergman William Cannon One Apts. Limited Partnership (713) 781-5775	
2002-026	Walters Apts. New Construction East side of Walters Rd., South of FM 1960 County: Harris City: Houston	280	\$15,000,000	Chris Bergman Walters Apts. Limited Partnership (713) 781-5775	

Priority 2 Transactions

<i>Application #</i>	<i>Project Information</i>	<i># Units</i>	<i>Bond Amount</i>	<i>Developer Information</i>	<i>Notes</i>
2002-027	Blue Ash Apts New Construction NMC Airtex Blvd & Blue Ash Drive County: Harris City: Houston	240	\$12,500,000	Chris Bergman Blue Ash Apts. Limited Partnership (713) 781-5775	
2002-033	The Orchard Apts New Construction West Greens Rd (Tract C) County: Harris City: Houston	250	\$15,000,000	Vernon R. Young, Jr. FHA Equities, Ltd. (713) 626-1400	
2002-034	Willow Park Apts New Construction West Greens Rd (Tract F) County: Harris City: Houston	250	\$15,000,000	Vernon R. Young, Jr. FHA Equities, Ltd. (713) 626-1400	
2002-035	Oak Estates New Construction West Greens Rd (Tract C) County: Harris City: Houston	250	\$15,000,000	Vernon R. Young, Jr. FHA Equities, Ltd. (713) 626-1400	
2002-036	Ash Tree Apts New Construction Spencer Hwy & Myrtle Creek County: Harris City: La Porte	250	\$15,000,000	Vernon R. Young, Jr. FHA Equities, Ltd. (713) 626-1400	
2002-037	Bay River Apts New Construction North Main at Cedar Bayou County: Harris City: Baytown	250	\$15,000,000	Vernon R. Young, Jr. FHA Equities, Ltd. (713) 626-1400	
2002-038	Bay Park Apts New Construction West Greens Rd (Tract E) County: Harris City: Houston	250	\$15,000,000	Vernon R. Young, Jr. FHA Equities, Ltd. (713) 626-1400	

Priority 2 Transactions

<i>Application #</i>	<i>Project Information</i>	<i># Units</i>	<i>Bond Amount</i>	<i>Developer Information</i>	<i>Notes</i>
2002-039	Chestnut Park Apts New Construction West Greens Rd (Tract B) County: Harris City: Houston	250	\$15,000,000	Vernon R. Young, Jr. FHA Equities, Ltd. (713) 626-1400	
2002-040	Elm Park Apts New Construction Mills Rd between 1960 & Greens Rd County: Harris City: Houston	250	\$15,000,000	Vernon R. Young, Jr. FHA Equities, Ltd. (713) 626-1400	
2002-041	Pepper Tree Apts New Construction West Greens Road at Bammel County: Harris City: Houston	250	\$15,000,000	Vernon R. Young, Jr. FHA Equities, Ltd. (713) 626-1400	
2002-042	Redwood Apts New Construction Ella at Airtex County: Harris City: Houston	250	\$15,000,000	Vernon R. Young, Jr. FHA Equities, Ltd. (713) 626-1400	
2002-043	Teakwood Apts New Construction West Greens Rd (Tract E) County: Texas City: Houston	250	\$15,000,000	Vernon R. Young, Jr. FHA Equities, Ltd. (713) 626-1400	
2002-044	Walnut Crest Apts New Construction Rosenberg (South tract) County: Ft. Bend City: Rosenberg	250	\$15,000,000	Vernon R. Young, Jr. FHA Equities, Ltd. (713) 626-1400	
2002-045	Woodway Village Apts New Construction 4500-4510 Nuckols Crossing Road County: Travis City: Austin	160	\$9,100,000	H. Chris Richardson Nuckols Crossing Partners, Ltd. (713) 914-9200	Project is located in a QCT.

Priority 2 Transactions

<i>Application #</i>	<i>Project Information</i>	<i># Units</i>	<i>Bond Amount</i>	<i>Developer Information</i>	<i>Notes</i>
2002-046	Sundown Village Apts New Construction 20300 Saums Road County: Harris City: Houston	168	\$9,250,000	H. Chris Richardson Saums Sundown Village, Ltd. (713) 914-9200	
2002-047	Toulouse Villas New Construction West Side of Queenston Blvd, North of Keith Harrow County: Harris City: Houston	240	\$12,750,000	H. Chris Richardson Toulous Villas Limited Partnership (713) 914-9200	
2002-058	Cutten Forest Apts New Construction Cypresswood Drive & Cutten Road County: Harris City: Houston	192	\$12,500,000	Harvey Clemons Cutten Forest Partners, L.P. (713) 224-0052	Project relies on property tax exemptions.
2002-059	Cutten Woods Apts New Construction TBD Cypresswood Drive & Cutten Road County: Harris City: Houston	216	\$14,000,000	Harvey Clemons Cutten Woods Partners, L.P. (713) 224-0052	Project relies on property tax exemptions.
2002-060	Katy-Flewellen Apts New Construction 1500 Block of Katy-Flewellen Road County: Fort Bend City: Katy	248	\$15,000,000	Sally Gaskin Katy-Flewellen Apts., L.P. (713) 334-4911	
2002-061	Reading Road Apts New Construction 2820 FM. 2218 County: Fort Bend City: Rosenberg	248	\$14,000,000	Sally Gaskin Reading Road Apts., L.P. (713) 334-4911	
2002-064	Main Street Apts New Construction NE corner of South Main Street & S.H. 146 County: Harris City: Baytown	252	\$12,700,000	Jeffrey Spicer Finlay Interests 31-36, 39-40, Ltd. (904) 280-1000	Project is located in a QCT.

Priority 2 Transactions

<i>Application #</i>	<i>Project Information</i>	<i># Units</i>	<i>Bond Amount</i>	<i>Developer Information</i>	<i>Notes</i>
2002-065	City Place Apts New Construction Bender South Subdivision (Lots A & B) County: Harris City: Humble	160	\$8,500,000	Jeffrey Spicer Finlay Interests 31-36, 39-40, Ltd. (904) 280-1000	
2002-066	Green Crest Apts New Construction CGreencrest Drive & Westpark Drive County: Harris City: Houston	224	\$12,500,000	Jeffrey Spicer Finlay Interests 31-36, 39-40, Ltd. (904) 280-1000	
2002-067	Central Park Apts New Construction Central Drive County: Williamson City: Cedar Park	264	\$14,000,000	Jeffrey Spicer Finlay Interests 31-36, 39-40, Ltd. (904) 280-1000	
2002-068	Branch Creek Apts New Construction Reserve "K", Clayton North, Section One County: Harris City: Houston	224	\$12,500,000	Jeffrey Spicer Finlay Interests 31-36, 39-40, Ltd. (904) 280-1000	
2002-070	Gray Ridge Apts New Construction SE corner of Gray Ridge Dr. & Addicks Clodine Rd County: Harris City: Houston	224	\$12,500,000	Jeffrey Spicer Finlay Interests 31-36, 39-40, Ltd. (904) 280-1000	
2002-072	The Mayfield New Construction NY Avenue & Mayfield Road County: Tarrant City: Arlington	280	\$15,000,000	Don Paxton Cobblestone Townhomes L.P. (513) 489-1990	
2002-075	Mark IV New Construction Old Denton Road & Mark IV Parkway County: Tarrant City: Fort Worth	280	\$15,000,000	Don Paxton Ironwood Ranch Townhomes, L.P. (513) 489-1990	

Priority 2 Transactions

<i>Application #</i>	<i>Project Information</i>	<i># Units</i>	<i>Bond Amount</i>	<i>Developer Information</i>	<i>Notes</i>
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Totals: 48 Applications containing 11,814 units, requesting \$660,300,000 in total bonds.

**TEXAS DEPARTMENT OF HOUSING & COMMUNITY AFFAIRS
MULTIFAMILY FINANCE DIVISION
PREQUALIFICATION ANALYSIS
Canterbury Trails, Austin (2002-023)**

Unit Mix and Rental Rates					
Unit Type	Beds/Bath	# Units	Rents	Unit Size S.F.	Rent/S.F.
60% AMI	1BD/1BA	23	\$ 678	686	0.99
60% AMI	1BD/1BA	18	\$ 678	787	0.86
60% AMI	2BD/2BA	124	\$ 799	1,027	0.78
60% AMI	3BD/2.5BA	55	\$ 915	1,109	0.83
50% AMI	1BD/1BA	2	\$ 553	686	0.81
50% AMI	1BD/1BA	2	\$ 553	787	0.70
50% AMI	2BD/2BA	11	\$ 649	1,027	0.63
50% AMI	3BD/2.5BA	5	\$ 742	1,109	0.67
Totals		240	\$ 2,283,120	238,075	\$ 0.80
Averages			\$ 793	992	

Uses of Funds/Project Costs				
	Costs	Per Unit	Per S.F.	Percent
Acquisition	\$ 1,227,878	\$ 5,116	\$ 5.16	0.06
Off-sites	0	0	0.00	0.00
Subtotal Site Costs	\$ 1,227,878	\$ 5,116	\$ 5.16	0.06
Sitework	1,736,902	7,237	7.30	0.09
Construction Costs	10,201,110	42,505	42.85	0.51
General Requirements	716,281	2,985	3.01	0.04
Contractor's Fee	955,041	3,979	4.01	0.05
Contingency	272,186	1,134	1.14	0.01
Subtotal Construction	\$ 13,881,520	\$ 57,840	\$ 58.31	0.69
Indirect Construction	933,000	3,888	3.92	0.05
Developer's Fee	2,396,554	9,986	10.07	0.12
Financing	1,624,491	6,769	6.82	0.08
Reserves	60,508	252	0.25	0.00
Legal & Closing Costs	0	0	0.00	0.00
Subtotal Other Costs	\$ 5,014,553	\$ 20,894	\$ 21.06	0.25
Total Uses	\$ 20,123,951	\$ 83,850	\$ 84.53	1.00

Applicant - Sources of Funds				
Source I	Net Proceeds	Sale Price	Applicable Percentage	
Tax Credits	\$ 524,459	\$0.80	3.55%	
Source II	Proceeds	Rate	Amort	Annual D/S
Bond Proceeds	\$ 14,325,000	6.50%	30	\$ 1,086,525
Source III	Proceeds	% Deferred	Remaining	
Deferred Developer Fee	\$ 553,492	23.1%	\$ 1,843,062	
Source IV	Proceeds	Description	Annual D/S	
Other	\$ -		\$ -	
Total Sources	\$ 15,402,951			\$ 1,086,525

TDHCA - Sources of Funds				
Source I	Net Proceeds	Sale Price	Applicable Percentage	
Tax Credits	\$ 524,459	\$0.80	3.55%	
Source II	Proceeds	Rate	Amort	Annual D/S
Bond Proceeds	\$ 14,325,000	6.35%	30	\$ 1,069,623
Source III	Proceeds	% Deferred	Remaining	
Deferred Developer Fee	\$ 553,492	23.1%	\$ 1,843,062	
Source IV	Proceeds	Description	Annual D/S	
Other	\$ -		\$ -	
Total Sources	\$ 15,402,951			\$ 1,069,623

Applicant - Operating Proforma/Debt Coverage				
		Per S.F.	Per Unit	
Potential Gross Income	\$2,283,120	\$9.59		
Other Income & Loss	43,200	0.18	180	
Vacancy & Collection	-7.50% (174,420)	-0.73	-727	
Effective Gross Income	\$2,151,900	9.04	8,966	
Total Operating Expenses	\$895,960	\$3.76	\$3,733	
Net Operating Income	\$1,255,940	\$5.28	\$5,233	
Debt Service	1,086,525	4.56	4,527	
Net Cash Flow	\$169,415	\$0.71	\$706	
Debt Coverage Ratio	1.16			
TDHCA/TSAHC Fees	\$29,925	\$0.13	\$125	
Net Cash Flow	\$139,490	\$0.59	\$581	
DCR after TDHCA Fees	1.12			
Break-even Rents/S.F.	0.70			
Break-even Occupancy	88.14%			

TDHCA - Operating Proforma/Debt Coverage				
		Per S.F.	Per Unit	
Potential Gross Income	\$2,283,120	\$9.59		
Other Income & Loss	28,800	0.12	120	
Vacancy & Collection	7.50% (173,394)	-0.73	-722	
Effective Gross Income	2,138,526	8.98	8,911	
Total Operating Expenses	41.9% \$895,960	\$3.76	\$3,733	
Net Operating Income	\$1,242,566	\$5.22	\$5,177	
Debt Service	1,069,623	4.49	4,457	
Net Cash Flow	\$172,943	\$0.73	\$721	
Debt Coverage Ratio	1.16			
TDHCA/TSAHC Fees	\$29,925	\$0.13	\$125	
Net Cash Flow	\$143,018	\$0.60	\$596	
DCR after TDHCA Fees	1.13			
Break-even Rents/S.F.	0.70			
Break-even Occupancy	87.40%			

Applicant - Expense Summary			
		Per S.F.	Per Unit
General and Admin.	\$53,600	0.23	223
Management Fee	107,560	0.45	448
Salaries/Wages/Benefits	228,000	0.96	950
Maintenance/Repairs	105,800	0.44	441
Utilities	86,600	0.36	361
Insurance	26,400	0.11	110
Property Taxes	240,000	1.01	1000
Replacement Reserves	48,000	0.20	200
Other Expenses	-	0.00	0
Total Expenses	\$895,960		

Staff Notes/Comments
1. Gross rents trend 3%
2. A portion of the units are being set aside with 50% rent levels in order to meet the requirements of a court ordered settlement.

**TEXAS DEPARTMENT OF HOUSING & COMMUNITY AFFAIRS
MULTIFAMILY FINANCE DIVISION
PREQUALIFICATION ANALYSIS**

William Cannon II Apartments (2002-024)

Unit Mix and Rental Rates					
Unit Type	Beds/Bath	# Units	Rents	Unit Size S.F.	Rent/S.F.
60% AMI	1BD/1BA	22	\$ 678	686	0.99
60% AMI	1BD/1BA	20	\$ 678	787	0.86
60% AMI	2BD/2BA	148	\$ 799	1,027	0.78
60% AMI	3BD/2.5BA	70	\$ 915	1,109	0.83
50% AMI	1BD/1BA	2	\$ 553	686	0.81
50% AMI	1BD/1BA	2	\$ 553	787	0.70
50% AMI	2BD/2BA	11	\$ 649	1,027	0.63
50% AMI	3BD/2.5BA	5	\$ 742	1,109	0.67
					0.00
					0.00
					0.00
					0.00
					0.00
Totals		280	\$ 2,686,068	280,246	\$ 0.80
Averages			\$ 799	1,001	

Uses of Funds/Project Costs				
	Costs	Per Unit	Per S.F.	Percent
Acquisition	\$ 2,065,000	\$ 7,375	\$ 7.37	0.08
Off-sites	0	0	0.00	0.00
Subtotal Site Costs	\$ 2,065,000	\$ 7,375	\$ 7.37	0.08
Sitework	2,701,309	9,648	9.64	0.11
Construction Costs	11,776,226	42,058	42.02	0.48
General Requirements	868,652	3,102	3.10	0.04
Contractor's Fee	1,158,203	4,136	4.13	0.05
Contingency	330,088	1,179	1.18	0.01
Subtotal Construction	\$ 16,834,478	\$ 60,123	\$ 60.07	0.68
Indirect Construction	993,000	3,546	3.54	0.04
Developer's Fee	2,892,156	10,329	10.32	0.12
Financing	1,941,885	6,935	6.93	0.08
Reserves	45,564	163	0.16	0.00
Legal & Closing Costs	0	0	0.00	0.00
Subtotal Other Costs	\$ 5,872,605	\$ 20,974	\$ 20.96	0.24
Total Uses	\$ 24,772,083	\$ 88,472	\$ 88.39	1.00

Applicant - Sources of Funds				
Source I	Net Proceeds	Sale Price	Applicable Percentage	
Tax Credits	\$ 6,330,208	\$0.80	3.55%	
Source II	Proceeds	Rate	Amort	Annual D/S
Bond Proceeds	\$17,000,000	6.50%	30	\$1,289,419
Source III	Proceeds	% Deferred	Remaining	
Deferred Developer Fee	\$ 1,441,875	49.9%	\$1,450,281	
Source IV	Proceeds	Description	Annual D/S	
Other	\$ -		\$ -	
Total Sources	\$ 24,772,083			\$1,289,419

TDHCA - Sources of Funds				
Source I	Net Proceeds	Sale Price	Applicable Percentage	
Tax Credits	\$ 6,330,208	\$0.80	3.55%	
Source II	Proceeds	Rate	Amort	Annual D/S
Bond Proceeds	\$17,000,000	6.35%	30	\$ 1,269,361
Source III	Proceeds	% Deferred	Remaining	
Deferred Developer Fee	\$ 1,441,875	49.9%	\$ 1,450,281	
Source IV	Proceeds	Description	Annual D/S	
Other	\$ -		\$ -	
Total Sources	\$ 24,772,083			\$ 1,269,361

Applicant - Operating Proforma/Debt Coverage				
		Per S.F.	Per Unit	
Potential Gross Income	\$2,686,068	\$9.58		
Other Income & Loss	50,400	0.18	180	
Vacancy & Collection	-7.50% (205,176)	-0.73	-733	
Effective Gross Income	\$2,531,292	9.03	9,040	
Total Operating Expenses	\$1,046,525	\$3.73	\$3,738	
Net Operating Income	\$1,484,767	\$5.30	\$5,303	
Debt Service	1,289,419	4.60	4,605	
Net Cash Flow	\$195,348	\$0.70	\$698	
Debt Coverage Ratio	1.15			
TDHCA/TSAHC Fees	\$35,200	\$0.13	\$126	
Net Cash Flow	\$160,148	\$0.57	\$572	
DCR after TDHCA Fees	1.12			
Break-even Rents/S.F.	0.71			
Break-even Occupancy	88.28%			

TDHCA - Operating Proforma/Debt Coverage				
		Per S.F.	Per Unit	
Potential Gross Income	\$2,686,068	\$9.58		
Other Income & Loss	33,600	0.12	120	
Vacancy & Collection	7.50% (203,975)	-0.73	-728	
Effective Gross Income	2,515,693	8.98	8,985	
Total Operating Expenses	41.6% \$1,046,525	\$3.73	\$3,738	
Net Operating Income	\$1,469,168	\$5.24	\$5,247	
Debt Service	1,269,361	4.53	4,533	
Net Cash Flow	\$199,807	\$0.71	\$714	
Debt Coverage Ratio	1.16			
TDHCA/TSAHC Fees	\$35,200	\$0.13	\$126	
Net Cash Flow	\$164,607	\$0.59	\$588	
DCR after TDHCA Fees	1.13			
Break-even Rents/S.F.	0.70			
Break-even Occupancy	87.53%			

Applicant - Expense Summary			
		Per S.F.	Per Unit
General and Admin.	\$58,200	0.21	208
Management Fee	126,525	0.45	452
Salaries/Wages/Benefits	266,000	0.95	950
Maintenance/Repairs	124,000	0.44	443
Utilities	105,000	0.37	375
Insurance	30,800	0.11	110
Property Taxes	280,000	1.00	1000
Replacement Reserves	56,000	0.20	200
Other Expenses	-	0.00	0
Total Expenses	\$1,046,525		

Staff Notes/Comments
1. Gross rents trend 3%
2. A portion of the units are being set aside with 50% rent levels in order to meet the requirements of a court ordered settlement.

**TEXAS DEPARTMENT OF HOUSING & COMMUNITY AFFAIRS
MULTIFAMILY FINANCE DIVISION
PREQUALIFICATION ANALYSIS**

Central Park Apartments, Cedar Park (2002-067)

Unit Mix and Rental Rates					
Unit Type	Beds/Bath	# Units	Rents	Unit Size S.F.	Rent/S.F.
60% AMI	1BD/1BA	40	\$ 625	675	0.93
60% AMI	2BD/2BA	118	\$ 736	900	0.82
60% AMI	3BD/2BA	106	\$ 844	1,075	0.79
					0.00
					0.00
					0.00
					0.00
					0.00
					0.00
					0.00
					0.00
					0.00
Totals		264	\$ 2,415,744	247,150	\$ 0.81
Averages			\$ 763	936	

Uses of Funds/Project Costs				
	Costs	Per Unit	Per S.F.	Percent
Acquisition	\$ 2,240,000	\$ 8,485	\$ 9.06	0.11
Off-sites	71,000	269	0.29	0.00
Subtotal Site Costs	\$ 2,311,000	\$ 8,754	\$ 9.35	0.11
Sitework	2,059,873	7,803	8.33	0.10
Construction Costs	9,720,136	36,819	39.33	0.47
Contingency	237,020	898	0.96	0.01
General Requirements	711,061	2,693	2.88	0.03
Contractor's Fee	948,081	3,591	3.84	0.05
Subtotal Construction	\$ 13,676,171	\$ 51,804	\$ 55.34	0.66
Indirect Construction	513,030	1,943	2.08	0.02
Developer's Fee	2,244,012	8,500	9.08	0.11
Financing	1,462,003	5,538	5.92	0.07
Reserves	631,025	2,390	2.55	0.03
Legal & Closing Costs	0	0	0.00	0.00
Subtotal Other Costs	\$ 4,850,070	\$ 18,371	\$ 19.62	0.23
Total Uses	\$ 20,837,241	\$ 78,929	\$ 84.31	1.00

Applicant - Sources of Funds				
Source I	Net Proceeds	Sale Price	Applicable Percentage	
Tax Credits	\$ 4,749,918	\$0.82	3.55%	
Source II	Proceeds	Rate	Amort	Annual D/S
Bond Proceeds	\$13,487,000	6.75%	30	\$1,049,717
Source III	Proceeds	% Deferred	Remaining	
Deferred Developer Fee	\$ 2,600,322	115.9%	(\$356,310)	
Source IV	Proceeds	Description	Annual D/S	
Other	\$ -		\$ -	
Total Sources	\$ 20,837,240			\$ 1,049,717

TDHCA - Sources of Funds				
Source I	Net Proceeds	Sale Price	Applicable Percentage	
Tax Credits	\$ 4,749,918	\$0.82	3.55%	
Source II	Proceeds	Rate	Amort	Annual D/S
Bond Proceeds	\$13,487,000	6.35%	30	\$ 1,007,051
Source III	Proceeds	% Deferred	Remaining	
Deferred Developer Fee	\$ 2,600,322	115.9%	(\$ 356,310)	
Source IV	Proceeds	Description	Annual D/S	
Other	\$ -		\$ -	
Total Sources	\$ 20,837,240			\$ 1,007,051

Applicant - Operating Proforma/Debt Coverage				
		Per S.F.	Per Unit	
Potential Gross Income	\$2,415,744	\$9.77		
Other Income & Loss	32,052	0.13	121	
Vacancy & Collection	-7.50% (183,576)	-0.74	-695	
Effective Gross Income	\$2,264,220	9.16	8,577	
Total Operating Expenses	\$1,005,331	\$4.07	\$3,808	
Net Operating Income	\$1,258,889	\$5.09	\$4,769	
Debt Service	1,049,717	4.25	3,976	
Net Cash Flow	\$209,172	\$0.85	\$792	
Debt Coverage Ratio	1.20			
TDHCA/TSAHC Fees	\$0	\$0.00	\$0	
Net Cash Flow	\$209,172	\$0.85	\$792	
DCR after TDHCA Fees	1.20			
Break-even Rents/S.F.	0.69			
Break-even Occupancy	85.07%			

TDHCA - Operating Proforma/Debt Coverage				
		Per S.F.	Per Unit	
Potential Gross Income	\$2,415,744	\$9.77		
Other Income & Loss	31,680	0.13	120	
Vacancy & Collection	7.50% (183,557)	-0.74	-695	
Effective Gross Income	2,263,867	9.16	8,575	
Total Operating Expenses	44.4% \$1,005,331	\$4.07	\$3,808	
Net Operating Income	\$1,258,536	\$5.09	\$4,767	
Debt Service	1,007,051	4.07	3,815	
Net Cash Flow	\$251,485	\$1.02	\$953	
Debt Coverage Ratio	1.25			
TDHCA/TSAHC Fees	\$30,647	\$0.12	\$116	
Net Cash Flow	\$220,838	\$0.89	\$837	
DCR after TDHCA Fees	1.21			
Break-even Rents/S.F.	0.69			
Break-even Occupancy	84.57%			

Applicant - Expense Summary			
		Per S.F.	Per Unit
Management Fee	\$113,205	0.46	429
Salaries/Wages/Benefits	145,000	0.59	549
General and Admin.	62,674	0.25	237
Maintenance/Repairs	153,180	0.62	580
Utilities	78,300	0.32	297
Property Taxes	319,492	1.29	1210
Insurance	66,731	0.27	253
Replacement Reserves	66,750	0.27	253
Other Expenses	-	0.00	0
Total Expenses	\$1,005,331		

Staff Notes/Comments

Texas Department of Housing and Community Affairs

2002 Multifamily Private-Activity Bonds

Applications Falling Below Prequalification Guidelines					
<i>Application #</i>	<i>Project Information</i>	<i># Units</i>	<i>Bond Amount</i>	<i>Developer Information</i>	<i>Notes</i>
2002-002	Park Meadows Apts New Construction Near intersection of Calk Lane & W. San Antonio St County: Kendall City: Boerne	120	\$6,500,000	G. Granger MacDonal Boerne Park Meadows Apts. L.P. (830) 257-5323	
2002-049	Eagle Glen at Kenswick New Construction 19821 Kenswick Drive County: Harris City: Humble	276	\$13,500,000	Lewis Foley Commonwealth Housing Corporation (281) 873-2118	Project relies on property tax exemptions.
2002-050	Cedar Park Ranch Phase II New Construction FM 1431 & Bagdad Road County: Williamson City: Cedar Park	112	\$7,250,000	Lewis Foley Commonwealth Housing Corporation (281) 873-2118	Project relies on property tax exemptions.
Totals:	3 Applications containing	508 units, requesting	\$27,250,000	in total bonds.	

**TEXAS DEPARTMENT OF HOUSING & COMMUNITY AFFAIRS
MULTIFAMILY FINANCE DIVISION
PREQUALIFICATION ANALYSIS**

Eagle Glen at Kenswick Apts, 19821 Kenswick, Humble, TX 78338 (2002-049)

Unit Mix and Rental Rates					
Unit Type	Beds/Bath	# Units	Rents	Unit Size S.F.	Rent/S.F.
50% AMI	1BD/1BA	32	\$ 490	514	0.95
50% AMI	1BD/1BA	39	\$ 490	582	0.84
50% AMI	1BD/1BA	9	\$ 490	582	0.84
50% AMI	1BD/1BA	32	\$ 490	743	0.66
50% AMI	1BD/1BA	16	\$ 490	761	0.64
50% AMI	1BD/1BA	4	\$ 490	756	0.65
50% AMI	1BD/1BA	20	\$ 490	756	0.65
50% AMI	1BD/1BA	24	\$ 490	796	0.62
50% AMI	2BD/1BA	40	\$ 584	855	0.68
50% AMI	2BD/1BA	8	\$ 584	855	0.68
50% AMI	2BD/2BA	27	\$ 584	1,079	0.54
50% AMI	2BD/2BA	25	\$ 584	1,079	0.54
Totals		276	\$ 1,735,680	214,732	\$ 0.67
Averages			\$ 524	778	

Uses of Funds/Project Costs				
	Costs	Per Unit	Per S.F.	Percent
Acquisition	\$ 1,592,098	\$ 5,768	\$ 7.41	0.10
Off-sites	0	0	0.00	0.00
Subtotal Site Costs	\$ 1,592,098	\$ 5,768	\$ 7.41	0.10
Sitework	0	0	0.00	0.00
Construction Costs	9,979,627	36,158	46.47	0.60
Contingency	0	0	0.00	0.00
General Requirements	966,000	3,500	4.50	0.06
Contractor's Fee	626,886	2,271	2.92	0.04
Subtotal Construction	\$ 11,572,513	\$ 41,929	\$ 53.89	0.69
Indirect Construction	1,352,803	4,901	6.30	0.08
Developer's Fee	501,509	1,817	2.34	0.03
Financing	947,941	3,435	4.41	0.06
Reserves	733,357	2,657	3.42	0.04
Legal & Closing Costs	35,768	130	0.17	0.00
Subtotal Other Costs	\$ 3,571,378	\$ 12,940	\$ 16.63	0.21
Total Uses	\$ 16,735,989	\$ 60,638	\$ 77.94	1.00

Applicant - Sources of Funds				
Source I	Net Proceeds	Sale Price	Applicable Percentage	
Tax Credits	\$ 3,853,514	\$0.70	4.00%	
Source II	Proceeds	Rate	Amort	Annual D/S
Bond Proceeds	\$ 12,882,474	6.30%	40	\$ 883,121
Source III	Proceeds	% Deferred	Remaining	
Deferred Developer Fee	\$ -	0.0%	\$501,509	
Source IV	Proceeds	Description	Annual D/S	
Other	\$ -		\$ -	
Total Sources	\$ 16,735,988			\$ 883,121

TDHCA - Sources of Funds				
Source I	Net Proceeds	Sale Price	Applicable Percentage	
Tax Credits	\$ 4,005,986	\$0.82	3.55%	
Source II	Proceeds	Rate	Amort	Annual D/S
Bond Proceeds	\$ 11,356,543	6.35%	30	\$ 847,974
Source III	Proceeds	% Deferred	Remaining	
Deferred Developer Fee	\$ 501,509	100.0%	\$ -	
Source IV	Proceeds	Description	Annual D/S	
Other	\$ 871,952		\$ -	
Total Sources	\$ 16,735,989			\$ 847,974

Applicant - Operating Proforma/Debt Coverage				
		Per S.F.	Per Unit	
Potential Gross Income	\$1,735,680	\$8.08	\$6,289	
Other Income & Loss	71,928	0.33	261	
Vacancy & Collection	-6.78% (122,640)	-0.57	-444	
Effective Gross Income	\$1,684,968	7.85	6,105	
Total Operating Expenses	\$671,100	\$3.13	\$2,432	
Net Operating Income	\$1,013,868	\$4.72	\$3,673	
Debt Service	883,121	4.11	3,200	
Net Cash Flow	\$130,746	\$0.61	\$474	
Debt Coverage Ratio	1.15			
TDHCA/TSAHC Fees	\$0	\$0.00	\$0	
Net Cash Flow	\$130,746	\$0.61	\$474	
DCR after TDHCA Fees	1.15			
Break-even Rents/S.F.	0.60			
Break-even Occupancy	89.55%			

TDHCA - Operating Proforma/Debt Coverage				
		Per S.F.	Per Unit	
Potential Gross Income	\$1,735,680	\$8.08	\$6,289	
Other Income & Loss	33,120	0.15	120	
Vacancy & Collection	7.50% (132,660)	-0.62	-481	
Effective Gross Income	1,636,140	7.62	5,928	
Total Operating Expenses	41.0% \$671,100	\$3.13	\$2,432	
Net Operating Income	\$965,040	\$4.49	\$3,497	
Debt Service	847,974	3.95	3,072	
Net Cash Flow	\$117,066	\$0.55	\$424	
Debt Coverage Ratio	1.14			
TDHCA/TSAHC Fees	\$29,297	\$0.14	\$106	
Net Cash Flow	\$87,770	\$0.41	\$318	
DCR after TDHCA Fees	1.10			
Break-even Rents/S.F.	0.60			
Break-even Occupancy	89.21%			

Applicant - Expense Summary			
		Per S.F.	Per Unit
Management Fee	\$67,100	0.31	243.12
Salaries/Wages/Benefits	151,800	0.71	550.00
General and Admin.	69,000	0.32	250.00
Maintenance/Repairs	151,800	0.71	550.00
Utilities	69,000	0.32	250.00
Property Taxes	81,432	0.38	295.04
Insurance	25,768	0.12	93.36
Replacement Reserves	55,200	0.26	200.00
Other Expenses	-	0.00	0.00
Total Expenses	\$671,100	3.13	2,431.52

Staff Notes/Comments
1. 501(C)(3) Non-Profit
2. CHODO Tax Exemption
3. Gross rents trend 3%.
4. Incorporated maximum tax credits
5. Assuming property taxes of \$1,000 per unit, total operating expenses fall short of our underwriting range of \$3,200-\$3,400 per unit.

**TEXAS DEPARTMENT OF HOUSING & COMMUNITY AFFAIRS
MULTIFAMILY FINANCE DIVISION
PREQUALIFICATION ANALYSIS**

Cedar Park Ranch Apts Phase II, FM 1431 & Bagdad Road, Cedar Park, TX 78613 (2002-050)

Unit Mix and Rental Rates					
Unit Type	Beds/Bath	# Units	Rents	Unit Size S.F.	Rent/S.F.
50% AMI	1BD/1BA	36	\$ 542	638	0.85
50% AMI	1BD/1BA	32	\$ 542	672	0.81
50% AMI	1BD/1BA	4	\$ 542	717	0.76
50% AMI	2BD/2BA	24	\$ 639	830	0.77
50% AMI	2BD/2BA	16	\$ 639	928	0.69
					0.00
Totals		112	\$ 775,008	82,108	\$ 0.79
Averages			\$ 577	733	

Uses of Funds/Project Costs				
	Costs	Per Unit	Per S.F.	Percent
Acquisition	\$ 837,421	\$ 7,477	\$ 10.20	0.11
Off-sites	0	0	0.00	0.00
Subtotal Site Costs	\$ 837,421	\$ 7,477	\$ 10.20	0.11
Sitework	0	0	0.00	0.00
Construction Costs	3,992,691	35,649	48.63	0.51
Contingency	84,000	750	1.02	0.01
General Requirements	308,000	2,750	3.75	0.04
Contractor's Fee	261,106	2,331	3.18	0.03
Subtotal Construction	\$ 4,645,797	\$ 41,480	\$ 56.58	0.59
Indirect Construction	754,401	6,736	9.19	0.10
Developer's Fee	783,317	6,994	9.54	0.10
Financing	509,509	4,549	6.21	0.06
Reserves	323,988	2,893	3.95	0.04
Legal & Closing Costs	19,853	177	0.24	0.00
Subtotal Other Costs	\$ 2,391,068	\$ 21,349	\$ 29.12	0.30
Total Uses	\$ 7,874,286	\$ 70,306	\$ 95.90	1.00

Applicant - Sources of Funds				
Source I	Net Proceeds	Sale Price	Applicable Percentage	
Tax Credits	\$ 1,773,091	\$0.70	4.00%	
Source II	Proceeds	Rate	Amort	Annual D/S
Bond Proceeds	\$ 6,101,194	6.30%	40	\$ 418,250
Source III	Proceeds	% Deferred	Remaining	
Deferred Developer Fee	\$ -	0.0%	\$783,317	
Source IV	Proceeds	Description	Annual D/S	
Other	\$ -		\$ -	
Total Sources	\$ 7,874,285			\$ 418,250

TDHCA - Sources of Funds				
Source I	Net Proceeds	Sale Price	Applicable Percentage	
Tax Credits	\$ 1,839,091	\$0.82	3.55%	
Source II	Proceeds	Rate	Amort	Annual D/S
Bond Proceeds	\$ 5,276,977	6.35%	30	\$ 394,023
Source III	Proceeds	% Deferred	Remaining	
Deferred Developer Fee	\$ 758,218	96.8%	\$ 25,099	
Source IV	Proceeds	Description	Annual D/S	
Other	\$ -		\$ -	
Total Sources	\$ 7,874,286			\$ 394,023

Applicant - Operating Proforma/Debt Coverage				
		Per S.F.	Per Unit	
Potential Gross Income		\$775,008	\$9.44	\$6,920
Other Income & Loss		33,624	0.41	300
Vacancy & Collection	-6.48%	(52,428)	-0.64	-468
Effective Gross Income		\$756,204	9.21	6,752
Total Operating Expenses		\$282,056	\$3.44	\$2,518
Net Operating Income		\$474,148	\$5.77	\$4,233
Debt Service		418,250	5.09	3,734
Net Cash Flow		\$55,898	\$0.68	\$499
Debt Coverage Ratio		1.13		
TDHCA/TSAHC Fees		\$0	\$0.00	\$0
Net Cash Flow		\$55,898	\$0.68	\$499
DCR after TDHCA Fees		1.13		
Break-even Rents/S.F.		0.71		
Break-even Occupancy		90.36%		

TDHCA - Operating Proforma/Debt Coverage				
		Per S.F.	Per Unit	
Potential Gross Income		\$775,008	\$9.44	\$6,920
Other Income & Loss		13,440	0.16	120
Vacancy & Collection	7.50%	(59,134)	-0.72	-528
Effective Gross Income		729,314	8.88	6,512
Total Operating Expenses	38.7%	\$282,056	\$3.44	\$2,518
Net Operating Income		\$447,258	\$5.45	\$3,993
Debt Service		394,023	4.80	3,518
Net Cash Flow		\$53,236	\$0.65	\$475
Debt Coverage Ratio		1.14		
TDHCA/TSAHC Fees		\$12,557	\$0.15	\$112
Net Cash Flow		\$40,679	\$0.50	\$363
DCR after TDHCA Fees		1.10		
Break-even Rents/S.F.		0.70		
Break-even Occupancy		88.86%		

Applicant - Expense Summary			
		Per S.F.	Per Unit
Management Fee	\$33,485	0.41	298.97
Salaries/Wages/Benefits	61,600	0.75	550.00
General and Admin.	28,000	0.34	250.00
Maintenance/Repairs	61,600	0.75	550.00
Utilities	28,000	0.34	250.00
Property Taxes	37,118	0.45	331.41
Insurance	9,853	0.12	87.97
Replacement Reserves	22,400	0.27	200.00
Other Expenses	-	0.00	0.00
Total Expenses	\$282,056	3.44	2,518.36

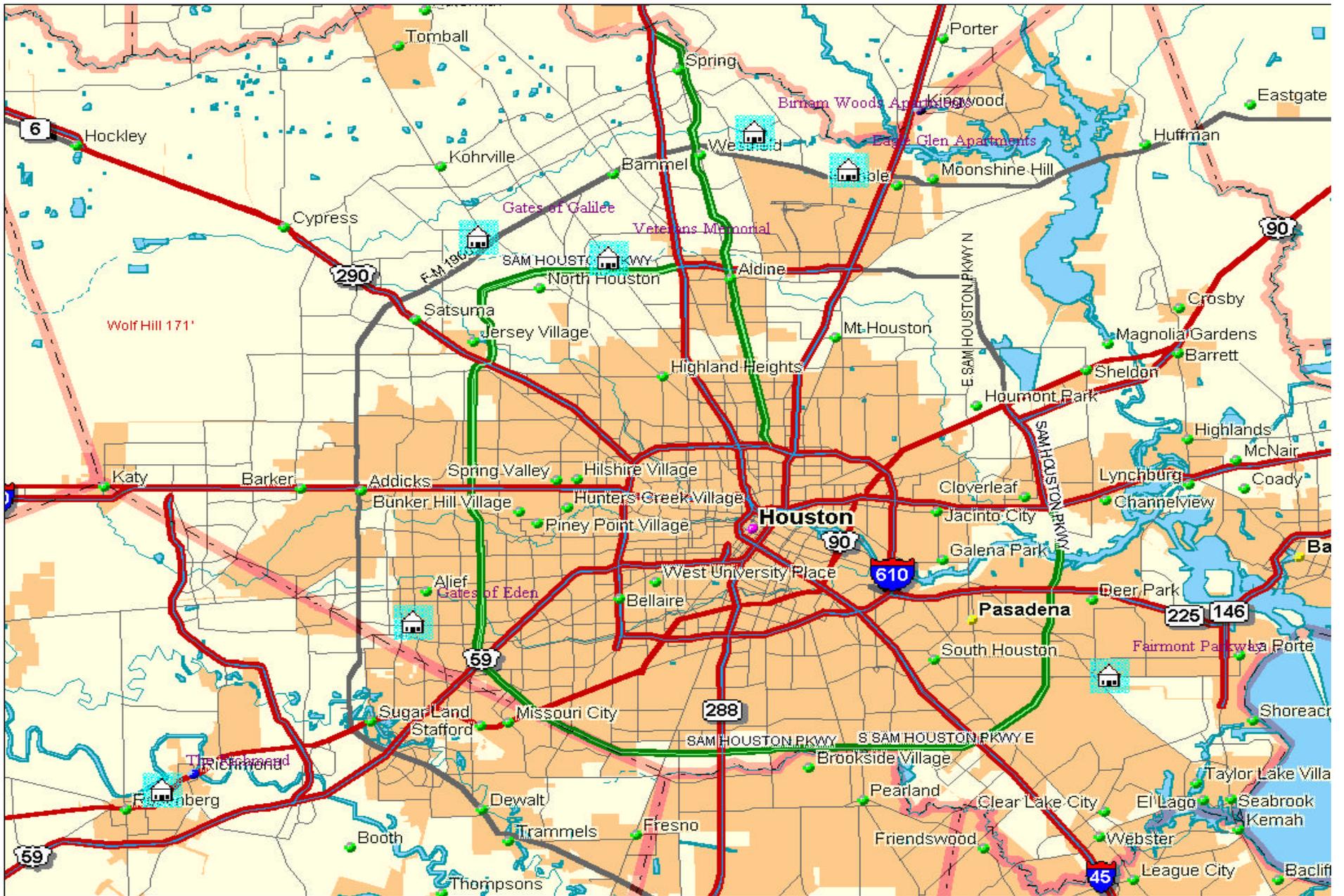
Staff Notes/Comments
1. 501(C)(3) Non-Profit
2. CHODO Tax Exemption
3. Gross rents trend 3%.
4. Incorporated maximum tax credits
5. Assuming property taxes of \$1,000 per unit, total operating expenses fall short of our underwriting range of \$3,200-\$3,400 per unit.

Texas Department of Housing and Community Affairs

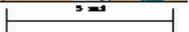
2002 Multifamily Private-Activity Bonds

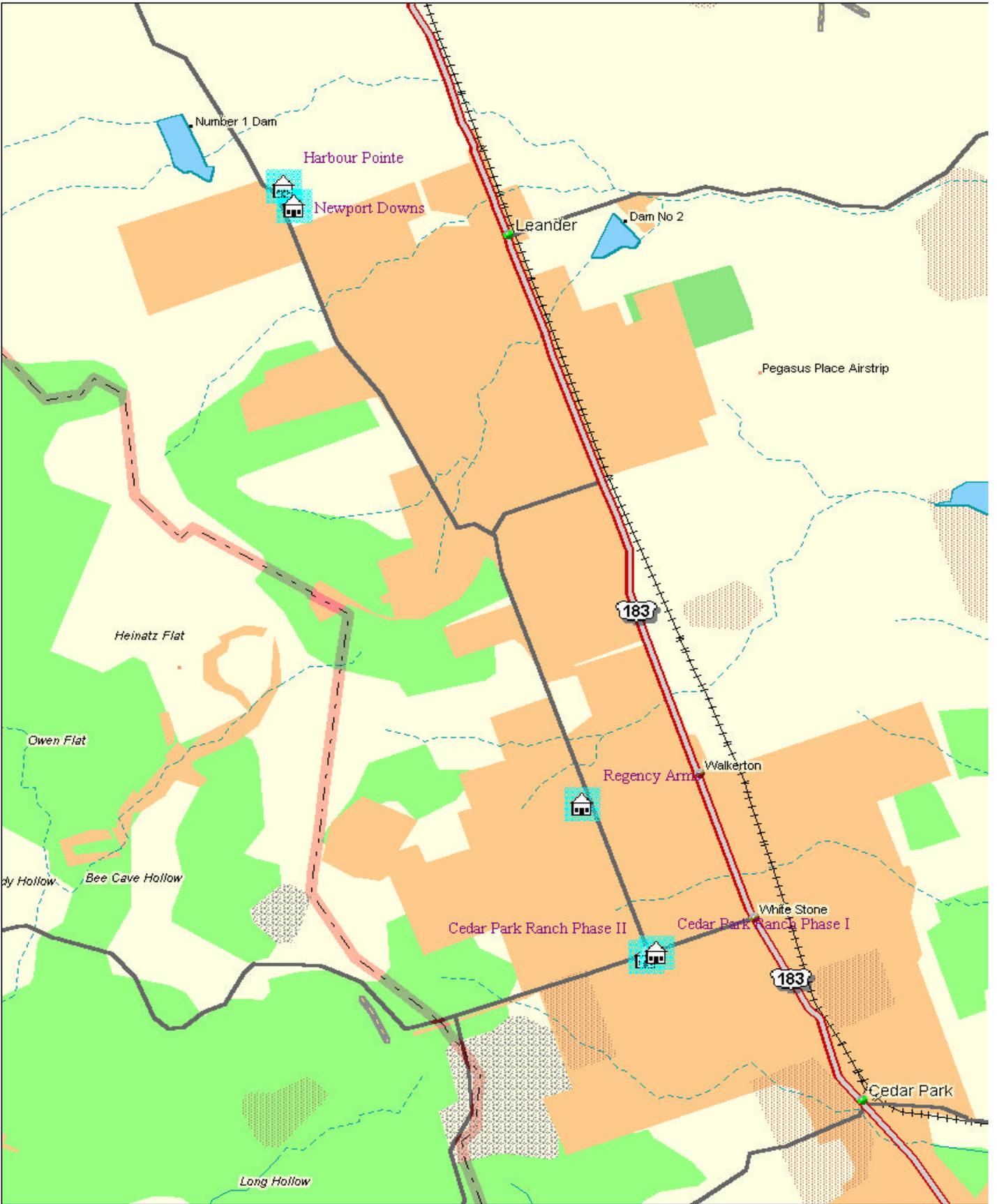
Withdrawn Applications

<i>Application #</i>	<i>Project Information</i>	<i># Units</i>	<i>Bond Amount</i>	<i>Developer Information</i>	<i>Notes</i>
2002-030	North Arlington Senior Apartments New Construction 975 East Sanford Street County: Tarrant City: Arlington	200	\$11,674,000	Monique S. Allen Maple Avenue Economic Development Corporation (214) 361-9602	Project relies on property tax exemptions.
2002-031	West Ft Worth Senior Apts New Construction Lands End Blvd & Lands End Court County: Tarrant City: Fort Worth	200	\$11,674,000	Don Maison PWA Coalition of Dallas, Inc. (214) 941-0523	Project relies on property tax exemptions.
2002-032	Ft Worth Hulen Bend Apts New Construction NW corner of Granbury Rd and Granbury Cut Off County: Tarrant City: Arlington	180	\$11,404,000	Monique S. Allen Maple Avenue Economic Development Corporation (214) 361-9602	Project relies on property tax exemptions.
Totals:	3 Applications containing	580 units, requesting	\$34,752,000	in total bonds.	



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RESOLUTION NO. 01-38

RESOLUTION DECLARING INTENT TO ISSUE MULTIFAMILY REVENUE BONDS WITH RESPECT TO RESIDENTIAL RENTAL PROJECT; AUTHORIZING THE FILING OF AN APPLICATION FOR ALLOCATION OF PRIVATE ACTIVITY BONDS WITH THE TEXAS BOND REVIEW BOARD; AND AUTHORIZING OTHER ACTION RELATED THERETO

WHEREAS, the Texas Department of Housing and Community Affairs (the "Department") has been duly created and organized pursuant to and in accordance with the provisions of Chapter 2306, Texas Government Code (the "Act"), as amended from time, for the purpose, among others, of providing a means of financing the costs of residential ownership, development and rehabilitation that will provide decent, safe, and affordable living environments for persons and families of low and very low income (as defined in the Act) and families of moderate income (as described in the Act and determined by the Governing Board of the Department (the "Board") from time to time); and

WHEREAS, the Act authorizes the Department: (a) to make mortgage loans to housing sponsors to provide financing for multifamily residential rental housing in the State of Texas (the "State") intended to be occupied by persons and families of low and very low income and families of moderate income, as determined by the Department; (b) to issue its revenue bonds, for the purpose, among others, of obtaining funds to make such loans and provide financing, to establish necessary reserve funds and to pay administrative and other costs incurred in connection with the issuance of such bonds; and (c) to pledge all or any part of the revenues, receipts or resources of the Department, including the revenues and receipts to be received by the Department from such multifamily residential rental project loans, and to mortgage, pledge or grant security interests in such loans or other property of the Department in order to secure the payment of the principal or redemption price of and interest on such bonds; and

WHEREAS, it is proposed that the Department issue its revenue bonds for the purpose of providing financing for a multi-family residential rental development (the "Project") consisting of approximately 276 units to be located in Humble, Harris County, Texas, on the land described in Exhibit A attached hereto, and to be owned by Commonwealth Housing Corporation, a Delaware nonprofit corporation, or a related person (the "Owner") within the meaning of the Internal Revenue Code of 1986, as amended (the "Code"); and

WHEREAS, the Owner has made not more than 60 days prior to the date hereof, payments with respect to the Project and expects to make additional payments in the future and desires that it be reimbursed for such payments and other costs associated with the Project from the proceeds of tax-exempt and taxable obligations to be issued by the Department subsequent to the date hereof; and

WHEREAS, the Owner has indicated its willingness to enter into contractual arrangements with the Department providing assurance satisfactory to the Department that 100 percent of the Project units will be occupied at all times by Eligible Tenants, as determined by the Board of the Department pursuant to the Act, that the other requirements of the Act and the Department will be satisfied and that the Project will satisfy Section 142(d) and other applicable Sections of the Code; and

WHEREAS, the Department desires to reimburse the Owner for the costs associated with the Project listed on Exhibit "A" attached hereto, but solely from and to the extent, if any, of the proceeds of tax-exempt and taxable obligations to be issued in one or more series to be issued subsequent to the date hereof; and

WHEREAS, at the request of the Owner, the Department reasonably expects to incur debt in the form of tax-exempt and taxable obligations for purposes of paying the costs of the Project described on Exhibit "A" attached hereto; and

WHEREAS, in connection with the proposed issuance of the Bonds (defined below), the Department, as issuer of the Bonds, is required to submit an Application for Allocation of Private Activity Bonds (the "Application") with the Texas Bond Review Board (the "Bond Review Board") with respect to the tax-exempt Bonds to qualify for the Bond Review Board's Allocation Program in connection with the Bond Review Board's authority to administer the allocation of the authority of the state to issue private activity bonds; and

WHEREAS, the Board has determined to declare its intent to issue its multifamily revenue bonds for the purpose of providing funds to the Owner to finance the Project on the terms and conditions hereinafter set forth; NOW, THEREFORE,

BE IT RESOLVED BY THE GOVERNING BOARD OF THE TEXAS DEPARTMENT OF HOUSING AND COMMUNITY AFFAIRS THAT:

Section 1--Certain Findings. The Board finds that:

- (a) the Project is necessary to provide decent, safe and sanitary housing at rentals that eligible tenants can afford;
- (b) the Owner will supply, in the Project, well-planned and well-designed housing for eligible tenants;
- (c) the financing of the Project pursuant to the provisions of the Act will constitute a public purpose and will provide a public benefit; and
- (d) the Project will be undertaken within the authority conferred by the Act upon the Department and the Owner.

Section 2--Authorization of Issue. The Department declares its intent to issue its Multifamily Housing Revenue Bonds (the "Bonds") in an amount estimated to be sufficient (a) to fund a loan or loans to the Owner to provide financing for the Project in an aggregate principal amount not to exceed \$13,500,000; (b) to fund a reserve fund with respect to the Bonds if needed; and (c) to pay certain costs incurred in connection with the issuance of the Bonds. Such Bonds will be issued as qualified residential rental project bonds. Final approval of the Department to issue the Bonds shall be subject to (i) the review by the Department's credit underwriters for financial feasibility, (ii) review by the Department's staff and legal counsel of compliance with federal income tax regulations and state law requirements regarding tenancy in the Project, (iii) approval by the Bond Review Board, (iv) approval by the Texas Attorney General, (v) satisfaction of the Board that the Project meets the Department's public policy criteria, and (vi) the ability of the Department to issue such Bonds in compliance with all federal and state laws applicable to the issuance of such Bonds.

Section 3--Terms of Bonds. The proposed Bonds shall be issuable only as fully registered bonds in authorized denominations to be determined by the Department; shall bear interest at a fixed rate or rates to be determined by the Department, which interest shall be payable on a semi-annual basis; shall mature at a time to be determined by the Department but in no event later than 40 years after the date of issuance; and shall be subject to prior redemption upon such terms and conditions as may be determined by the Department.

Section 4--Reimbursement. The Department reasonably expects to reimburse the Owner for all costs ("Costs of the Project") that have been or will be paid subsequent to the date that is 60 days prior to the date hereof in connection with the acquisition of real property and construction of the Project and listed on Exhibit "A" attached hereto from the proceeds of the Bonds, in an amount which is reasonably estimated to be sufficient: (a) to fund a loan to provide financing for the acquisition and construction of the Project, including reimbursing the Owner for all costs that have been or will be paid subsequent to the date that is 60 days prior to the date hereof in connection with the acquisition and construction of the Project; (b) to fund any reserves that may be required for the benefit of the holders of the Bonds; and (c) to pay certain costs incurred in connection with the issuance of the Bonds.

Section 5--Principal Amount. Based on representations of the Owner, the Department reasonably expects that the maximum principal amount of debt issued to reimburse the Owner for the Costs of the Project will not exceed \$13,500,000.

Section 6--Limited Obligations. The Owner may commence with the acquisition and construction of the Project, which Project will be in furtherance of the public purposes of the Department as aforesaid. On or prior to the issuance of the Bonds, the Owner will enter into a loan agreement on an installment payment basis with the Department under which the Department will make a loan to the Owner for the purpose of reimbursing the Owner for the Costs of the Project and the Owner will make installment payments sufficient to pay the principal of and any premium and

interest on the Bonds. The proposed Bonds shall be special, limited obligations of the Department payable solely by the Department from or in connection with its loan or loans to the Owner to provide financing for the Project, and from such other revenues, receipts and resources of the Department as may be expressly pledged by the Department to secure the payment of the Bonds.

Section 7--The Project. Substantially all of the proceeds of the Bonds shall be used to finance the Project, which is to be occupied entirely by Eligible Tenants, as determined by the Department, and which is to be occupied partially (at least 20% by persons and families whose income is 50% or less than area median gross income, or alternatively, at least 40% by persons and families whose income is 60% or less than area median gross income) by persons and families of low income within the meaning of and for the period required by the Code.

Section 8--Payment of Bonds. The payment of the principal of and any premium and interest on the Bonds shall be made solely from moneys realized from the loan of the proceeds of the Bonds to reimburse the Owner for Costs of the Project.

Section 9--Costs of Project. The Costs of the Project may include any cost of acquiring, constructing, reconstructing, improving, installing and expanding the Project. Without limiting the generality of the foregoing, the Costs of the Project shall specifically include the cost of the acquisition of all land, rights-of-way, property rights, easements and interests, the cost of all machinery and equipment, financing charges, inventory, raw materials and other supplies, research and development costs, interest prior to and during construction and for one year after completion of construction whether or not capitalized, necessary reserve funds, the cost of estimates and of engineering and legal services, plans, specifications, surveys, estimates of cost and of revenue, other expenses necessary or incident to determining the feasibility and practicability of acquiring, constructing, reconstructing, improving and expanding the Project, administrative expenses and such other expenses as may be necessary or incident to the acquisition, construction, reconstruction, improvement and expansion of the Project, the placing of the Project in operation and that satisfy the Code and the Act. The Owner shall be responsible for and pay any Costs of the Project incurred by it prior to issuance of the Bonds and will pay all Costs of the Project which are not or cannot be paid or reimbursed from the proceeds of the Bonds.

Section 10--No Commitment to Issue Bonds. Neither the Owner nor any other party is entitled to rely on this Resolution as a commitment to issue the Bonds and to loan funds, and the Department reserves the right not to issue the Bonds either with or without cause and with or without notice, and in such event the Department shall not be subject to any liability or damages of any nature. Neither the Owner nor any one claiming by, through or under the Owner shall have any claim against the Department whatsoever as a result of any decision by the Department not to issue the Bonds.

Section 11--No Indebtedness of Certain Entities. The Board hereby finds, determines, recites and declares that the Bonds shall not constitute an indebtedness, liability, general, special or moral obligation or pledge or loan of the faith or credit or taxing power of the State of Texas, the Department or any other political subdivision or municipal or political corporation or governmental unit, nor shall the Bonds ever be deemed to be an obligation or agreement of any officer, director, agent or employee of the Department in his or her individual capacity, and none of such persons shall be subject to any personal liability by reason of the issuance of the Bonds.

Section 12--Conditions Precedent. The issuance of the Bonds following final approval by the Board shall be further subject to, among other things: (a) the execution by the Owner and the Department of contractual arrangements providing assurance satisfactory to the Department that 100 percent of the Project units will be occupied at all times by Eligible Tenants, that all other requirements of the Act will be satisfied, that Owner will create a tenant advisory council or provide for other measures, acceptable to the Department, to insure local input regarding Project management and that the Project will satisfy the requirements of Section 142(d) of the Code (except for portions to be financed with taxable bonds); (b) the receipt of an opinion from Vinson & Elkins L.L.P. or other nationally recognized bond counsel acceptable to the Department, substantially to the effect that the interest on the tax-exempt Bonds is excludable from gross income for federal income tax purposes under existing law; and (c) receipt of the required approval of the Texas Bond Review Board and the Attorney General of the State of Texas.

Section 13--Certain Findings. The Board hereby finds, determines, recites and declares that the issuance of the Bonds to provide financing for the Project will promote the public purposes set forth in the Act, including, without

limitation, assisting persons and families of low and very low income and families of moderate income to obtain decent, safe and sanitary housing at rentals they can afford.

Section 14--Authorization to Proceed. The Board hereby authorizes staff, Bond Counsel and other consultants to proceed with preparation of the necessary Project review and legal documentation for the issuance of the Bonds, subject to satisfaction of the conditions specified in Section 2(i) and (ii) hereof.

Section 15--Related Persons. The Department acknowledges that financing of all or any part of the Project may be undertaken by any company or partnership that is a "related person" to the Owner within the meaning of the Code and applicable regulations promulgated pursuant thereto, including any entity controlled by or affiliated with the Owner.

Section 16--Declaration of Official Intent. This Resolution constitutes the Department's official intent for expenditures on Costs of the Project which will be reimbursed out of the issuance of the Bonds within the meaning of Sections 1.142-4(b) and 1.150-2, Title 26, Code of Federal Regulations, as amended, and applicable rulings of the Internal Revenue Service thereunder, to the end that the Bonds issued to reimburse Costs of the Project may qualify for the exemption provisions of Section 142 of the Code, and that the interest on the Bonds (except for any taxable Bonds) will therefore be excludable from the gross incomes of the holders thereof under the provisions of Section 103(a)(1) of the Code.

Section 17--Authorization of Certain Actions. The Department hereby authorizes the filing of and directs the filing of the Application in such form presented to the Board with the Bond Review Board and each director of the Board are hereby severally authorized and directed to execute the Application on behalf of the Department and to cause the same to be filed with the Bond Review Board.

Section 18--Effective Date. This Resolution shall be in full force and effect from and upon its adoption.

Section 19--Books and Records. The Board hereby directs this Resolution to be made a part of the Department's books and records that are available for inspection by the general public.

Section 20--Notice of Meeting. Written notice of the date, hour and place of the meeting of the Board at which this Resolution was considered and of the subject of this Resolution was furnished to the Secretary of State and posted on the Internet for at least seven (7) days preceding the convening of such meeting; that during regular office hours a computer terminal located in a place convenient to the public in the office of the Secretary of State was provided such that the general public could view such posting; that such meeting was open to the public as required by law at all times during which this Resolution and the subject matter hereof was discussed, considered and formally acted upon, all as required by the Open Meetings Act, Chapter 551, Texas Government Code, as amended; and that written notice of the date, hour and place of the meeting of the Board and of the subject of this Resolution was published in the Texas Register at least seven (7) days preceding the convening of such meeting, as required by the Administrative Procedure and Texas Register Act, Chapters 2001 and 2002, Texas Government Code, as amended. Additionally, all of the materials in the possession of the Department relevant to the subject of this Resolution were sent to interested persons and organizations, posted on the Department's website, made available in hard-copy at the Department, and filed with the Secretary of State for publication by reference in the Texas Register not later than seven (7) days before the meeting of the Board as required by Section 2306.032, Texas Government Code, as amended.

PASSED AND APPROVED this 17th day of October, 2001.

[SEAL]

By: _____
Chairman

Attest: _____
Secretary

EXHIBIT "A"

Description of the Project

Costs of the Project include:

(i) acquisition of real property located at 19821 Kenswick Drive, Humble, Harris County, Texas 78338, and (ii) the construction thereon of an approximately 276-unit multifamily residential rental housing project, in the amount not to exceed \$13,500,000.

RESOLUTION NO. 01-36

RESOLUTION DECLARING INTENT TO ISSUE MULTIFAMILY REVENUE BONDS WITH RESPECT TO RESIDENTIAL RENTAL PROJECT; AUTHORIZING THE FILING OF AN APPLICATION FOR ALLOCATION OF PRIVATE ACTIVITY BONDS WITH THE TEXAS BOND REVIEW BOARD; AND AUTHORIZING OTHER ACTION RELATED THERETO

WHEREAS, the Texas Department of Housing and Community Affairs (the "Department") has been duly created and organized pursuant to and in accordance with the provisions of Chapter 2306, Texas Government Code (the "Act"), as amended from time, for the purpose, among others, of providing a means of financing the costs of residential ownership, development and rehabilitation that will provide decent, safe, and affordable living environments for persons and families of low and very low income (as defined in the Act) and families of moderate income (as described in the Act and determined by the Governing Board of the Department (the "Board") from time to time); and

WHEREAS, the Act authorizes the Department: (a) to make mortgage loans to housing sponsors to provide financing for multifamily residential rental housing in the State of Texas (the "State") intended to be occupied by persons and families of low and very low income and families of moderate income, as determined by the Department; (b) to issue its revenue bonds, for the purpose, among others, of obtaining funds to make such loans and provide financing, to establish necessary reserve funds and to pay administrative and other costs incurred in connection with the issuance of such bonds; and (c) to pledge all or any part of the revenues, receipts or resources of the Department, including the revenues and receipts to be received by the Department from such multifamily residential rental project loans, and to mortgage, pledge or grant security interests in such loans or other property of the Department in order to secure the payment of the principal or redemption price of and interest on such bonds; and

WHEREAS, it is proposed that the Department issue its revenue bonds for the purpose of providing financing for a multi-family residential rental development (the "Project") consisting of approximately 160 units to be located in Cedar Park, Williamson County, Texas, on the land described in Exhibit A attached hereto, and to be owned by Commonwealth Housing Corporation, a Delaware nonprofit corporation, or a related person (the "Owner") within the meaning of the Internal Revenue Code of 1986, as amended (the "Code"); and

WHEREAS, the Owner has made not more than 60 days prior to the date hereof, payments with respect to the Project and expects to make additional payments in the future and desires that it be reimbursed for such payments and other costs associated with the Project from the proceeds of tax-exempt and taxable obligations to be issued by the Department subsequent to the date hereof; and

WHEREAS, the Owner has indicated its willingness to enter into contractual arrangements with the Department providing assurance satisfactory to the Department that 100 percent of the Project units will be occupied at all times by Eligible Tenants, as determined by the Board of the Department pursuant to the Act, that the other requirements of the Act and the Department will be satisfied and that the Project will satisfy Section 142(d) and other applicable Sections of the Code; and

WHEREAS, the Department desires to reimburse the Owner for the costs associated with the Project listed on Exhibit "A" attached hereto, but solely from and to the extent, if any, of the proceeds of tax-exempt and taxable obligations to be issued in one or more series to be issued subsequent to the date hereof; and

WHEREAS, at the request of the Owner, the Department reasonably expects to incur debt in the form of tax-exempt and taxable obligations for purposes of paying the costs of the Project described on Exhibit "A" attached hereto; and

WHEREAS, in connection with the proposed issuance of the Bonds (defined below), the Department, as issuer of the Bonds, is required to submit an Application for Allocation of Private Activity Bonds (the "Application") with the Texas Bond Review Board (the "Bond Review Board") with respect to the tax-exempt Bonds to qualify for the Bond Review Board's Allocation Program in connection with the Bond Review Board's authority to administer the allocation of the authority of the state to issue private activity bonds; and

WHEREAS, the Board has determined to declare its intent to issue its multifamily revenue bonds for the purpose of providing funds to the Owner to finance the Project on the terms and conditions hereinafter set forth; NOW, THEREFORE,

BE IT RESOLVED BY THE GOVERNING BOARD OF THE TEXAS DEPARTMENT OF HOUSING AND COMMUNITY AFFAIRS THAT:

Section 1--Certain Findings. The Board finds that:

- (a) the Project is necessary to provide decent, safe and sanitary housing at rentals that eligible tenants can afford;
- (b) the Owner will supply, in the Project, well-planned and well-designed housing for eligible tenants;
- (c) the financing of the Project pursuant to the provisions of the Act will constitute a public purpose and will provide a public benefit; and
- (d) the Project will be undertaken within the authority conferred by the Act upon the Department and the Owner.

Section 2--Authorization of Issue. The Department declares its intent to issue its Multifamily Housing Revenue Bonds (the "Bonds") in an amount estimated to be sufficient (a) to fund a loan or loans to the Owner to provide financing for the Project in an aggregate principal amount not to exceed \$8,500,000; (b) to fund a reserve fund with respect to the Bonds if needed; and (c) to pay certain costs incurred in connection with the issuance of the Bonds. Such Bonds will be issued as qualified residential rental project bonds. Final approval of the Department to issue the Bonds shall be subject to (i) the review by the Department's credit underwriters for financial feasibility, (ii) review by the Department's staff and legal counsel of compliance with federal income tax regulations and state law requirements regarding tenancy in the Project, (iii) approval by the Bond Review Board, (iv) approval by the Texas Attorney General, (v) satisfaction of the Board that the Project meets the Department's public policy criteria, and (vi) the ability of the Department to issue such Bonds in compliance with all federal and state laws applicable to the issuance of such Bonds.

Section 3--Terms of Bonds. The proposed Bonds shall be issuable only as fully registered bonds in authorized denominations to be determined by the Department; shall bear interest at a fixed rate or rates to be determined by the Department, which interest shall be payable on a semi-annual basis; shall mature at a time to be determined by the Department but in no event later than 40 years after the date of issuance; and shall be subject to prior redemption upon such terms and conditions as may be determined by the Department.

Section 4--Reimbursement. The Department reasonably expects to reimburse the Owner for all costs ("Costs of the Project") that have been or will be paid subsequent to the date that is 60 days prior to the date hereof in connection with the acquisition of real property and construction of the Project and listed on Exhibit "A" attached hereto from the proceeds of the Bonds, in an amount which is reasonably estimated to be sufficient: (a) to fund a loan to provide financing for the acquisition and construction of the Project, including reimbursing the Owner for all costs that have been or will be paid subsequent to the date that is 60 days prior to the date hereof in connection with the acquisition and construction of the Project; (b) to fund any reserves that may be required for the benefit of the holders of the Bonds; and (c) to pay certain costs incurred in connection with the issuance of the Bonds.

Section 5--Principal Amount. Based on representations of the Owner, the Department reasonably expects that the maximum principal amount of debt issued to reimburse the Owner for the Costs of the Project will not exceed \$8,500,000.

Section 6--Limited Obligations. The Owner may commence with the acquisition and construction of the Project, which Project will be in furtherance of the public purposes of the Department as aforesaid. On or prior to the issuance of the Bonds, the Owner will enter into a loan agreement on an installment payment basis with the Department under which the Department will make a loan to the Owner for the purpose of reimbursing the Owner for the Costs of the Project and the Owner will make installment payments sufficient to pay the principal of and any premium and

interest on the Bonds. The proposed Bonds shall be special, limited obligations of the Department payable solely by the Department from or in connection with its loan or loans to the Owner to provide financing for the Project, and from such other revenues, receipts and resources of the Department as may be expressly pledged by the Department to secure the payment of the Bonds.

Section 7--The Project. Substantially all of the proceeds of the Bonds shall be used to finance the Project, which is to be occupied entirely by Eligible Tenants, as determined by the Department, and which is to be occupied partially (at least 20% by persons and families whose income is 50% or less than area median gross income, or alternatively, at least 40% by persons and families whose income is 60% or less than area median gross income) by persons and families of low income within the meaning of and for the period required by the Code.

Section 8--Payment of Bonds. The payment of the principal of and any premium and interest on the Bonds shall be made solely from moneys realized from the loan of the proceeds of the Bonds to reimburse the Owner for Costs of the Project.

Section 9--Costs of Project. The Costs of the Project may include any cost of acquiring, constructing, reconstructing, improving, installing and expanding the Project. Without limiting the generality of the foregoing, the Costs of the Project shall specifically include the cost of the acquisition of all land, rights-of-way, property rights, easements and interests, the cost of all machinery and equipment, financing charges, inventory, raw materials and other supplies, research and development costs, interest prior to and during construction and for one year after completion of construction whether or not capitalized, necessary reserve funds, the cost of estimates and of engineering and legal services, plans, specifications, surveys, estimates of cost and of revenue, other expenses necessary or incident to determining the feasibility and practicability of acquiring, constructing, reconstructing, improving and expanding the Project, administrative expenses and such other expenses as may be necessary or incident to the acquisition, construction, reconstruction, improvement and expansion of the Project, the placing of the Project in operation and that satisfy the Code and the Act. The Owner shall be responsible for and pay any Costs of the Project incurred by it prior to issuance of the Bonds and will pay all Costs of the Project which are not or cannot be paid or reimbursed from the proceeds of the Bonds.

Section 10--No Commitment to Issue Bonds. Neither the Owner nor any other party is entitled to rely on this Resolution as a commitment to issue the Bonds and to loan funds, and the Department reserves the right not to issue the Bonds either with or without cause and with or without notice, and in such event the Department shall not be subject to any liability or damages of any nature. Neither the Owner nor any one claiming by, through or under the Owner shall have any claim against the Department whatsoever as a result of any decision by the Department not to issue the Bonds.

Section 11--No Indebtedness of Certain Entities. The Board hereby finds, determines, recites and declares that the Bonds shall not constitute an indebtedness, liability, general, special or moral obligation or pledge or loan of the faith or credit or taxing power of the State of Texas, the Department or any other political subdivision or municipal or political corporation or governmental unit, nor shall the Bonds ever be deemed to be an obligation or agreement of any officer, director, agent or employee of the Department in his or her individual capacity, and none of such persons shall be subject to any personal liability by reason of the issuance of the Bonds.

Section 12--Conditions Precedent. The issuance of the Bonds following final approval by the Board shall be further subject to, among other things: (a) the execution by the Owner and the Department of contractual arrangements providing assurance satisfactory to the Department that 100 percent of the Project units will be occupied at all times by Eligible Tenants, that all other requirements of the Act will be satisfied, that Owner will create a tenant advisory council or provide for other measures, acceptable to the Department, to insure local input regarding Project management and that the Project will satisfy the requirements of Section 142(d) of the Code (except for portions to be financed with taxable bonds); (b) the receipt of an opinion from Vinson & Elkins L.L.P. or other nationally recognized bond counsel acceptable to the Department, substantially to the effect that the interest on the tax-exempt Bonds is excludable from gross income for federal income tax purposes under existing law; and (c) receipt of the required approval of the Texas Bond Review Board and the Attorney General of the State of Texas.

Section 13--Certain Findings. The Board hereby finds, determines, recites and declares that the issuance of the Bonds to provide financing for the Project will promote the public purposes set forth in the Act, including, without

limitation, assisting persons and families of low and very low income and families of moderate income to obtain decent, safe and sanitary housing at rentals they can afford.

Section 14--Authorization to Proceed. The Board hereby authorizes staff, Bond Counsel and other consultants to proceed with preparation of the necessary Project review and legal documentation for the issuance of the Bonds, subject to satisfaction of the conditions specified in Section 2(i) and (ii) hereof.

Section 15--Related Persons. The Department acknowledges that financing of all or any part of the Project may be undertaken by any company or partnership that is a "related person" to the Owner within the meaning of the Code and applicable regulations promulgated pursuant thereto, including any entity controlled by or affiliated with the Owner.

Section 16--Declaration of Official Intent. This Resolution constitutes the Department's official intent for expenditures on Costs of the Project which will be reimbursed out of the issuance of the Bonds within the meaning of Sections 1.142-4(b) and 1.150-2, Title 26, Code of Federal Regulations, as amended, and applicable rulings of the Internal Revenue Service thereunder, to the end that the Bonds issued to reimburse Costs of the Project may qualify for the exemption provisions of Section 142 of the Code, and that the interest on the Bonds (except for any taxable Bonds) will therefore be excludable from the gross incomes of the holders thereof under the provisions of Section 103(a)(1) of the Code.

Section 17--Authorization of Certain Actions. The Department hereby authorizes the filing of and directs the filing of the Application in such form presented to the Board with the Bond Review Board and each director of the Board are hereby severally authorized and directed to execute the Application on behalf of the Department and to cause the same to be filed with the Bond Review Board.

Section 18--Effective Date. This Resolution shall be in full force and effect from and upon its adoption.

Section 19--Books and Records. The Board hereby directs this Resolution to be made a part of the Department's books and records that are available for inspection by the general public.

Section 20--Notice of Meeting. Written notice of the date, hour and place of the meeting of the Board at which this Resolution was considered and of the subject of this Resolution was furnished to the Secretary of State and posted on the Internet for at least seven (7) days preceding the convening of such meeting; that during regular office hours a computer terminal located in a place convenient to the public in the office of the Secretary of State was provided such that the general public could view such posting; that such meeting was open to the public as required by law at all times during which this Resolution and the subject matter hereof was discussed, considered and formally acted upon, all as required by the Open Meetings Act, Chapter 551, Texas Government Code, as amended; and that written notice of the date, hour and place of the meeting of the Board and of the subject of this Resolution was published in the Texas Register at least seven (7) days preceding the convening of such meeting, as required by the Administrative Procedure and Texas Register Act, Chapters 2001 and 2002, Texas Government Code, as amended. Additionally, all of the materials in the possession of the Department relevant to the subject of this Resolution were sent to interested persons and organizations, posted on the Department's website, made available in hard-copy at the Department, and filed with the Secretary of State for publication by reference in the Texas Register not later than seven (7) days before the meeting of the Board as required by Section 2306.032, Texas Government Code, as amended.

PASSED AND APPROVED this 17th day of October, 2001.

[SEAL]

By: _____
Chairman

Attest: _____
Secretary

EXHIBIT "A"

Description of the Project

Costs of the Project include:

(i) acquisition of real property located on the intersection of FM1431 and Bagdad Road, Cedar Park, Williamson County, Texas 78613, and (ii) the construction thereon of an approximately 160-unit multifamily residential rental housing project, in the amount not to exceed \$8,500,000.

RESOLUTION NO. 01-39

RESOLUTION DECLARING INTENT TO ISSUE MULTIFAMILY REVENUE BONDS WITH RESPECT TO RESIDENTIAL RENTAL PROJECT; AUTHORIZING THE FILING OF AN APPLICATION FOR ALLOCATION OF PRIVATE ACTIVITY BONDS WITH THE TEXAS BOND REVIEW BOARD; AND AUTHORIZING OTHER ACTION RELATED THERETO

WHEREAS, the Texas Department of Housing and Community Affairs (the "Department") has been duly created and organized pursuant to and in accordance with the provisions of Chapter 2306, Texas Government Code (the "Act"), as amended from time, for the purpose, among others, of providing a means of financing the costs of residential ownership, development and rehabilitation that will provide decent, safe, and affordable living environments for persons and families of low and very low income (as defined in the Act) and families of moderate income (as described in the Act and determined by the Governing Board of the Department (the "Board") from time to time); and

WHEREAS, the Act authorizes the Department: (a) to make mortgage loans to housing sponsors to provide financing for multifamily residential rental housing in the State of Texas (the "State") intended to be occupied by persons and families of low and very low income and families of moderate income, as determined by the Department; (b) to issue its revenue bonds, for the purpose, among others, of obtaining funds to make such loans and provide financing, to establish necessary reserve funds and to pay administrative and other costs incurred in connection with the issuance of such bonds; and (c) to pledge all or any part of the revenues, receipts or resources of the Department, including the revenues and receipts to be received by the Department from such multifamily residential rental project loans, and to mortgage, pledge or grant security interests in such loans or other property of the Department in order to secure the payment of the principal or redemption price of and interest on such bonds; and

WHEREAS, it is proposed that the Department issue its revenue bonds for the purpose of providing financing for a multi-family residential rental development (the "Project") consisting of approximately 120 units to be located in Boerne, Kendall County, Texas, on the land described in Exhibit A attached hereto, and to be owned by Boerne Park Meadows Apartments, L.P., a Texas limited liability partnership, the general partner of which will be Boerne Park Meadows Developers, LLC, or a related person (the "Owner") within the meaning of the Internal Revenue Code of 1986, as amended (the "Code"); and

WHEREAS, the Owner has made not more than 60 days prior to the date hereof, payments with respect to the Project and expects to make additional payments in the future and desires that it be reimbursed for such payments and other costs associated with the Project from the proceeds of tax-exempt and taxable obligations to be issued by the Department subsequent to the date hereof; and

WHEREAS, the Owner has indicated its willingness to enter into contractual arrangements with the Department providing assurance satisfactory to the Department that 100 percent of the Project units will be occupied at all times by Eligible Tenants, as determined by the Board of the Department pursuant to the Act, that the other requirements of the Act and the Department will be satisfied and that the Project will satisfy Section 142(d) and other applicable Sections of the Code; and

WHEREAS, the Department desires to reimburse the Owner for the costs associated with the Project listed on Exhibit "A" attached hereto, but solely from and to the extent, if any, of the proceeds of tax-exempt and taxable obligations to be issued in one or more series to be issued subsequent to the date hereof; and

WHEREAS, at the request of the Owner, the Department reasonably expects to incur debt in the form of tax-exempt and taxable obligations for purposes of paying the costs of the Project described on Exhibit "A" attached hereto; and

WHEREAS, in connection with the proposed issuance of the Bonds (defined below), the Department, as issuer of the Bonds, is required to submit an Application for Allocation of Private Activity Bonds (the "Application") with the Texas Bond Review Board (the "Bond Review Board") with respect to the tax-exempt Bonds to qualify for the Bond

Review Board's Allocation Program in connection with the Bond Review Board's authority to administer the allocation of the authority of the state to issue private activity bonds; and

WHEREAS, the Board has determined to declare its intent to issue its multifamily revenue bonds for the purpose of providing funds to the Owner to finance the Project on the terms and conditions hereinafter set forth; NOW, THEREFORE,

BE IT RESOLVED BY THE GOVERNING BOARD OF THE TEXAS DEPARTMENT OF HOUSING AND COMMUNITY AFFAIRS THAT:

Section 1--Certain Findings. The Board finds that:

- (a) the Project is necessary to provide decent, safe and sanitary housing at rentals that eligible tenants can afford;
- (b) the Owner will supply, in the Project, well-planned and well-designed housing for eligible tenants;
- (c) the financing of the Project pursuant to the provisions of the Act will constitute a public purpose and will provide a public benefit; and
- (d) the Project will be undertaken within the authority conferred by the Act upon the Department and the Owner.

Section 2--Authorization of Issue. The Department declares its intent to issue its Multifamily Housing Revenue Bonds (the "Bonds") in an amount estimated to be sufficient (a) to fund a loan or loans to the Owner to provide financing for the Project in an aggregate principal amount not to exceed \$6,500,000; (b) to fund a reserve fund with respect to the Bonds if needed; and (c) to pay certain costs incurred in connection with the issuance of the Bonds. Such Bonds will be issued as qualified residential rental project bonds. Final approval of the Department to issue the Bonds shall be subject to (i) the review by the Department's credit underwriters for financial feasibility, (ii) review by the Department's staff and legal counsel of compliance with federal income tax regulations and state law requirements regarding tenancy in the Project, (iii) approval by the Bond Review Board, (iv) approval by the Texas Attorney General, (v) satisfaction of the Board that the Project meets the Department's public policy criteria, and (vi) the ability of the Department to issue such Bonds in compliance with all federal and state laws applicable to the issuance of such Bonds.

Section 3--Terms of Bonds. The proposed Bonds shall be issuable only as fully registered bonds in authorized denominations to be determined by the Department; shall bear interest at a fixed rate or rates to be determined by the Department, which interest shall be payable on a semi-annual basis; shall mature at a time to be determined by the Department but in no event later than 40 years after the date of issuance; and shall be subject to prior redemption upon such terms and conditions as may be determined by the Department.

Section 4--Reimbursement. The Department reasonably expects to reimburse the Owner for all costs ("Costs of the Project") that have been or will be paid subsequent to the date that is 60 days prior to the date hereof in connection with the acquisition of real property and construction of the Project and listed on Exhibit "A" attached hereto from the proceeds of the Bonds, in an amount which is reasonably estimated to be sufficient: (a) to fund a loan to provide financing for the acquisition and construction of the Project, including reimbursing the Owner for all costs that have been or will be paid subsequent to the date that is 60 days prior to the date hereof in connection with the acquisition and construction of the Project; (b) to fund any reserves that may be required for the benefit of the holders of the Bonds; and (c) to pay certain costs incurred in connection with the issuance of the Bonds.

Section 5--Principal Amount. Based on representations of the Owner, the Department reasonably expects that the maximum principal amount of debt issued to reimburse the Owner for the Costs of the Project will not exceed \$6,500,000.

Section 6--Limited Obligations. The Owner may commence with the acquisition and construction of the Project, which Project will be in furtherance of the public purposes of the Department as aforesaid. On or prior to the issuance

of the Bonds, the Owner will enter into a loan agreement on an installment payment basis with the Department under which the Department will make a loan to the Owner for the purpose of reimbursing the Owner for the Costs of the Project and the Owner will make installment payments sufficient to pay the principal of and any premium and interest on the Bonds. The proposed Bonds shall be special, limited obligations of the Department payable solely by the Department from or in connection with its loan or loans to the Owner to provide financing for the Project, and from such other revenues, receipts and resources of the Department as may be expressly pledged by the Department to secure the payment of the Bonds.

Section 7--The Project. Substantially all of the proceeds of the Bonds shall be used to finance the Project, which is to be occupied entirely by Eligible Tenants, as determined by the Department, and which is to be occupied partially (at least 20% by persons and families whose income is 50% or less than area median gross income, or alternatively, at least 40% by persons and families whose income is 60% or less than area median gross income) by persons and families of low income within the meaning of and for the period required by the Code.

Section 8--Payment of Bonds. The payment of the principal of and any premium and interest on the Bonds shall be made solely from moneys realized from the loan of the proceeds of the Bonds to reimburse the Owner for Costs of the Project.

Section 9--Costs of Project. The Costs of the Project may include any cost of acquiring, constructing, reconstructing, improving, installing and expanding the Project. Without limiting the generality of the foregoing, the Costs of the Project shall specifically include the cost of the acquisition of all land, rights-of-way, property rights, easements and interests, the cost of all machinery and equipment, financing charges, inventory, raw materials and other supplies, research and development costs, interest prior to and during construction and for one year after completion of construction whether or not capitalized, necessary reserve funds, the cost of estimates and of engineering and legal services, plans, specifications, surveys, estimates of cost and of revenue, other expenses necessary or incident to determining the feasibility and practicability of acquiring, constructing, reconstructing, improving and expanding the Project, administrative expenses and such other expenses as may be necessary or incident to the acquisition, construction, reconstruction, improvement and expansion of the Project, the placing of the Project in operation and that satisfy the Code and the Act. The Owner shall be responsible for and pay any Costs of the Project incurred by it prior to issuance of the Bonds and will pay all Costs of the Project which are not or cannot be paid or reimbursed from the proceeds of the Bonds.

Section 10--No Commitment to Issue Bonds. Neither the Owner nor any other party is entitled to rely on this Resolution as a commitment to issue the Bonds and to loan funds, and the Department reserves the right not to issue the Bonds either with or without cause and with or without notice, and in such event the Department shall not be subject to any liability or damages of any nature. Neither the Owner nor any one claiming by, through or under the Owner shall have any claim against the Department whatsoever as a result of any decision by the Department not to issue the Bonds.

Section 11--No Indebtedness of Certain Entities. The Board hereby finds, determines, recites and declares that the Bonds shall not constitute an indebtedness, liability, general, special or moral obligation or pledge or loan of the faith or credit or taxing power of the State of Texas, the Department or any other political subdivision or municipal or political corporation or governmental unit, nor shall the Bonds ever be deemed to be an obligation or agreement of any officer, director, agent or employee of the Department in his or her individual capacity, and none of such persons shall be subject to any personal liability by reason of the issuance of the Bonds.

Section 12--Conditions Precedent. The issuance of the Bonds following final approval by the Board shall be further subject to, among other things: (a) the execution by the Owner and the Department of contractual arrangements providing assurance satisfactory to the Department that 100 percent of the Project units will be occupied at all times by Eligible Tenants, that all other requirements of the Act will be satisfied, that Owner will create a tenant advisory council or provide for other measures, acceptable to the Department, to insure local input regarding Project management and that the Project will satisfy the requirements of Section 142(d) of the Code (except for portions to be financed with taxable bonds); (b) the receipt of an opinion from Vinson & Elkins L.L.P. or other nationally recognized bond counsel acceptable to the Department, substantially to the effect that the interest on the tax-exempt Bonds is excludable from gross income for federal income tax purposes under existing law; and (c) receipt of the required approval of the Texas Bond Review Board and the Attorney General of the State of Texas.

Section 13--Certain Findings. The Board hereby finds, determines, recites and declares that the issuance of the Bonds to provide financing for the Project will promote the public purposes set forth in the Act, including, without limitation, assisting persons and families of low and very low income and families of moderate income to obtain decent, safe and sanitary housing at rentals they can afford.

Section 14--Authorization to Proceed. The Board hereby authorizes staff, Bond Counsel and other consultants to proceed with preparation of the necessary Project review and legal documentation for the issuance of the Bonds, subject to satisfaction of the conditions specified in Section 2(i) and (ii) hereof.

Section 15--Related Persons. The Department acknowledges that financing of all or any part of the Project may be undertaken by any company or partnership that is a "related person" to the Owner within the meaning of the Code and applicable regulations promulgated pursuant thereto, including any entity controlled by or affiliated with the Owner.

Section 16--Declaration of Official Intent. This Resolution constitutes the Department's official intent for expenditures on Costs of the Project which will be reimbursed out of the issuance of the Bonds within the meaning of Sections 1.142-4(b) and 1.150-2, Title 26, Code of Federal Regulations, as amended, and applicable rulings of the Internal Revenue Service thereunder, to the end that the Bonds issued to reimburse Costs of the Project may qualify for the exemption provisions of Section 142 of the Code, and that the interest on the Bonds (except for any taxable Bonds) will therefore be excludable from the gross incomes of the holders thereof under the provisions of Section 103(a)(1) of the Code.

Section 17--Authorization of Certain Actions. The Department hereby authorizes the filing of and directs the filing of the Application in such form presented to the Board with the Bond Review Board and each director of the Board are hereby severally authorized and directed to execute the Application on behalf of the Department and to cause the same to be filed with the Bond Review Board.

Section 18--Effective Date. This Resolution shall be in full force and effect from and upon its adoption.

Section 19--Books and Records. The Board hereby directs this Resolution to be made a part of the Department's books and records that are available for inspection by the general public.

Section 20--Notice of Meeting. Written notice of the date, hour and place of the meeting of the Board at which this Resolution was considered and of the subject of this Resolution was furnished to the Secretary of State and posted on the Internet for at least seven (7) days preceding the convening of such meeting; that during regular office hours a computer terminal located in a place convenient to the public in the office of the Secretary of State was provided such that the general public could view such posting; that such meeting was open to the public as required by law at all times during which this Resolution and the subject matter hereof was discussed, considered and formally acted upon, all as required by the Open Meetings Act, Chapter 551, Texas Government Code, as amended; and that written notice of the date, hour and place of the meeting of the Board and of the subject of this Resolution was published in the Texas Register at least seven (7) days preceding the convening of such meeting, as required by the Administrative Procedure and Texas Register Act, Chapters 2001 and 2002, Texas Government Code, as amended. Additionally, all of the materials in the possession of the Department relevant to the subject of this Resolution were sent to interested persons and organizations, posted on the Department's website, made available in hard-copy at the Department, and filed with the Secretary of State for publication by reference in the Texas Register not later than seven (7) days before the meeting of the Board as required by Section 2306.032, Texas Government Code, as amended.

PASSED AND APPROVED this 17th day of October, 2001.

[SEAL]

By: _____
Chairman

Attest: _____
Secretary

EXHIBIT "A"

Description of the Project

Costs of the Project include:

(i) acquisition of real property located on Calk Lane, second lot from intersection of Calk Lane and W. San Antonio St., on the left, Boerne, Kendall County, Texas, and (ii) the construction thereon of an approximately 120-unit multifamily residential rental housing project, in the amount not to exceed \$6,500,000.

RESOLUTION NO. 01-37

RESOLUTION DECLARING INTENT TO ISSUE MULTIFAMILY REVENUE BONDS WITH RESPECT TO RESIDENTIAL RENTAL PROJECT; AUTHORIZING THE FILING OF AN APPLICATION FOR ALLOCATION OF PRIVATE ACTIVITY BONDS WITH THE TEXAS BOND REVIEW BOARD; AND AUTHORIZING OTHER ACTION RELATED THERETO

WHEREAS, the Texas Department of Housing and Community Affairs (the "Department") has been duly created and organized pursuant to and in accordance with the provisions of Chapter 2306, Texas Government Code (the "Act"), as amended from time, for the purpose, among others, of providing a means of financing the costs of residential ownership, development and rehabilitation that will provide decent, safe, and affordable living environments for persons and families of low and very low income (as defined in the Act) and families of moderate income (as described in the Act and determined by the Governing Board of the Department (the "Board") from time to time); and

WHEREAS, the Act authorizes the Department: (a) to make mortgage loans to housing sponsors to provide financing for multifamily residential rental housing in the State of Texas (the "State") intended to be occupied by persons and families of low and very low income and families of moderate income, as determined by the Department; (b) to issue its revenue bonds, for the purpose, among others, of obtaining funds to make such loans and provide financing, to establish necessary reserve funds and to pay administrative and other costs incurred in connection with the issuance of such bonds; and (c) to pledge all or any part of the revenues, receipts or resources of the Department, including the revenues and receipts to be received by the Department from such multifamily residential rental project loans, and to mortgage, pledge or grant security interests in such loans or other property of the Department in order to secure the payment of the principal or redemption price of and interest on such bonds; and

WHEREAS, it is proposed that the Department issue its revenue bonds for the purpose of providing financing for a multi-family residential rental development (the "Project") consisting of approximately 112 units to be located in Cedar Park, Williamson County, Texas, on the land described in Exhibit A attached hereto, and to be owned by Commonwealth Housing Corporation, a Delaware nonprofit corporation, or a related person (the "Owner") within the meaning of the Internal Revenue Code of 1986, as amended (the "Code"); and

WHEREAS, the Owner has made not more than 60 days prior to the date hereof, payments with respect to the Project and expects to make additional payments in the future and desires that it be reimbursed for such payments and other costs associated with the Project from the proceeds of tax-exempt and taxable obligations to be issued by the Department subsequent to the date hereof; and

WHEREAS, the Owner has indicated its willingness to enter into contractual arrangements with the Department providing assurance satisfactory to the Department that 100 percent of the Project units will be occupied at all times by Eligible Tenants, as determined by the Board of the Department pursuant to the Act, that the other requirements of the Act and the Department will be satisfied and that the Project will satisfy Section 142(d) and other applicable Sections of the Code; and

WHEREAS, the Department desires to reimburse the Owner for the costs associated with the Project listed on Exhibit "A" attached hereto, but solely from and to the extent, if any, of the proceeds of tax-exempt and taxable obligations to be issued in one or more series to be issued subsequent to the date hereof; and

WHEREAS, at the request of the Owner, the Department reasonably expects to incur debt in the form of tax-exempt and taxable obligations for purposes of paying the costs of the Project described on Exhibit "A" attached hereto; and

WHEREAS, in connection with the proposed issuance of the Bonds (defined below), the Department, as issuer of the Bonds, is required to submit an Application for Allocation of Private Activity Bonds (the "Application") with the Texas Bond Review Board (the "Bond Review Board") with respect to the tax-exempt Bonds to qualify for the Bond Review Board's Allocation Program in connection with the Bond Review Board's authority to administer the allocation of the authority of the state to issue private activity bonds; and

WHEREAS, the Board has determined to declare its intent to issue its multifamily revenue bonds for the purpose of providing funds to the Owner to finance the Project on the terms and conditions hereinafter set forth; NOW, THEREFORE,

BE IT RESOLVED BY THE GOVERNING BOARD OF THE TEXAS DEPARTMENT OF HOUSING AND COMMUNITY AFFAIRS THAT:

Section 1--Certain Findings. The Board finds that:

- (a) the Project is necessary to provide decent, safe and sanitary housing at rentals that eligible tenants can afford;
- (b) the Owner will supply, in the Project, well-planned and well-designed housing for eligible tenants;
- (c) the financing of the Project pursuant to the provisions of the Act will constitute a public purpose and will provide a public benefit; and
- (d) the Project will be undertaken within the authority conferred by the Act upon the Department and the Owner.

Section 2--Authorization of Issue. The Department declares its intent to issue its Multifamily Housing Revenue Bonds (the "Bonds") in an amount estimated to be sufficient (a) to fund a loan or loans to the Owner to provide financing for the Project in an aggregate principal amount not to exceed \$7,250,000; (b) to fund a reserve fund with respect to the Bonds if needed; and (c) to pay certain costs incurred in connection with the issuance of the Bonds. Such Bonds will be issued as qualified residential rental project bonds. Final approval of the Department to issue the Bonds shall be subject to (i) the review by the Department's credit underwriters for financial feasibility, (ii) review by the Department's staff and legal counsel of compliance with federal income tax regulations and state law requirements regarding tenancy in the Project, (iii) approval by the Bond Review Board, (iv) approval by the Texas Attorney General, (v) satisfaction of the Board that the Project meets the Department's public policy criteria, and (vi) the ability of the Department to issue such Bonds in compliance with all federal and state laws applicable to the issuance of such Bonds.

Section 3--Terms of Bonds. The proposed Bonds shall be issuable only as fully registered bonds in authorized denominations to be determined by the Department; shall bear interest at a fixed rate or rates to be determined by the Department, which interest shall be payable on a semi-annual basis; shall mature at a time to be determined by the Department but in no event later than 40 years after the date of issuance; and shall be subject to prior redemption upon such terms and conditions as may be determined by the Department.

Section 4--Reimbursement. The Department reasonably expects to reimburse the Owner for all costs ("Costs of the Project") that have been or will be paid subsequent to the date that is 60 days prior to the date hereof in connection with the acquisition of real property and construction of the Project and listed on Exhibit "A" attached hereto from the proceeds of the Bonds, in an amount which is reasonably estimated to be sufficient: (a) to fund a loan to provide financing for the acquisition and construction of the Project, including reimbursing the Owner for all costs that have been or will be paid subsequent to the date that is 60 days prior to the date hereof in connection with the acquisition and construction of the Project; (b) to fund any reserves that may be required for the benefit of the holders of the Bonds; and (c) to pay certain costs incurred in connection with the issuance of the Bonds.

Section 5--Principal Amount. Based on representations of the Owner, the Department reasonably expects that the maximum principal amount of debt issued to reimburse the Owner for the Costs of the Project will not exceed \$7,250,000.

Section 6--Limited Obligations. The Owner may commence with the acquisition and construction of the Project, which Project will be in furtherance of the public purposes of the Department as aforesaid. On or prior to the issuance of the Bonds, the Owner will enter into a loan agreement on an installment payment basis with the Department under which the Department will make a loan to the Owner for the purpose of reimbursing the Owner for the Costs of the Project and the Owner will make installment payments sufficient to pay the principal of and any premium and

interest on the Bonds. The proposed Bonds shall be special, limited obligations of the Department payable solely by the Department from or in connection with its loan or loans to the Owner to provide financing for the Project, and from such other revenues, receipts and resources of the Department as may be expressly pledged by the Department to secure the payment of the Bonds.

Section 7--The Project. Substantially all of the proceeds of the Bonds shall be used to finance the Project, which is to be occupied entirely by Eligible Tenants, as determined by the Department, and which is to be occupied partially (at least 20% by persons and families whose income is 50% or less than area median gross income, or alternatively, at least 40% by persons and families whose income is 60% or less than area median gross income) by persons and families of low income within the meaning of and for the period required by the Code.

Section 8--Payment of Bonds. The payment of the principal of and any premium and interest on the Bonds shall be made solely from moneys realized from the loan of the proceeds of the Bonds to reimburse the Owner for Costs of the Project.

Section 9--Costs of Project. The Costs of the Project may include any cost of acquiring, constructing, reconstructing, improving, installing and expanding the Project. Without limiting the generality of the foregoing, the Costs of the Project shall specifically include the cost of the acquisition of all land, rights-of-way, property rights, easements and interests, the cost of all machinery and equipment, financing charges, inventory, raw materials and other supplies, research and development costs, interest prior to and during construction and for one year after completion of construction whether or not capitalized, necessary reserve funds, the cost of estimates and of engineering and legal services, plans, specifications, surveys, estimates of cost and of revenue, other expenses necessary or incident to determining the feasibility and practicability of acquiring, constructing, reconstructing, improving and expanding the Project, administrative expenses and such other expenses as may be necessary or incident to the acquisition, construction, reconstruction, improvement and expansion of the Project, the placing of the Project in operation and that satisfy the Code and the Act. The Owner shall be responsible for and pay any Costs of the Project incurred by it prior to issuance of the Bonds and will pay all Costs of the Project which are not or cannot be paid or reimbursed from the proceeds of the Bonds.

Section 10--No Commitment to Issue Bonds. Neither the Owner nor any other party is entitled to rely on this Resolution as a commitment to issue the Bonds and to loan funds, and the Department reserves the right not to issue the Bonds either with or without cause and with or without notice, and in such event the Department shall not be subject to any liability or damages of any nature. Neither the Owner nor any one claiming by, through or under the Owner shall have any claim against the Department whatsoever as a result of any decision by the Department not to issue the Bonds.

Section 11--No Indebtedness of Certain Entities. The Board hereby finds, determines, recites and declares that the Bonds shall not constitute an indebtedness, liability, general, special or moral obligation or pledge or loan of the faith or credit or taxing power of the State of Texas, the Department or any other political subdivision or municipal or political corporation or governmental unit, nor shall the Bonds ever be deemed to be an obligation or agreement of any officer, director, agent or employee of the Department in his or her individual capacity, and none of such persons shall be subject to any personal liability by reason of the issuance of the Bonds.

Section 12--Conditions Precedent. The issuance of the Bonds following final approval by the Board shall be further subject to, among other things: (a) the execution by the Owner and the Department of contractual arrangements providing assurance satisfactory to the Department that 100 percent of the Project units will be occupied at all times by Eligible Tenants, that all other requirements of the Act will be satisfied, that Owner will create a tenant advisory council or provide for other measures, acceptable to the Department, to insure local input regarding Project management and that the Project will satisfy the requirements of Section 142(d) of the Code (except for portions to be financed with taxable bonds); (b) the receipt of an opinion from Vinson & Elkins L.L.P. or other nationally recognized bond counsel acceptable to the Department, substantially to the effect that the interest on the tax-exempt Bonds is excludable from gross income for federal income tax purposes under existing law; and (c) receipt of the required approval of the Texas Bond Review Board and the Attorney General of the State of Texas.

Section 13--Certain Findings. The Board hereby finds, determines, recites and declares that the issuance of the Bonds to provide financing for the Project will promote the public purposes set forth in the Act, including, without

limitation, assisting persons and families of low and very low income and families of moderate income to obtain decent, safe and sanitary housing at rentals they can afford.

Section 14--Authorization to Proceed. The Board hereby authorizes staff, Bond Counsel and other consultants to proceed with preparation of the necessary Project review and legal documentation for the issuance of the Bonds, subject to satisfaction of the conditions specified in Section 2(i) and (ii) hereof.

Section 15--Related Persons. The Department acknowledges that financing of all or any part of the Project may be undertaken by any company or partnership that is a "related person" to the Owner within the meaning of the Code and applicable regulations promulgated pursuant thereto, including any entity controlled by or affiliated with the Owner.

Section 16--Declaration of Official Intent. This Resolution constitutes the Department's official intent for expenditures on Costs of the Project which will be reimbursed out of the issuance of the Bonds within the meaning of Sections 1.142-4(b) and 1.150-2, Title 26, Code of Federal Regulations, as amended, and applicable rulings of the Internal Revenue Service thereunder, to the end that the Bonds issued to reimburse Costs of the Project may qualify for the exemption provisions of Section 142 of the Code, and that the interest on the Bonds (except for any taxable Bonds) will therefore be excludable from the gross incomes of the holders thereof under the provisions of Section 103(a)(1) of the Code.

Section 17--Authorization of Certain Actions. The Department hereby authorizes the filing of and directs the filing of the Application in such form presented to the Board with the Bond Review Board and each director of the Board are hereby severally authorized and directed to execute the Application on behalf of the Department and to cause the same to be filed with the Bond Review Board.

Section 18--Effective Date. This Resolution shall be in full force and effect from and upon its adoption.

Section 19--Books and Records. The Board hereby directs this Resolution to be made a part of the Department's books and records that are available for inspection by the general public.

Section 20--Notice of Meeting. Written notice of the date, hour and place of the meeting of the Board at which this Resolution was considered and of the subject of this Resolution was furnished to the Secretary of State and posted on the Internet for at least seven (7) days preceding the convening of such meeting; that during regular office hours a computer terminal located in a place convenient to the public in the office of the Secretary of State was provided such that the general public could view such posting; that such meeting was open to the public as required by law at all times during which this Resolution and the subject matter hereof was discussed, considered and formally acted upon, all as required by the Open Meetings Act, Chapter 551, Texas Government Code, as amended; and that written notice of the date, hour and place of the meeting of the Board and of the subject of this Resolution was published in the Texas Register at least seven (7) days preceding the convening of such meeting, as required by the Administrative Procedure and Texas Register Act, Chapters 2001 and 2002, Texas Government Code, as amended. Additionally, all of the materials in the possession of the Department relevant to the subject of this Resolution were sent to interested persons and organizations, posted on the Department's website, made available in hard-copy at the Department, and filed with the Secretary of State for publication by reference in the Texas Register not later than seven (7) days before the meeting of the Board as required by Section 2306.032, Texas Government Code, as amended.

PASSED AND APPROVED this 17th day of October, 2001.

[SEAL]

By: _____
Chairman

Attest: _____
Secretary

EXHIBIT "A"

Description of the Project

Costs of the Project include:

(i) acquisition of real property located on the intersection of FM 1431 and Bagdad Road, Cedar Park, Williamson County, Texas 78613, and (ii) the construction thereon of an approximately 112-unit multifamily residential rental housing project, in the amount not to exceed \$7,250,000.

AGENDA ITEM NO. 4(E)

TEXAS DEPARTMENT OF HOUSING & COMMUNITY AFFAIRS

MEMORANDUM

To: Finance Committee
Board of Directors

From: Robert Onion
Director of Multifamily Finance

Date: October 17, 2001

Re: Inducement Resolutions for Multifamily Housing Mortgage Revenue Bonds and Authorization for Filing Applications for Year 2002 Private Activity Bond Authority

Action Requested:

Approve Inducement Resolutions (sample attached) to proceed with applications to the Texas Bond Review Board for possible receipt of State Volume Cap issuance authority in the 2002 lottery process with the intent to issue tax-exempt mortgage revenue bonds to finance the acquisition, construction or rehabilitation, equipping and permanent financing of the subject properties listed on the attached report. The issuance of the proposed bonds is subject to: (1) actual allocation of the State Volume Cap; (2) favorable completion of the Department's underwriting of the property feasibility and bond structure; (3) approval of the final structure and bond documents by the Department's Board; and, (4) approval by the Texas Bond Review Board.

Attached is a report of seventy-seven (77) applications totalling approximately \$1 billion received by the Department for the Year 2002 Multifamily Housing Mortgage Revenue Bond program.

With your approval, the Department will submit applications for each property recommended for inducement to the Texas Bond Review Board ("BRB") to participate in the upcoming lottery for private-activity ceiling cap to finance these properties. This memorandum is intended to provide some background information on the lottery process and to summarize this Board's action as contemplated by the Inducement Resolutions.

2002 Private-Activity Bond Lottery Process:

Each year, the State of Texas receives a cap on the amount of private-activity, tax-exempt revenue bonds that may be issued within the state (approximately \$1.587 billion for 2002). This cap is determined based on the population of the state as estimated by the Census Bureau (\$75 per person). Of this total amount, 23% is allocated by the Texas Legislature for multifamily housing. Based on last year's figures population figures, approximately \$365 million is estimated to be available for multifamily housing in 2002.

Eligible issuers apply to the Bond Review Board for the authority to issue private activity bonds, and a Lottery is held to determine the priority with which every project might receive funding. Every project is assigned a number through the lottery system, and the Private Activity Bond authority is allocated starting with the lowest lottery numbers and continuing down the list until the entire cap has been reserved. Projects which do not initially receive a reservation for bond authority remain on the list throughout the year, as further authority may become available during the year. Those issuers that receive a Reservation for private-activity cap for a property will have 120 days from the date of the Reservation to close the transaction. If the transaction is not closed within that 120 day timeframe, the Reservation is canceled and

the next project on the waiting list receives the Reservation and likewise has 120 days from that Reservation date to close.

In addition to this system, the 76th legislature in 1999 instituted a priority system in order to encourage the production of more affordable housing. The multifamily subceiling was further divided into three categories according to the affordability of the rents. Reservations would be given to projects in the highest priorities, still according to lot number, before being offered to any projects in subsequent priorities. The priority system is summarized as follows:

- Priority 1:** 100% of the units must be set-aside with rents capped at 30% of 50% AMFI
Eligible tenants may qualify with incomes up to 60% AMFI
Developers required to use 4% LIHTC Program
- Priority 2:** 100% of the units must be set-aside with rents capped at 30% of 60% AMFI
Eligible tenants may qualify with incomes up to 60% AMFI
Developers required to use 4% LIHTC Program
- Priority 3:** Tax code set-aside requirements (either 20% at 50% AMFI or 40% at 60% AMFI)
No rent caps mandated (although issuers may impose)
Use of the 4% LIHTC Program is at developers option

Because there developed a trend of bond-financed projects only being done in a few of Texas's major metropolitan markets, the 77th legislature instituted further changes in 2001 to take effect in 2002. Of the entire multifamily subceiling, seventy-five percent (75%) will be allocated to each of the eleven (11) state service regions based on population, and is reserved only for local issuers until August 15, 2002. The remaining twenty-five percent (25%) is available exclusively to TDHCA until August 15, 2002, to be issued for projects throughout the state. Additionally, no more than fifty percent (50%) of the multifamily subceiling can be allocated to projects located in Qualified Census Tracts, and after June 1 Priority I expands to include any projects in Counties or MSAs with median income below statewide median.

This year, the application window for submitting proposed multifamily issues to the BRB for the lottery runs from October 10, 2001 through **October 19, 2001**. The lottery will be held on **October 31, 2001**. Although the lottery is held in October, the official authority to issue bonds (called a "Reservation" of private-activity cap) does not become effective until after the first of the year.

TDHCA Application Process and Prequalification Analysis:

Developers were required to submit a Pre-Application to the Department by September 12, 2001. Prior to the submission of the Pre-Application, staff met with a representative of each developer to discuss the proposed project including underwriting parameters, development plans, zoning and permitting issues as well as the likelihood for local community support for the property. Developers who already have experience closing a bond transaction were not required to attend a pre-application meeting.

The Pre-Application itself consists of the Standard TDHCA Multifamily Application with all schedules; a copy of the earnest money contract or warranty deed; a construction draw and lease-up proforma; current market information including occupancy and rental comparables; and, other supporting documentation to the application.

Staff reviewed each Pre-Application for completeness and prepared a Prequalification Analysis for each property. The Prequalification Analysis focuses on the developer's construction cost assumptions, sources and uses of funds, operating proforma and debt coverage. Staff has also cross-referenced the principals of each application with the Department's list of properties in material non-compliance. The Department's pre-qualification assumptions are explained under the following tab. Market information was also reviewed to ensure that the proposed rents were reasonable and that sub-market occupancy would support the additional units.

In some instances, developers submitted multiple applications for properties in the same sub-market or Qualified Census Tract. TDHCA will only issue transactions as supportable by the sub-market (determined by lot order) and in accordance with the requirements of TDHCA's concentration policy.

Staff received a total of eighty (80) applications of which three (3) were withdrawn by the applicants. Staff have reviewed the remaining seventy-seven (77) applications, of which twenty-six (26) application being considered under Priority I and forty-eight (48) applications being considered under Priority II fell within staff's parameters of general feasibility as outlined under the following tab. The remaining three (3) applications did not fall within the same parameters of feasibility which were applied to all transactions.

Of the twenty-six (26) transactions in Priority I, six (6) projects are located in qualified census tracts, and eight (8) transactions are seeking local tax exemptions as allowed under current state law due to the CHDO status of the general partner. Of the forty-eight(48) applications in Priority II, two (2) are located in qualified census tracts, and two (2) others are seeking local property tax exemptions.

Summary of an Inducement Resolution:

A component of the application to the BRB to participate in the lottery is an Inducement Resolution from an Issuer. Basically, the Inducement Resolution provides the BRB with evidence that an issuer has entered into discussions with the developer of a multifamily property and that the issuer has an interest in issuing bonds for the subject property. **An Inducement Resolution is not a commitment by TDHCA to issue bonds.** The issuance of bonds is subject to this Board's approval of the fully underwritten transaction, including among other items, the feasibility of the project, the structure of the bonds and loan terms, and satisfaction of the Board that the project meets all public policy criteria. The Inducement Resolution authorizes staff, Bond Counsel, and other consultants to proceed with filing an application to the BRB for an allocation of private-activity ceiling cap and to proceed with underwriting and document preparation which are subject to the Board's approval.

Generally, an Inducement Resolution:

1. summarizes TDHCA's legal authority to issue tax-exempt mortgage revenue bonds;
2. indicates that the developer has requested financing for a project and a willingness to enter into contractual arrangements with TDHCA regarding the property and the financing;
3. states that TDHCA expects, subject to certain conditions and findings as addressed below, to incur tax-exempt or taxable obligations (in the form of revenue bonds) for financing the project;
4. summarizes the requirement to submit an application for private-activity bonds to the BRB;
5. cites certain findings with respect to the property, the owner and the financing with regard to (a) the necessity of providing affordable housing, (b) the quality and design of housing which will be provided for the tenants, (c) the public purpose and public benefit provided by the financing, and (d) the legal authority under which the issuance will be made;
6. provides for an authorization of the issue subject to underwriting for financial feasibility and other conditions;
7. states a maximum amount of bonds contemplated by the issue;
8. states that the bonds are to be limited obligations of TDHCA payable solely from the revenues generated from the mortgage loan; and,
9. states that the bonds are not obligations of the State of Texas.

Staff Recommendation:

Approve as presented.

AUDIT ITEMS

AGENDA ITEM NO. 5(A)

PROJECT	GENERAL OBJECTIVES	ANTICIPATED REPORT DATE
Performance Audits/Other Audit Functions		
<p>Review of Board Policy (direction to the Department) and Policies and Procedures (responsibilities of the Board)</p>	<p>To identify Policy established by the Board and to assess whether such policy has been incorporated into the Department's formal policies and procedures to ensure compliance by Department staff.</p> <p>To identify responsibilities of the Board and to assess whether such responsibilities have been reduced to formal policies and procedures to ensure that Board members are made aware of their responsibilities and to facilitate the members in fulfilling their responsibilities.</p>	<p>January 2002</p>
<p>Information Systems - Review of Central Database Project Management Tools</p>	<p>To review the project management framework being utilized by management to determine that the methodology is adequate to ensure the success of the project providing for the following:</p> <ul style="list-style-type: none"> • Participation by affected user department management in defining the project. • A clear written statement defining the nature and scope of the project. • A formal risk management program for identifying and eliminating or minimizing risks associated with the project. • The allocation of responsibilities and authorities, task breakdown schedules, time and resource budgets, milestones, checkpoints and approvals. • Methods of monitoring the time and costs incurred throughout the life of the project. • Approval of the work accomplished in each phase of the cycle before work on the next phase begins by the managers of the user and information services functions. • A quality plan, which is integrated with the project master plan, and formally reviewed and agreed to by appropriate parties. • Identification of assurance tasks during the planning phase of the project to assure that internal controls and security features meet the related requirements. • The creation of an appropriate test plan. • The creation of an appropriate training plan. • A plan for a post-implementation review to ascertain whether the project has delivered the planned benefits. <p>The audit objectives also include compliance with the Texas Government Code, Chapter G, Sections 2054.151-2054.157, <i>Information Resources Management Act (IRMA)</i>, as it relates to project planning, monitoring and control. The criterion to be used on the audit includes IRMA and <i>Control Objectives for Information and Related Technology (Cobit)</i>, published by the Information Systems Audit and Control Foundation.</p> <p>The audit project plan incorporates the use of an independent third-party consultant to provide quality assurance over the audit plan, procedures, results and conclusions. The third-party consultant and the Director of Internal Auditing will jointly sign the audit report.</p>	<p>February 2002</p>

PROJECT	GENERAL OBJECTIVES	ANTICIPATED REPORT DATE
Performance Audits/Other Audit Functions		
LIHTC - Review of Controls over LIHTC Project Deliverables	To compare LIHTC project deliverables associated with tax credits awarded by the Department's Governing Board to projects actually delivered and Land Use Restriction Agreements actually filed identifying differences. Unfavorable differences between planned and actual project deliverables and LURAs will be investigated to identify controls that are lacking or not operating that allowed the unfavorable condition to materialize.	April 2002
LIHTC - Review of Implementation of SB 322	To review management controls established by the Department, including management plans, structural relationships and assignment of responsibilities and authorities, methods, policies, procedures, control systems, and program rules, to assess whether the Department has established appropriate controls to ensure successful implementation of SB 322 relating to the LIHTC program.	May 2002
Payroll Audit	<p>To determine whether adequate policies, procedures and controls are in place to provide reasonable assurance that:</p> <ul style="list-style-type: none"> • access to the payroll system is properly restricted to those employees who need access to perform their job duties, • payrolls are properly authorized and that payroll amounts are properly supported and calculated, • the Department complies with any applicable State and Federal reporting requirements, and • that terminated/resigned employees are properly removed from the payroll system. 	August 2002
Follow-up on Prior Audit Issues	To track the status of prior audit issues for management/board report purposes and to ascertain that appropriate action is taken on reported audit findings.	On-going
Other Projects		
Prepare for and have conducted an external Quality Assurance Peer Review of the Department's internal audit function in accordance with professional standards.	August 2002	
Prepare the Annual Internal Auditing Plan – FY 2003	Fall 2002	
Prepare the Annual Internal Auditing Report – FY 2002	Fall 2002	
Coordinate and assist external auditors	On-going	

AGENDA ITEM NO. 5(B)

TEXAS DEPARTMENT OF HOUSING AND COMMUNITY AFFAIRS

INTERNAL AUDITING DIVISION

PROPOSED AMENDED CHARTER

P U R P O S E

Internal auditing is an independent appraisal activity within the Texas Department of Housing and Community Affairs (Department) for the review of various operations and systems of control to determine whether management information is reliable, acceptable policies and procedures are followed, established standards are met, resources are safeguarded and used efficiently and economically, planned missions are accomplished effectively, and the Department's objectives are being achieved. The Internal Auditing Division shall assist management in its responsibilities by furnishing analyses, appraisals, recommendations and pertinent comments concerning the activities reviewed. However, the auditing review and appraisal of an area shall in no way relieve management of its assigned responsibilities.

A U T H O R I T Y

The Internal Auditing Act (Chapter 2102, Government Code) and the Department's enabling legislation (Chapter 2306, Government Code) authorizes the establishment of an internal auditing program. Internal auditors shall have full access to all of the Department's records, facilities, properties and personnel relevant to a subject under review, and are free to review and appraise policies, plans, procedures and records. However, internal auditors shall have no direct responsibility for, or authority over, any of the activities reviewed.

Department management shall respond to all information requests by the internal auditor or internal audit staff pursuant to this authority within twenty-four hours of such requests, including requests of information considered confidential by its nature or due to pending or actual litigation. The internal audit staff shall use discretion in its review of records and assure confidentiality of all matters that come to its attention.

The Director of Internal Auditing or designated representative will be included in exit conferences conducted by external or State auditors and shall receive copies of the audit reports along with management's written response. The Internal Auditing Division shall be available to assist management in clearing exceptions, preparing responses to reports and examinations, and subsequently reviewing the progress made to correct the deficiencies reported.

Internal auditors shall not develop or install procedures, prepare records, perform internal control functions, or engage in any other activity which they would normally review and appraise and which could reasonably be construed to compromise the independence of the Internal Auditing Division. However, the independence of the Internal Auditing Division shall not be deemed adversely affected by determining and recommending standards of control to be applied to the development of the systems and procedures being reviewed. The Internal Auditing Division shall be responsive to requests for assistance from management, provided that the subject of the

request is related to auditing or internal controls. The Internal Auditing Division shall not assume operating responsibilities.

The Director of Internal Auditing shall report directly to the Audit Committee of the governing Board of the Department and administratively to the Executive Director of the Department. The Director of Internal Auditing shall furnish copies of all audit reports to the Audit Committee in accordance with the criteria established by the Committee. The Director of Internal Auditing shall appear before the Committee at its meetings to report on audit findings and the operations of the Internal Auditing Division.

RESPONSIBILITIES

The Internal Auditing Division shall

- comply with the Texas Internal Auditing Act.
- execute a comprehensive audit program to insure all activities of the Department are reviewed at appropriate intervals as determined by the Director of Internal Auditing and as approved by the Audit Committee.
- review and evaluate systems of control and the quality of ongoing operations, recommend actions to correct any deficiencies and follow-up on management's response to assure that corrective action is taken on a timely basis.
- appraise the quality of management performance in terms of compliance with policies, plans, procedures, laws and regulations.
- review the control aspects of significant new systems and subsequent revisions before they are implemented. In addition, the environmental, operational and security controls of the Department's data processing center shall be reviewed.
- verify the existence of Department assets and assure that proper safeguards are maintained to protect them from losses of all kinds.
- audit the reliability and operation of the accounting and reporting system.
- conduct or participate in internal investigations of suspected defalcations or mysterious disappearances, and provide advice relating to internal fraud and security.
- identify operational opportunities for performance improvement by appraising functional effectiveness against Department and industry standards. From time to time other divisions and individuals may also be engaged in this or similar functions.
- coordinate its audit efforts with those of the Department's external, State, and Federal auditors. In this regard, the Internal Auditing Division shall participate in the planning and coordination of all audits and examinations undertaken by these auditors.
- evaluate the adequacy of management's corrective action and perform necessary follow-up procedures to ensure that the corrective action has been implemented.

The Director of Internal Auditing shall

- ensure that written reports are prepared for every internal audit and that such reports are furnished to the director responsible for the audited activity. Copies of each audit report and response thereto shall be provided to the Audit Committee in accordance with the criteria established by the Committee. Management is responsible for providing the Internal Auditing Division with a detailed written response to reported deficient conditions. Such response, stating corrective action taken or planned, including a target date for completion, should be received by the Director of Internal Auditing within five (5) working days after management has received the report draft disclosing deficient conditions.
- prepare and distribute a summary report of audit activities to members of the Audit Committee at least three times annually. Each summary report will include comments about major audit findings and an opinion of the adequacy of management's response to each audit report. In addition, the Director of Internal Auditing will meet, as needed, with the Executive Director and/or the Audit Committee to discuss the status of the audit plan, the status of management's resolution of audit recommendations, and other significant issues involving the internal auditing function.
- prepare an annual summary report of audit activities, including an opinion of the overall condition of the Department's controls and operations.
- coordinate with the Directors of the Compliance and Underwriting Divisions to enable those Directors to provide periodic reports on the results of their division activities to the Audit Committee of the Board of Directors, in an effort to support, encourage and facilitate the oversight and control functions of these areas.
- promote and encourage advancement of audit and control knowledge through the dissemination of related information and the active participation in professional groups and organizations.

S T A N D A R D S

As a means of assuring the quality and performance of the Internal Auditing Division, it is the desire of the Audit Committee that the Division adhere to the standards regarding internal auditing as set by the Institute of Internal Auditors and The American Institute of Certified Public Accountants. It is also the desire of the Audit Committee that the Internal Auditing Division obtain an external review of the Division to appraise the quality of its operations at least once every three years.

As approved by the full Board on *(provide date, if approved)*
APPROVED CHARTER.DOC

AGENDA ITEM NO. 5(C)

October 9, 2001

State Auditor's Office
Internal Audit Coordinator
Robert E. Johnson Building
1501 North congress Avenue, Suite 4.224
Austin, TX 78701

Attention: Babette Laibovitz

The accompanying report on the activity of the Texas Department of Housing and Community Affairs' (the Department) Internal Auditing Division (Division) for fiscal year 2001 fulfills the requirement of the Texas Internal Auditing Act (Texas Government Code, Chapter 2102).

The work of the Division has contributed to more effective operations of the Department during fiscal year 2001. The Department has also undergone other audits and reviews by its external auditors and its largest federal funding agency. The audits and reviews performed by these external teams and the Division have provided coverage over substantially all of the Department's assets, liabilities, fund balances, revenues, expenditures, transfers, and many of the significant operations of the Department. The Division also participated in various special projects (Section V).

In addition, the Division's most recent external quality assurance review report dated August 1999 concluded that the work of the Division substantially complies with the Institute of Internal Auditor's *Standards for the Professional Practice of Internal Auditing* and the Texas Internal Auditing Act. This is the highest out of three possible ratings.

We appreciate the opportunity to participate in this process. For further information about the contents of this report, please contact me at 475-3813.

Sincerely,

David Gaines, CPA
Director of Internal Auditing

cc: Wayne Roberts, Office of the Governor
Ed Osner, Legislative Budget Board

Joey Longley, Sunset Advisory Commission
Michael E. Jones, Chair of the Board of Directors

TEXAS DEPARTMENT OF HOUSING AND COMMUNITY AFFAIRS
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I. Internal Audit Plan for Fiscal Year 2001

PROJECT	GENERAL OBJECTIVES	ORIGINAL PLAN Board Approved 10/13/00	AMENDED PLAN ¹ Board Approved 4/26/01
		ANTICIPATED REPORT DATE	ANTICIPATED/ ACTUAL REPORT DATE
Software Audit	To determine that the Department is in compliance with HB 1895, 76th Legislature, that requires each state agency to conduct a biennial audit of software licenses for software installed in the agency's desktop and portable computers. In addition, to assess whether the Department has established adequate policies and procedures to control the purchase, receipt, recording, use and storage of purchased software.	February 2001	<u>April 2001</u>
Internet Security Audit	To assess whether the Department has established adequate internet security policies, procedures and controls to provide reasonable assurance that access to the Department's computer systems is appropriately restricted to those individuals authorized to have access.	March 2001	
Community Services Block Grant Subrecipient Monitoring	To assess whether the monitoring and follow-up processes are adequate to ensure that Department awards are used for authorized purposes in compliance with laws, regulations, and the provisions of contract or grant agreements and that performance goals are achieved.	June 2001	August 2001
Section 8 - Follow-up Audit	To conduct a follow-up audit of HUD's Review, report date September 9, 2000. The objectives of the audit will be to assess the status of initiatives taken by management to address the report's recommendations and corrective actions to rectify the report findings.	September 2001	
Single Family Lien Procedures	To assess whether the Department's programs have adequate procedures in place to ensure that lien restrictions on single family properties are properly filed to protect the Department's interests.		August 2001
Follow-up on Prior Audit Issues	To track the status of prior audit issues for management/board report purposes and to ascertain that appropriate action is taken on reported audit findings.	On-going	On-going

(continued)

Review of Quarterly	To review for clarity, conciseness and whether management's explanations of performance	On-going	
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¹ See Notes on page 3 for explanations of and/or deviations from the amended plan.

TEXAS DEPARTMENT OF HOUSING AND COMMUNITY AFFAIRS
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PROJECT	GENERAL OBJECTIVES	ORIGINAL PLAN Board Approved 10/13/00	AMENDED PLAN ¹ Board Approved 4/26/01
		ANTICIPATED REPORT DATE	ANTICIPATED/ <u>ACTUAL</u> REPORT DATE
Performance Measurement Reports	measurement variances appear reasonable. Additionally, to assess the quality of support for particular performance measures.		
Payroll Audit	To determine whether adequate policies, procedures and controls are in place to provide reasonable assurance that: <ul style="list-style-type: none"> • access to the payroll system is properly restricted to those employees who need access to perform their job duties, • payrolls are properly authorized and that payroll amounts are properly supported and calculated, • the Department complies with any applicable State and Federal reporting requirements, and that • terminated/resigned employees are properly removed from the payroll system. 	September 2001	
Prepare the Annual Internal Auditing Plan – FY 2002		Fall 2001	Fall 2001
Prepare the Annual Internal Auditing Report – FY 2001		Fall 2001	Fall 2001
Coordinate and assist external auditors		On-going	On-going

(continued)

¹ See Notes on page 3 for explanations of and/or deviations from the amended plan.

TEXAS DEPARTMENT OF HOUSING AND COMMUNITY AFFAIRS
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Notes:

- The FY 2001 Audit Plan was amended for the following reasons:
 - The revision of anticipated report dates was the result of changes in scheduling considerations.
 - The Internet Security Audit was dropped due to the auditor with the technical skills and abilities necessary to perform the audit accepting another position. The time originally anticipated for this audit was reallocated to the Single Family Lien Procedures project.
 - The Single Family Lien Procedures audit was added due to the audit being identified in the Department's annual risk assessment, as well as interest in the audit being expressed by the Chairman of the Audit Committee.
 - The Section 8 Follow-up Audit, Payroll Audit, and Review of Quarterly Performance Measurement Reports projects were dropped as a result of a shortage in hours available for audit for the current period. The shortage in hours was attributable to the following:
 - ◆ A decrease in available hours for audit due to staff vacancy and maternity leave.
 - ◆ A decrease in available hours due to actual hours coordinating external auditors, including Sunset issues, that have exceeded the original budgeted hours.
 - ◆ A decrease in available hours due to the actual hours of conducting the Software Audit being greater than that initially estimated. The excess hours were attributable, in large part, to unanticipated audit work relating to considering amended Biennial Operating Plans submitted to the Legislative Budget Board, which included the results of the Software audit conducted by the Department's Information Services Division.
- A deviation from the amended plan is the completion delay of the Single Family Lien Procedures audit. The delay is the result on not anticipating sufficient budget necessary to consider the multiple systems and processes associated with the Department's decentralized systems and procedures, by program area, of funding and processing single family loans. The anticipated report release date is November 2001.

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II. External Quality Assurance Review

The most recent quality assurance review (QAR) of the Department was conducted the summer of 1999, which resulted in a report dated August 30, 1999, and was performed by Caroline Maclay Beyer, CPA, and Charles F. Lyon, CPA.

The scope of the work included a review of the Department's internal audit function and operations for specific compliance with the:

- Texas Internal Auditing Act (Tex. Gov't Code Chapter 2102), and
- Standards for the Professional Practice of Internal Auditing issued by the Institute of Internal Auditors.

The QAR team also reviewed the internal audit function for general compliance with the Generally Accepted Governmental Auditing Standards issued by the U.S. General Accounting Office.

The report concluded that the work of the Department's Internal Auditing Division **substantially complies** with the Institute of Internal Auditor's *Standards for the Professional Practice of Internal Auditing* and the Texas Internal Auditing Act. This is the highest out of three possible ratings (substantially complies, partially complies, does not comply) which can be assigned.

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III. List of Audits Completed Showing Scope, Observations/Findings, Recommendations, and Status

Rpt. No.	Rpt. Date	Name of Audit Report	Audit Scope Categories	Observations/Findings and Recommendations	Current Status	Fiscal / Other Impact
<u>Internal Audits/Reviews</u>						
1.02	04/09/01	Report on Software License and Selected Software Management Controls	Compliance with V.T.C. A., Gov't. Code Sec. 2054.122, <i>State Agency Software License Audit</i> and 2157.068, <i>Purchase of Commodity Software Items</i> .	The ISD should develop and implement formal policies and procedures for conducting software license audits.	Implemented, per management.	Noncompliance with statutory and regulatory requirements. Cost savings associated with unused or not needed software not identified & reported. Risk of legal liabilities associated with unlicensed software.
				V.T.C.A., Government Code §2054.122 and LBB reporting requirements were not met.	In process of implementation, per management. The software license audit for the agency is required when updating the BOP each year. At TDHCA, we updated in March of 2001 and failed to resubmit the earlier audit that was performed. Since the BOP is required in September each fiscal year, ISD will replace the audit information in September 2001 and this audit issue will be 100% completed.	
				The Department did not request or receive the necessary waivers for software purchases that could have been made through DIR. In addition, we noted that the Department's Purchasing Division standard operating procedures (SOP's) did not include procedures relating to V.T.C.A., Government Code §2157.068 commodity software purchasing requirements.	Implemented, per management.	
				Clearly define responsibilities associated with software planning and purchases and establish formal procedures that require the ISD director to approve all software purchase requests to help ensure that software purchases align with the Department's information technology strategic plan and that they are necessary.	Implemented, per management.	Risk of unnecessary software purchases or purchases not based on the Department's information technology strategic plan.

(continued)

TEXAS DEPARTMENT OF HOUSING AND COMMUNITY AFFAIRS
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Rpt. No.	Rpt. Date	Name of Audit Report	Audit Scope Categories	Observations/Findings and Recommendations	Current Status	Fiscal / Other Impact
1.02	04/09/01	Report on Software License and Selected Software Management Controls (concluded)	Compliance with V.T.C. A., Gov't. Code Sec. 2054.122, <i>State Agency Software License Audit</i> and 2157.068, <i>Purchase of Commodity Software Items.</i>	The Department has not established formal policies and procedures to ensure proper accounting and safeguarding of the Department's software to ensure that (1.) software programs installed on its computers are properly authorized and licensed and (2.) software programs and licenses are properly accounted for and safeguarded.	Implemented, per management.	Risk of unaccounted for software or of legal liabilities associated with use of unlicensed software.
1.04	08/15/01	<u>Internal Auditing Report on Community Services Programs - Subrecipient Monitoring Function; Rpt. No. 1.04</u>	The Community Services programs' subrecipient monitoring function.	Community Services management is not recognizing other monitoring related activities being performed within the Department and the results of those activities as procedures and results that could be relied upon to assist in accomplishing its monitoring responsibilities and for use in its risk assessment processes.	Community Services will review all existing monitoring SOP's to incorporate in-house monitoring procedures identified in this finding. The SOP will incorporate the use of these procedures for both low and high risk subrecipients. Target date for completion is 1/1/02	Inadequate basis for allocating resources and risk of monitoring procedures and the extent to which they are applied being inadequate or excessive.
				The nature and extent of monitoring procedures applied to a subrecipient is not based upon an assessment of associated risks such as the complexity of the compliance requirements or the subrecipient's prior compliance history, its responsiveness to correcting prior monitoring findings, its prior performance with the program or similar programs and the results of other audits or oversight activities.	Implemented, per management.	

(continued)

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Rpt. No.	Rpt. Date	Name of Audit Report	Audit Scope Categories	Observations/Findings and Recommendations	Current Status	Fiscal / Other Impact
1.04	08/15/01	<u>Internal Auditing Report on Community Services Programs - Subrecipient Monitoring Function: Rpt. No. 1.04 (continued)</u>	The Community Services programs' subrecipient monitoring function.	On-site monitoring checklists should be expanded to include consideration of eligible activities and the achievement of performance goals. Detailed formal SOPs relating to the use and extent of use of all monitoring tools should be established.	Community Services will enhance its current monitoring instruments and support documentation which will serve to verify the achievement of performance goals and conduct of eligible activities for all subrecipients. The monitoring instruments will now provide more specific direction to program officers that will enable them to verify reported expenditures. Another example will include, but not be limited to, attaching a copy of the subrecipient's performance goals and number of persons served. Target date for completion is 1/1/02.	Risk of noncompliance with statutory, regulatory and contractual requirements and that performance goals are not achieved.

(continued)

TEXAS DEPARTMENT OF HOUSING AND COMMUNITY AFFAIRS
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Rpt. No.	Rpt. Date	Name of Audit Report	Audit Scope Categories	Observations/Findings and Recommendations	Current Status	Fiscal / Other Impact
1.04	08/15/01	<u>Internal Auditing Report on Community Services Programs - Subrecipient Monitoring Function: Rpt. No. 1.04 (continued)</u>	The Community Services programs' subrecipient monitoring function.	Enhance standard operating procedures to include (1) quality control review procedures, (2) report distribution procedures and (3) the use of the results of the monitoring function to identify and risk rank subrecipients and compliance requirements for determining subrecipients to be monitored and procedures to be applied.	Community Services will document its supervisory review of monitoring reports to ensure that the conclusions in the reports are appropriate and adequately supported. Documentation to support the supervisory review will be included in the monitoring files. Community Services will share monitoring reports with other Department divisions/programs that contract with the same recipients by posting all monitoring reports in the "T" Drive. Community Services will continue to provide timely briefing reports on subrecipients monitoring activities that result in identifying significant deficiencies to the Director of the Community Affairs Division. Community Services will continue to use the results of the monitoring function to identify and rank subrecipients on-site. Target date for completion is 9/1/01.	Risk (1) of inappropriate or unsupported monitoring findings and conclusions, (2) that corrective action will not be taken in a timely fashion, (3) inappropriate allocation of resources, and (4) inadequate or excessive monitoring of subrecipients.

(continued)

TEXAS DEPARTMENT OF HOUSING AND COMMUNITY AFFAIRS
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Rpt. No.	Rpt. Date	Name of Audit Report	Audit Scope Categories	Observations/Findings and Recommendations	Current Status	Fiscal / Other Impact
1.04	08/15/01	<u>Internal Auditing Report on Community Services Programs - Subrecipient Monitoring Function: Rpt. No. 1.04 (concluded)</u>	The Community Services programs' subrecipient monitoring function.	Develop and implement a system to track the status of reported deficiencies supported by formal standard operating procedures.	Community Services will enhance its current system to track the status of reported deficiencies. An SOP will support the system. Target date for completion is 1/1/02.	Risk of corrective actions not being taken in regards to ensure compliance with statutory, regulatory and contractual requirements and that performance goals are achieved.
<u>External Audits/Reviews</u>						
N/A	09/19/00	Section 8 Management Review - August 7-11, 2000 (HUD)	To ensure compliance with statutory and regulatory requirements.	TDHCA must update all written policies, Administrative Plan and implement Standard Operating Procedures that all TDHCA staff will be required to follow.	Implemented, per independent assessment.	Noncompliance with statutory and regulatory requirements.
				TDHCA is not maintaining the Record of Application/Waiting List (Fort Worth) in accordance with 24 CFR 982.204. The Waiting List at the time of the review did not address race or local preference.	Implemented, per management.	
				The Administrative Plan must be updated to address all of the elements in the Quality Housing and Work Responsibility Act of 1998, the Conforming Rule and the Prepay/Opt-Out properties requirements found in PIH Notices 99-16 and 00-09.	Implemented, per independent assessment.	
				TDHCA has not submitted its Public Housing Agency Five Year and Annual Plan to HUD, which was due on April 15, 2000.	Implemented, per independent assessment.	
				24 CFR 982.153 and 5.617 requires that a PHA shall at least once a year reexamine the income of families participating in the Section 8 Programs. According to the HAP Register printed August 4, 2000, 360 re-examinations were delinquent.	Implemented, per independent assessment.	

(continued)

TEXAS DEPARTMENT OF HOUSING AND COMMUNITY AFFAIRS
Internal Audit Annual Report for Fiscal Year 2001

Rpt. No.	Rpt. Date	Name of Audit Report	Audit Scope Categories	Observations/Findings and Recommendations	Current Status	Fiscal / Other Impact
N/A	09/19/00	Section 8 Management Review - August 7-11, 2000 (HUD) (continued)	To ensure compliance with statutory and regulatory requirements.	Rent reasonableness is not being properly determined for units under the Section 8 tenant-based program, 24 CFR 982.503.	Implemented, per independent assessment.	Noncompliance, as above. Risk of excessive rent payments.
				24 CFR 982.153 requires that PHAs comply with the consolidated ACC, the application, HUD regulations and other requirements, and the PHA Administrative Plan. HUD requires that resident files include documentation to support verification of income and other family information, HAP contracts, leases, HQS inspection forms, etc.	Implemented, per management.	Noncompliance, as above. Risk of unsupported, improper rent payments for ineligible families.
				Correct Addendum to Lease and HAP Contract Dated March 2000 is Not Being Use.	Implemented, per independent assessment.	Noncompliance, as above.
				Contract Rent Adjustments are not administered in accordance with Section 982.509 and Section 888, Subparts A and B of the Code of Federal Regulations.	Implemented, per independent assessment.	Noncompliance, as above. Risk of unsupported, improper rent payments.
				On August 14 - September 8, 2000, thirty (30) Section 8 units selected at random were scheduled for inspection. There were a total of 11 units that failed the HQS inspection. A "Failed" rating indicates that the unit did not meet minimum HQS requirements for the reasons stated. Four units were not inspected because the family was unavailable.	Implemented, per independent assessment.	Noncompliance, as above. Risk of unsafe living conditions.
				With the exception of one Regional Coordinator who had records, we were unable to determine whether any supervisory inspections had been made in accordance with 24 CFR 982.405 that requires that supervisory quality control inspections be conducted of HQS inspections.	Implemented, per independent assessment.	
				24 CFR Part 982.155 requires that TDHCA maintain an administrative fee reserve for the program. The maximum amount that may be charged against the administrative fee reserve without specific approval must be established and this threshold must be incorporated into the TDHCA Administrative Plan. Copies of the Board resolutions to evidence same must be submitted to the Fort Worth Office.	Implemented, per independent assessment.	Noncompliance, as above. Risk excessive operating costs.

(continued)

TEXAS DEPARTMENT OF HOUSING AND COMMUNITY AFFAIRS
Internal Audit Annual Report for Fiscal Year 2001

Rpt. No.	Rpt. Date	Name of Audit Report	Audit Scope Categories	Observations/Findings and Recommendations	Current Status	Fiscal / Other Impact
N/A	09/19/00	Section 8 Management Review - August 7-11, 2000 (HUD) (concluded)	To ensure compliance with statutory and regulatory requirements.	TDHCA must give assurance that all year-end Settlement Forms will be submitted in a timely manner. TDHCA must also reconcile each program for each office and make a prior year adjustment for this current year. TDHCA must certify that the leasing data records were reconciled and the adjustment properly reflected on the June 30, 2000, year-end Settlement Form	Implemented, per independent assessment.	Noncompliance, as above. Risk of over/under funding.
				Provide the Fort Worth HUD Office with a copy of the General Ledger Accounts pertaining to the Section 8 Program Certificates and Vouchers for the months of March 1999 and April 2000.	Implemented, per independent assessment.	Noncompliance, as above. Risk of improper accounting.
				Provide an explanation of discrepancies identified by comparing several files (16 in total) to the HAP Register. Also conduct an audit (program specific) for the Section 8 Certificate and Voucher Programs, which includes a review of TDHCA's compliance with Section 8 financial and management requirements.	In process of implementation, per management. A program specific audit is currently in progress. Anticipated completion is September 2001.	Noncompliance, as above. Risk of improper rent payment amount.
				Portability Ledgers Not Maintained in Accordance With HUD Requirements (PIH Notices 92-14 and 96-54).	Implemented, per independent assessment.	Noncompliance, as above and improper accounting.
				Contract of Participation and Establishment of Escrow Account, Documentation could not Be Provided to Support Implementation of a Family Self-Sufficiency (FSS) Program (Repeat Finding).	Delayed, per management. Exception request made of HUD. Pending HUD's response.	Noncompliance, as above.

01-009	12/01/00	An Audit Report on The Department of Housing and Community Affairs (State Auditor's	FY 1995 - 1999 LIHTC, HOME and HTF Program Applications and Contracts - Tests of	Inadequate monitoring of program data increases the risk that funds will not be distributed in a timely manner. The Department should (1) complete a reconciliation of the information in the Genesis system, (2) enhance the information system to provide the capability of reporting up-to-date financial and schedule information, (3) design reports, including ratio analyses, to monitor expenditure rates, performance, and trends.	Implemented, per management.	Risk of noncompliance with expenditure requirements and loss of funds.
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TEXAS DEPARTMENT OF HOUSING AND COMMUNITY AFFAIRS
Internal Audit Annual Report for Fiscal Year 2001

Rpt. No.	Rpt. Date	Name of Audit Report	Audit Scope Categories	Observations/Findings and Recommendations	Current Status	Fiscal / Other Impact
		Office)	financial information, Department - wide needs assessment and related data, and review of performance measures.	Housing needs identified by the Department, State Goals, and statutes are not reflected in the award process. The Department should (1) establish HOME allocation targets that reflect housing needs and evaluate strategies to generate more applications related to assessed needs, (2) continue to re-evaluate current scoring criteria and develop a sound, objective methodology for scoring applications, and (3) ensure that scoring point weights adequately reflect legislative targets. Funding efforts should be directed at the nonparticipating jurisdictions of the state.	Implemented, per management.	Risk of not serving greatest needs and targets. Risk of nonobjective awards process.
				The objectivity of the contract award process for fiscal years 1995 through 1999 could not be verified because unfunded (unapproved) applications were not available for review since the Department did not comply with its internal policies for disposing of records.	Implemented, per management.	Noncompliance with internal policies.
				HOME does not assess whether housing services defined in contracts were actually provided. The Department should: (1) compile data to monitor the actual services resulting from contracts, (2) require contractors to report progress in a manner consistent with the Statement of Work, and (3) use reporting information for evaluating contractor performance and when considering future applicants.	Implemented, per management.	Risk of contracted services not being provided.
01-009	12/01/00	An Audit Report on The Department of Housing and Community Affairs (State Auditor's Office) (continued)	FY 1995 - 1999 LIHTC, HOME and HTF Program Applications and Contracts - Tests of financial information, Department - wide needs assessment and	Noncompliance with contract award procedures potentially impairs the objectivity of the awards or the viability of the project. The Department should (1) perform preliminary site visits when an application meets the minimum score, (2) ensure that underwriting conditions are met timely, (3) establish a process for documenting supervisory review of application evaluations and scoring procedures, and (4) define the first level review criteria used to evaluate applications and develop formal and detailed standard operating procedures that include methods for documenting the review.	Implemented, per management.	Risk of nonobjective awards process.

(continued)

TEXAS DEPARTMENT OF HOUSING AND COMMUNITY AFFAIRS
Internal Audit Annual Report for Fiscal Year 2001

Rpt. No.	Rpt. Date	Name of Audit Report	Audit Scope Categories	Observations/Findings and Recommendations	Current Status	Fiscal / Other Impact
			assessment and related data, and review of performance measures.	Contract monitoring procedures should be strengthened to ensure that projects comply with department performance criteria. The Department should (1) develop contract monitoring procedures, (2) develop and implement procedures that do not rely upon the applicant self-reporting cases of permanent and involuntary displacement and (3) implement procedures to ensure that contractors selected by the Department are not currently prohibited from participating in federal programs.	Implemented, per management.	Risk of noncompliance with statutory and regulatory requirements and contracted services not being provided.
				The HTF did not allocate sufficient dollars to extremely low income households as prescribed by the Texas Administrative Code. We recommend that the HTF, in the NOFA and award process, ensure that funds are set aside for and are awarded to low income households that meet the goals set forth in the Code.	Implemented, per management.	Noncompliance with statutory requirements.
				Management did not take prompt action when it became aware that an ineligible Department employee had benefited from the LIHTC Program.	Implemented, per management.	Improper use of federal tax credits.
				Develop procedures to ensure compliance with Government Code that states, "a fee charged by the department to an applicant for a low income housing tax credit may not be excessive and must reflect the department's actual costs in processing the applications and providing copies of documents in connection with the application process."	In process of implementation, per management. Application expenses have been documented for the 2001 application cycle and need to be analyzed to assess the reasonableness of the associated application fees. The target date for completion is September 30, 2001.	Noncompliance with statutory requirements.
01-009	12/01/00	An Audit Report on The Department of Housing and Community Affairs (State Auditor's Office) (concluded)	FY 1995 - 1999 LIHTC, HOME and HTF Program Applications and Contracts - Tests of financial information, Department - wide needs assessment and	The Statewide needs assessment for affordable housing does not include sufficient consideration of the supply of housing or funding from other sources provided to Texas cities. The assessment should include an adequate assessment of the current supply of affordable housing and consider funding provided from all sources.	In process of implementation, per management. The Department has undertaken a comprehensive needs survey has requested additional resources to adequately address the supply side of the needs assessment. The target date for completion is 12/18/01.	Risk of not serving the greatest need.
				The Department does not have an overall plan for coordinating its programs to promote achievement of Rider 3.	Implemented, per management.	Risk of not achieving Legislative goals.

(continued)

TEXAS DEPARTMENT OF HOUSING AND COMMUNITY AFFAIRS
Internal Audit Annual Report for Fiscal Year 2001

Rpt. No.	Rpt. Date	Name of Audit Report	Audit Scope Categories	Observations/Findings and Recommendations	Current Status	Fiscal / Other Impact
			related data, and review of performance measures.	Unreliable data diminishes the Department's ability to measure progress and provide adequate oversight of housing programs. The Department should ensure that data in all of the programs' contract management systems is accurate and complete.	Implemented, per management.	Risk of noncompliance with statutory and regulatory requirements and not receiving contracted services.
N/A	12/06/00	Letter on Internal Control and Accounting Procedures for the Year Ended August 31, 2000 Audit (KPMG Peat Marwick, LLP/ Martinez, Mendoza & Colmenero P.C.)	Opinion Audit of General Purpose Financial Statements for the Year Ended August 31, 2000	Repeat Finding - Begin planning for the implementation of GASB Statement No. 34 and be ready for full implementation by September 1, 2001 (the start of the fiscal year).	In process of implementation, per management. The Department continues to work with the Comptroller's Office and its external auditors. The target date for completion August 31, 2001.	Risk of improper accounting and reporting.
N/A	12/06/00	Letter on Internal Control and Accounting Procedures for the Year Ended August 31, 2000 Audit (KPMG Peat Marwick, LLP/ Martinez, Mendoza & Colmenero P.C.) (concluded)	Opinion Audit of General Purpose Financial Statements for the Year Ended August 31, 2000	Establish procedures to monitor the timely submission of LIHEAP subrecipient final reports. These procedures should include a provision for collecting final reports within sixty to ninety days after the contract period has closed. Procedures should also include tests of transactions that were charged on the final report to verify that the obligations occurred within the period of availability and that the liquidation was made within the allowed time period.	In process of implementation, per management. SOPs are being developed for LIHEAP/CEAP closeout procedures. A target date for completion was not provided.	Risk of noncompliance with statutory and regulatory requirements and expenditures in wrong contract year.
				Implement procedures to insure compliance with OMB Circular A-87, Cost Principles for State and Local Governments, by (1) insuring that staff working on multiple programs maintain time sheets based on their actual time worked for each program and (2) developing an overhead cost allocation plan to insure that expenditures charged or allocated to the HOME program are allowable and adequately supported.	Implemented, per management.	Risk of noncompliance, as above, and improper allocation of expenditures to funding sources.

(continued)

TEXAS DEPARTMENT OF HOUSING AND COMMUNITY AFFAIRS
Internal Audit Annual Report for Fiscal Year 2001

Rpt. No.	Rpt. Date	Name of Audit Report	Audit Scope Categories	Observations/Findings and Recommendations	Current Status	Fiscal / Other Impact
				Errors occurred in recording construction loans from the HOME software program that serves as the subsidiary ledger to the general ledger and in recording a CDBG loan into the HOME program due to the absence of the individuals normally responsible for these activities. The Department should cross-train individuals who are required to assume others' responsibilities during their absence.	Implemented, per management.	Risk of Department responsibilities not being fulfilled and non-recognition and non-collection of loans.

01-359	01/12/01	A Letter to Management Regarding an Audit of the Integrated Statewide Administrative System at Selected Agencies (State Auditor's Office)	A general controls review to assess the computing environment's physical security, computer operations, and access controls, as part of an ISAS application review.	TDHCA should develop and implement policies and procedures that require the capture and analysis of network performance and capacity use information. Additionally, TDHCA should implement utilities to plan network upgrades and to measure network traffic loads, capacity use, and performance.	Implemented, per management.	Risk of network limitations or unnecessary expenditures.
				TDHCA should develop and implement a policy that requires documentation of change control procedures for upgrades to network hardware and software.	Implemented, per management.	Risk of system deliverables not operating as intended, loss of operational capability or inaccurate processing of data.
				TDHCA should ensure that staff members maintain and update an authorization list for access to back-up tapes stored off site to ensure that only staff members have physical access.	Implemented, per management.	Risk of unauthorized access to data

(continued)

TEXAS DEPARTMENT OF HOUSING AND COMMUNITY AFFAIRS
Internal Audit Annual Report for Fiscal Year 2001

Rpt. No.	Rpt. Date	Name of Audit Report	Audit Scope Categories	Observations/Findings and Recommendations	Current Status	Fiscal / Other Impact
				TDHCA should require the off-site storage of computer system and application documentation. The off-site storage facility should have copies of system software and operations documentation as well as documentation for application software and operations.	Implemented, per management.	and impaired continuity of operational capabilities.
				TDHCA should develop and implement a policy and procedure that requires readability tests of back-up tapes. Critical back-up tapes should be tested for readability at the time of creation. Archived tapes should be tested periodically for readability.	Implemented, per management.	
				TDHCA should develop and implement a policy and procedure that requires that programming resources be allocated based on the order of criticality of the applications.	Implemented, per management.	Risk of not meeting core business requirements and mandates

01-359	01/12/01	A Letter to Management Regarding an Audit of the Integrated Statewide Administrative System at Selected Agencies (State Auditor's Office) (concluded)	A general controls review to assess the computing environment's physical security, computer operations, and access controls, as part of an ISAS application review.	TDHCA should develop and implement a policy and procedure that requires a log of back-up tapes, disks, documentation, and supplies to be stored on site and off site.	Implemented, per management.	Risk of not being able to continue or recover operations in an orderly, timely fashion.
				TDHCA should update the disaster recovery plan requirements to include a series of specific considerations.	Implemented, per management.	
				TDHCA should clearly define and assign duties and responsibilities for physical security in agency policies and procedures and include them in the appropriate job descriptions.	Implemented, per management.	Risk of unauthorized access to, damage to, or theft of computer resources.
				TDHCA should develop and implement a plan to train network administration staff members in fire safety and maintain documentation showing that the staff members have received the training.	Implemented, per management.	
				TDHCA should develop and implement a policy that requires that the location of the computer room and distributed server/hub closets be unmarked.	Implemented, per management.	
				TDHCA should develop and implement a policy that requires ample elevation of equipment off of the floor in the computer room.	Implemented, per management.	

(continued)

TEXAS DEPARTMENT OF HOUSING AND COMMUNITY AFFAIRS
Internal Audit Annual Report for Fiscal Year 2001

Rpt. No.	Rpt. Date	Name of Audit Report	Audit Scope Categories	Observations/Findings and Recommendations	Current Status	Fiscal / Other Impact
				TDHCA should develop and implement a policy requiring furniture and other furnishings located in the computer room to be made of fire-resistant materials.	Implemented, per management.	
				TDHCA should develop and implement a policy that prohibits non-essential items from being stored in the computer room to reduce potential hazards.	Implemented, per management.	
				TDHCA should develop and implement a policy and procedure that defines the control method that should be used to secure the distributed server/hub closets from unauthorized access.	Implemented, per management.	
01-013	01/24/01	The Integrated Statewide Administrative System at Selected Agencies (State Auditor's Office)	An ISAS software application installation review.	TDHCA reported in its 2000-2001 BOP that the ISAS application was within TDHCA baseline operations beginning in fiscal year 1999, however, the ISAS application implementation project is still ongoing; it is not yet the agency's accounting system of record, as originally planned.	Implemented, per management.	Expected benefits not received and full project costs not captured.
01-555	04/01/01	The 2000 Statewide Single Audit Report (State Auditor's Office)	State's financial statements, the "Schedule of Expenditures of Federal Awards," supplementary bond schedules, controls and compliance.	A material weakness continues to exist in the Department's subrecipient monitoring process for the HOME Program. There is still a need to improve in the areas of risk assessment, monitoring procedures, and data accuracy.	Implemented, per management.	Risk of noncompliance with statutory and regulatory requirements and not receiving contracted services.
N/A	4/30/01	Post-payment Audit (Comptroller of Public Accounts)	To determine whether expenditures compiled with certain state laws and rules	The Department does not utilize the payroll lockout security feature available in the Uniform Statewide Payroll System (USPS).	In process of implementation, per management. In process of setting up lockout feature in USPS. Target date for completion is 9-1-01.	Risk of unauthorized changes to personnel and payroll information.

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TEXAS DEPARTMENT OF HOUSING AND COMMUNITY AFFAIRS
Internal Audit Annual Report for Fiscal Year 2001

Rpt. No.	Rpt. Date	Name of Audit Report	Audit Scope Categories	Observations/Findings and Recommendations	Current Status	Fiscal / Other Impact
			concerning expenditures and with applicable processing requirements.	There are several reportable conditions that need follow up by the Department. These conditions include: (1.) missing job titles and headquarters on travel vouchers, (2.) incomplete designation letters, (3.) an incorrect Comptroller object code, (4.) an incorrect document type, (5.) payments made to other state agencies without using interagency transaction vouchers, (6.) non-compliance with internal policies/procedures, and (7.) an incomplete W-4 Form.	Implemented, per management.	Noncompliance with State travel and Comptroller object code requirements and risk of inaccurate tax withholding and expenditure reporting

(continued)

TEXAS DEPARTMENT OF HOUSING AND COMMUNITY AFFAIRS
Internal Audit Annual Report for Fiscal Year 2001

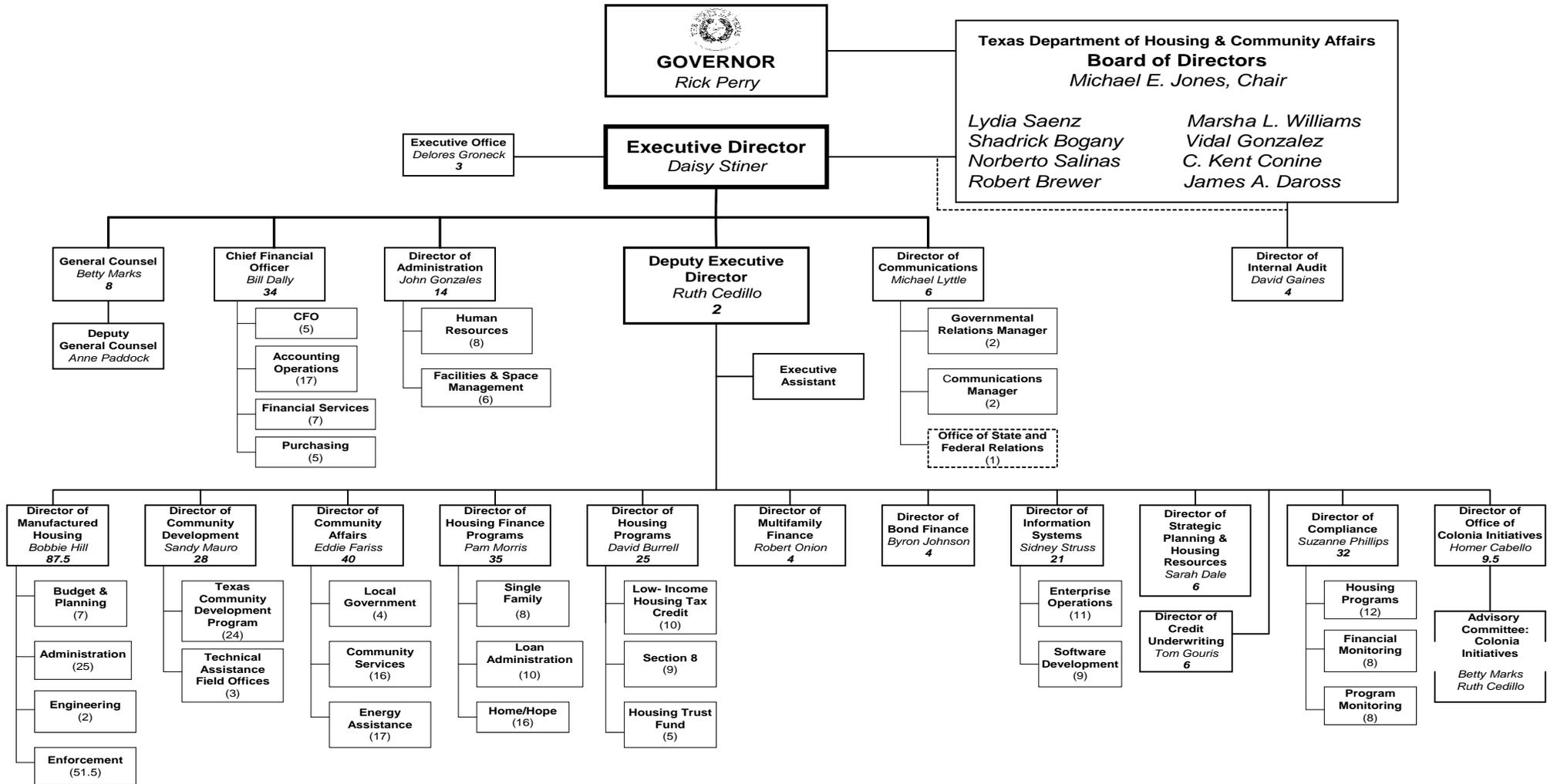
Rpt. No.	Rpt. Date	Name of Audit Report	Audit Scope Categories	Observations/Findings and Recommendations	Current Status	Fiscal / Other Impact
N/A	05/09/01	HUD Cooperative Monitoring Assessment Audit of Manufactured Housing Division (HUD)	To review the administration of the Department's duties as a State Administrative Agency (SAA) pursuant to the Federal Manufactured HOME Procedural and Enforcement Regulations, 24 CFR Section 3282.501	<p>The SAA is considered to be substantially effective in administering the manufactured home program for the state of Texas. Six recommendations were offered to improve the proficiency of the SAA:</p> <ol style="list-style-type: none"> 1) The SAA consider increasing the number of annual dealer lot visits from the present 30 or so to more effectively monitor the 1100 retailers in the state. 2) The SAA consider clarifying in its correspondence the different time limits for manufacturer action required under the state warranty program and the Federal enforcement program. 3) The SAA, during the monitoring of manufacturer investigations: (1) make use of IPIA, DAPIA and monitoring contractor data; and (2) focus on homes produced six to twelve months prior to the date of the record review. 4) The SAA consider including information regarding the Federal program on its web site. 5) The SAA consider methods to educate dealers on their responsibilities, including the completion and forwarding of homeowner information cards and the forwarding of problem data to manufactures without regard to the age of the home or the status of any warranty. 6) The SAA continue its established course toward the full implementation of CASA. 	Implemented, per management.	Improved proficiency.
N/A	07/17/01	2001 Annual Review of Department by the Monitoring and Compliance Unit of the Affordable Housing Program of the FDIC, Dallas Field Operations Branch.	Annual review of the performance of duties by the Department based on the Memorandum of Understanding between the Resolution Trust Corporation and TDHCA.	TDHCA continues to produce an exceptional work product. They carry out their obligation under the MOU, insuring the owners of AHDP properties meet their commitment as outlined in the Land Use Restriction Agreements. TDHCA continues to be the benchmark that all other monitoring agencies are compared. No findings or recommendations were noted.	Not applicable.	Obligations fulfilled to ensure property owners meet their contracted commitments.

(concluded)

TEXAS DEPARTMENT OF HOUSING AND COMMUNITY AFFAIRS
Internal Audit Annual Report for Fiscal Year 2001

V. Organizational Chart

Texas Department of Housing & Community Affairs Organizational Chart



VI. Report on Other FY2000 Internal Audit Activities

Activity	Impact
<p>Maintain Prior Audit Issue Tracking System - The Internal Auditing Division maintains the Department's Prior Audit Issue Tracking System that was developed by the Division. The System tracks prior internal and external audit findings, management's responses, corrective actions taken by management and the implementation status of unresolved audit findings. Extracts from the System are periodically provided to Department management and the Audit Committee of the Department's Governing Board.</p>	<p>Allows management, the Department's Governing Board, oversight agencies and other interested parties to readily assess the status of prior audit issues and corrective actions taken to resolve the issues. Promotes accountability for the status of corrective actions taken and the status of prior audit issues. Facilitates internal and external audit planning.</p>
<p>Maintain the Department's Report Tracking System - The Internal Auditing Division maintains the Department's Report Tracking System. The System tracks all reports due by the Department to external parties and provides management notices of due dates and delays in meeting due dates.</p>	<p>Timely submission of required reports.</p>
<p>Coordinate External Auditors - The Internal Auditing Division served as liaison and/or helped coordinate between the Department and the external auditors/monitors and/or advised management in responding to audit issues for the following audits:</p> <ul style="list-style-type: none"> • Section 8 Management Review (US Dept. of Housing and Urban Development) • An audit on the Department's HOME, LIHTC and HTF programs (State Auditor's Office - SAO) • Annual Financial Audit (KPMG & Mendoza) • An audit on the Integrated Statewide Administrative System at selected state agencies (SAO) • Post-payment Audit (Comptroller of Public Accounts) • Review of the Department by the Monitoring and Compliance Unit of the FDIC (FDIC) • Section 8 Program Specific Audit (Mendoza and Co.) 	<p>Facilitated the audit process by contributing to one or more of the following:</p> <ul style="list-style-type: none"> • Ensured facility and audit information needs were satisfied. • Monitored progress of the audits by attending entrance conferences, status meetings and/or exit conferences. • Helped ensure accuracy of audit findings and recommendations and adequacy of management's responses. <p>The Internal Auditing Division's awareness of the Department's operating, financial and compliance problems was promoted.</p>
<p>Managed the Professional Services Procurement Process for the Department's external auditors.</p>	<p>Ensured State compliance requirements were met and that an objective process was used to select the best qualified professional services firm to provide the Department's external auditing services.</p>

(continued)

<p>Professional Organization Memberships - Professional staff are encouraged to be members of professional organizations. Professional staff memberships include the following professional organizations:</p> <ul style="list-style-type: none"> ▪ Institute of Internal Auditors ▪ Association of Certified Fraud Examiners ▪ Texas Society of Certified Public Accountants 	<p>The Department benefits by the internal audit staff's enhanced expertise in audit and audit related matters. The benefits of membership include opportunities to promote the internal audit staff's professionalism, knowledge, skills and abilities and opportunities to obtain required continuing education credits at affordable prices.</p>
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Activity	Impact
<ul style="list-style-type: none"> ▪ Information Systems Audit Control Association <p>Professional Organization Participation - Professional staff are encouraged to be actively involved in professional organizations. The Director of the Internal Auditing Division was actively involved in the Information Systems Audit Control Association (ISACA). The Director is currently serving as the Board Vice-President of the Austin ISACA Chapter.</p>	<p>The Department benefits by enhanced expertise in audit and audit related matters. Benefits include opportunities to promote professionalism, knowledge, skills and abilities and opportunities to obtain required continuing education credits at affordable prices. The responsibilities of the Board position include the promotion and advancement of audit and control knowledge.</p>

VII. Internal Audit Plan for Fiscal Year 2002

	(continued from previous page) The audit project plan incorporates the use of an independent third-party consultant to provide quality assurance over the audit plan, procedures, results and conclusions. The third-party consultant and the Director of Internal Auditing will jointly sign the audit report.	
LIHTC - Review of Controls over LIHTC Project Deliverables	To compare LIHTC project deliverables associated with tax credits awarded by the Department's Governing Board to projects actually delivered and Land Use Restriction Agreements actually filed identifying differences. Unfavorable differences between planned and actual project deliverables and LURAs will be investigated to identify controls that are lacking or not operating that allowed the unfavorable condition to materialize.	April 2002
LIHTC - Review of Implementation of SB 322	To review management controls established by the Department, including management plans, structural relationships and assignment of responsibilities and authorities, methods, policies, procedures, control systems, and program rules, to assess whether the Department has established appropriate controls to ensure successful implementation of SB 322 relating to the LIHTC program.	May 2002
Payroll Audit	To determine whether adequate policies, procedures and controls are in place to provide reasonable assurance that: <ul style="list-style-type: none"> • access to the payroll system is properly restricted to those employees who need access to perform their job duties, • payrolls are properly authorized and that payroll amounts are properly supported and calculated, • the Department complies with any applicable State and Federal reporting requirements, and • that terminated/resigned employees are properly removed from the payroll system. 	August 2002
Follow-up on Prior Audit Issues	To track the status of prior audit issues for management/board report purposes and to ascertain that appropriate action is taken on reported audit findings.	On-going
Other Projects		
Prepare for and have conducted an external Quality Assurance Peer Review of the Department's internal audit function in accordance with professional standards.		August 2002
Prepare the Annual Internal Auditing Plan – FY 2003		Fall 2002
Prepare the Annual Internal Auditing Report – FY 2002		Fall 2002
Coordinate and assist external auditors		On-going

AGENDA ITEM NO. 6

Presentation, Discussion and Possible Approval of Election of Vice-Chair and Secretary of the Board

Senate Bill 322 provides that the Governor shall designate a member of the board as the presiding officer of the board to serve in that capacity at the will of the Governor. The presiding officer presides at meetings of the board and performs other duties required by this chapter (Section 1.05).

The board, in the past, has elected a vice-chair to preside at meetings in the event that the presiding officer is unable to attend a meeting. The Secretary of the board keeps records of all minutes, resolutions, agendas, etc. and handles all board work. The current board secretary is Delores Groneck.

RECOMMENDATION

Since the previous vice-chair is no longer a board member, the board shall elect a vice-chair to assist the presiding officer and to conduct board meetings when necessary and the board shall re-elect the secretary to the board.

AGENDA ITEM NO. 7

Presentation, Discussion and Possible Approval of Election of Board Representative to the Concentration Policy Ad Hoc Committee (Advisory Group)

TDHCA staff met in January and February, 2001, to assemble a draft Concentration Policy since the Department foresaw the immediate potential for an over saturation of multi-family projects in certain areas of the state. The policy was presented to the board in March 2001 and public testimony was taken at that time. At that meeting, the board asked staff to take the policy through the public comment process. TDHCA held 4 meetings and attended an industry-sponsored round table meeting. In addition, TDHCA received written comments on this policy.

At the July 12, 2001 board meeting, a significantly revised policy was presented to the board. At that time several additional concerns were addressed by the public which included strong comments on the need for a more comprehensive goal-oriented policy. The decision on the policy was postponed in order to give staff time to address these issues.

At the July 31, 2001 board meeting, staff again presented the policy and it was approved as an interim policy. The board approved the recommendation to establish an ad hoc advisory group of concerned parties and staff to discuss the additional issues that may need to be defined in a more comprehensive permanent policy and appointed Robert Brewer to represent the board on this committee. Some of these issues to be discussed by this committee are setting more comprehensive market study guidelines, statewide regional market boundary definitions, effects of other non-state funded affordable housing, and the impact of the concentration policy on fair housing. The Executive Director will be appointing members (with the exception of the board member representative) to represent several interested persons and groups in the near future.

RECOMMENDATION

Since Mr. Brewer is no longer a member of the board, we recommend that the board appoint a new member to replace Mr. Brewer to represent them on this committee.

AGENDA ITEM NO. 8

Presentation and Discussion of Appointment by Board Chairman of Members to Committees

At the April 2001 Board meeting, Mr. Jones requested that board members inform him of what committee(s) of the board they would like to be a member of. He would then make appointments.

At the May 2001 Board meeting, Mr. Jones stated he received comments from several members on which they committee they preferred and he had made assignments. He would, however, be happy to reassign anyone who preferred a different committee.

At the September 2001 Board meeting, it was noted that there are now new members (due to SB322) on the board and board members were asked to notify the board secretary of their wishes on what committee(s) they would like to serve. The board secretary received the responses from board members and advised Mr. Jones of their wishes.

The board chair, Mr. Jones, has made the appointments to the various committees and the list is attached.

COMMITTEES OF THE BOARD

Finance Committee

C. Kent Conine, Chair
Michael Jones, Member
Vidal Gonzalez, Member

Programs Committee

Shadrick Bogany, Member
Beth Anderson, Member
Norberto Salinas, Member

Low Income Housing Tax Credit Committee

Michael Jones, Chair
C. Kent Conine, Member
Shadrick Bogany, Member
Vidal Gonzalez, Member
Norberto Salinas, Member
Beth Anderson, Member

Audit Committee

Vidal Gonzalez, Chair
Beth Anderson, Member
Shadrick Bogany, Member

Executive Director Search Committee

C. Kent Conine, Chair
Norberto Salinas, Member
Shadrick Bogany, Member

AGENDA ITEM NO. 9

Presentation, Discussion and Possible Approval of Selection of Appointment of Acting Executive Director of Texas Department of Housing and Community Affairs and Approval of Resolution Regarding Signature Authority

The Board approve the resolution regarding the appointment of an Acting Executive Director and the resolution regarding signature authority for the Acting Executive Director.

RESOLUTION NUMBER 01-43

RESOLUTION OF THE BOARD OF DIRECTORS REGARDING APPOINTMENT OF ACTING EXECUTIVE DIRECTOR

WHEREAS, the Texas Department of Housing and Community Affairs (the "Department") was duly created and organized pursuant to and in accordance with the provisions of Chapter 2306, Texas Government Code, as amended (together with other laws of the State applicable to the Department, collectively, the "Act");

WHEREAS, the Act provides that the Department is to be administered by an Executive Director employed by, and to serve at the pleasure of, the Board of Directors, with the approval of the Governor, and that the Executive Director is responsible, among other things, for administering the Department and its personnel, the employment of other employees necessary for the discharge of the duties of the Department, the development and implementation of the policies established by the Board and performing the other functions set out in the Act including those assigned by the Board or the Governor;

WHEREAS, the present Executive Director, Daisy A. Stiner, resigned her position effective October 12, 2001, and the Act provides that the Board shall, with the approval of the Governor, immediately designate an Acting Executive Director or a new permanent Executive Director if the position becomes vacant due to absence or disability; and

WHEREAS, the Executive Director position has been posted but a decision has not yet been made as to the employment of a new permanent Executive Director, and the Board has determined that it wishes to authorize and designate the present Deputy Executive Director, Ruth Cedillo, as Acting Executive Director with the same authority as an Executive Director until a permanent Executive Director is employed by the Board and approved by the Governor.

NOW, THEREFORE, BE IT RESOLVED BY THE GOVERNING BOARD OF THE TEXAS DEPARTMENT OF HOUSING AND COMMUNITY AFFAIRS THAT:

Section 1 -- Designation of Acting Executive Director. The Governing Board hereby authorizes and designates Ruth Cedillo Acting Executive Director of the Department, subject to the approval of the Governor.

Section 2 -- Powers and Duties of Acting Executive Director. The Acting Executive Director will have all of the powers and duties assigned to the Executive Director under the Act or by this Board or the Governor until a permanent Executive Director is employed by the Board and approved by the Governor.

Section 3 -- Execution of Documents. The Board hereby authorizes the Acting Executive Director to execute, on behalf of the Department, any and all documents necessary to effect this Resolution.

Section 4 -- Effective Date. This Resolution shall be in full force and effect from and upon its adoption.

Section 5 -- Open Meetings; Open Records. Written notice of the date, hour and place of the meeting of the Board at which this Resolution was considered and of the subject of this Resolution was furnished to the Secretary of State and posted on the Internet for at least seven (7) days preceding the convening of such meeting, that during the regular office hours, a computer terminal located in a place convenient to the public, in the office of the Secretary of State, was provided such that the general public could view such posting; that such meeting was open to the public as required by law at all times during which this Resolution and the subject matter hereof was discussed, considered and formally acted upon, all as required by the Open Meetings Law, Chapter 551, Texas Government Code, as amended; and that written notice of the date, hour and place of the meeting of the Board and of the subject of this Resolution was published in the Texas Register at least seven (7) days preceding the convening of such meeting, as required by the Administrative Procedure and Texas Register Act, Chapter 2002 and 2001, Texas Government Code, as amended. Additionally, all of the materials in the possession of the Department relevant to the subject of this Resolution was posted on the Department's website, made available in hard-copy at the Department not later than seven (7) days before the meeting of the Board as required by Section 2306.032, Texas Government Code.

PASSED AND APPROVED this 17th day of October, 2001.

Chair of the Governing Board

ATTEST:

Secretary to the Board

(SEAL)

**RESOLUTION NUMBER 01-44
RESOLUTION OF THE BOARD OF DIRECTORS
REGARDING AMENDMENT AND RESTATEMENT
OF RESOLUTIONS NO. 95-42, 95-60, 96-139, 97-10, 98-01, and 00-09,
DESIGNATING SIGNATURE AUTHORITY FOR THE DEPARTMENT**

WHEREAS, the Texas Department of Housing and Community Affairs (the "Department") was duly created and organized pursuant to and in accordance with the provisions of Chapter 2306, Texas Government Code, as amended (together with other laws of the State applicable to the Department, collectively, the "Act");

WHEREAS, the Act authorized the Department: (a) to make and acquire and finance, and to enter in to advance commitments to make and acquire and finance, mortgage loans and participating interests therein, secured by mortgages on residential housing in the State of Texas; (b) to issue its bonds, for the purpose, among other things, of obtaining funds to acquire or finance such mortgage loans, to establish necessary reserve funds and to pay administrative and other costs incurred in connection with the issuance of such bonds; and (c) to pledge all or any part of the revenues, receipts or resources of the Department, including the revenues and receipts to be received by the Department from such single family mortgage loans of participating interests, and to mortgage, pledge or grant security interests in such mortgages of participating interests, mortgage loans or other property of the Department, to secure the payment of the principal or redemption price of and interest on such bonds; and

WHEREAS, on January 26, 1998, the Board adopted Resolution 00-09, rescinding prior Resolutions 95-42, 95-60, 96-139 and 97-10 as to signatory authority only, and clarifying the signature authority for bond and real estate transactions; and

WHEREAS, the Board has now determined Resolution 00-09 designating signature authority for bond transactions and real estate transactions, should be amended and restated to reflect, among other things, that either the Executive Director or the Acting Executive Director are authorized signatories for both bond transactions and real estate transactions.

NOW, THEREFORE, BE IT RESOLVED BY THE GOVERNING BOARD OF THE TEXAS DEPARTMENT OF HOUSING AND COMMUNITY AFFAIRS THAT:

Section 1 -- Designation For Bond Transactions. The Governing Board hereby authorizes and designates the Chairman of the Board, the Secretary, the Treasurer, the Executive Director or an Acting Executive Director, the Deputy Executive Director, the Chief Operating Officer, the Chief Financial Officer, the Director of Bond Finance, the Director of Multifamily Finance, and the Director of Housing Finance Programs as signatories for single family and multifamily bond transactions including, but not limited to letters of instruction, officer's certificates, bond transaction documents and all other documents and certificates executed in connection with such bond transactions.

Section 2 -- Designation For Real Estate Transactions. The Governing Board hereby authorizes and designates the Executive Director or the Acting Executive Director, the Board Secretary, the Deputy Executive Director, the Chief Financial Officer, the Director of Housing Programs, the Chief Operating Officer and Director of Housing Finance Programs as signatories on earnest money contracts, deeds or conveyances of title, leases of real property, settlement statements on purchase or sale of real property, and deposits and disbursements on agency bank accounts.

Section 3 -- Execution of Documents. The Board hereby authorizes the Executive Director or the Acting Executive Director to execute, on behalf of the Department, any and all documents necessary to effect this Resolution.

Section 4 -- Effective Date. This Resolution shall be in full force and effect from and upon its adoption.

Section 5 -- Open Meetings; Open Records. Written notice of the date, hour and place of the meeting of the Board at which this Resolution was considered and of the subject of this Resolution was furnished to the Secretary of State and posted on the Internet for at least seven (7) days preceding the convening of such meeting, that during the regular office hours, a computer terminal located in a place convenient to the public, in the office of the Secretary of State, was provided such that the general public could view such posting; that such meeting was open to the public as required by law at all times during which this Resolution and the subject matter hereof was discussed, considered and formally acted upon, all as required by the Open Meetings Law, Chapter 551, Texas Government Code, as amended; and that

written notice of the date, hour and place of the meeting of the Board and of the subject of this Resolution was published in the Texas Register at least seven (7) days preceding the convening of such meeting, as required by the Administrative Procedure and Texas Register Act, Chapter 2002 and 2001, Texas Government Code, as amended. Additionally, all of the materials in the possession of the Department relevant to the subject of this Resolution was posted on the Department's website, made available in hard-copy at the Department not later than seven (7) days before the meeting of the Board as required by Section 2306.032, Texas Government Code.

PASSED AND APPROVED this 17th day of October, 2001.

Chair of the Governing Board

ATTEST:

Secretary to the Board

(SEAL)

REPORT ITEMS

*Executive Directors Report
Public Hearings*

EXECUTIVE SESSION

- Personnel Matters
 - Personnel Matters on Executive Director Position and Applications
 - Personnel Matters on Resignation of Current Executive Director and Appointment of Acting Executive Director
 - Litigation and Anticipated Litigation (Potential or Threatened under Sec. 551.071 and 551.103, Texas Government Code Litigation Exception)
 - Consultation with Attorney Pursuant to Sec. 551.071(2), Texas Government Code
 - Consultation with Attorneys Concerning Litigation on Cause No. GN102058, Kenneth H. Mitchell, The Grand Texan, Ltd., and One Buena Vista, Ltd. v. Texas Department of Housing and Community Affairs, in the 53rd District Court of Travis County
 - Consultation with Attorneys Concerning Pending Litigation Cause No. GN102420, The Encinas Group of Texas and William Encinas v. Texas Department of Housing and Community Affairs, et al in the 53rd Judicial District, Travis County, Texas
- The Board may discuss any item listed on this agenda in Executive Session

OPEN SESSION

- Action in Open Session on Items Discussed 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 the Board Secretary, Delores Groneck, TDHCA, 507 Sabine, Austin, Texas 78701, 512-475-3934 and request the information.

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