

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

**A G E N D A  
8:00 AM  
NOVEMBER 7, 2019**

**Texas Capitol Extension, E2.028  
1100 Congress Ave  
Austin, Texas 78701**

**CALL TO ORDER**

**ROLL CALL**

**J.B. Goodwin, Chair**

**CERTIFICATION OF QUORUM**

***Pledge of Allegiance - I pledge allegiance to the flag of the United States of America, and to the republic for which it stands, one nation under God, indivisible, with liberty and justice for all.***

***Texas Allegiance - Honor the Texas flag; I pledge allegiance to thee, Texas, one state under God, one and indivisible.***

**CONSENT AGENDA**

Items on the Consent Agenda may be removed at the request of any Board member and considered at another appropriate time on this agenda. Placement on the Consent Agenda does not limit the possibility of any presentation, discussion or approval at this meeting. Under no circumstances does the Consent Agenda alter any requirements under Chapter 551 of the Tex. Gov't Code, Texas Open Meetings Act. Action may be taken on any item on this agenda, regardless of how designated.

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

**ASSET MANAGEMENT**

- a) Presentation, discussion, and possible action regarding a Material Amendment to the Housing Tax Credit Land Use Restriction Agreement

98170	Homes of Persimmons	Dallas
03245	Meadows Place Senior Village	Stafford
03257	Caney Run Estates	Victoria

**Rosalio Banuelos**  
Director of  
Asset Management

- b) Presentation, discussion, and possible action regarding an increase to the Housing Tax Credit amount

16405	New Hope Housing at Harrisburg	Houston
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**BOND FINANCE**

- c) Presentation, discussion and possible action on Resolution No. 20-005 Authorizing the Execution of Escrow Agreements relating to the Variable Rate Demand Multifamily Housing Revenue Bonds for Creek Point Apartments Series 2000 and Timber Point Apartments Series 2000

**Teresa Morales**  
Director of  
Multifamily Bonds

**COMPLIANCE**

- d) Presentation, discussion, and possible action on Dispute of the Compliance Division's assessment of the Applicant's compliance history to be reported to the Executive Award Review Advisory Committee for Jackie Robinson (19470)

**Patricia Murphy**  
Director of Compliance

## COMMUNITY AFFAIRS

- e) Presentation, Discussion, and Possible Action on the 2020 Payment Standards for the Housing Choice Voucher Program (HCVP)

**Michael De Young**  
Director of  
Community Affairs

## HOME AND HOMELESSNESS PROGRAMS

- f) Presentation, discussion, and possible action to authorize the issuance of the 2019 HOME Investment Partnerships Program Single Family General Set-Aside Notice of Funding Availability and publication of the NOFA in the *Texas Register*

**Abigail Versyp**  
Director of HOME and  
Homelessness Programs

## MULTIFAMILY FINANCE

- g) Presentation, discussion, and possible action regarding an increase in the first lien loan amount for Casa de Manana (HTC #19051/ HOME Contract 1002924)

**Andrew Sinnott**  
Multifamily Loans Program  
Administrator

## RULES

- h) Presentation, discussion, and possible action on an order proposing amendments to 10 TAC §8.7, Tenant Selection and Screening; an order proposing amendments to 10 TAC §23.61, Tenant-Based Rental Assistance (TBRA) General Requirements; and directing their publication for adoption in the *Texas Register*

**Brooke Boston**  
Director of Programs

## CONSENT AGENDA REPORT ITEMS

### ITEM 2: THE BOARD ACCEPTS THE FOLLOWING REPORTS:

- a) Outreach and Activities Report (Oct-Nov)
- b) Report on the Department's 4th Quarter Investment Report in accordance with the Public Funds Investment Act
- c) Report on the Department's SFY 2019 draft Balance Sheet/Statement of Net Position for the year ended August 31, 2019
- d) Report on the Department's 4<sup>th</sup> Quarter Investment Report relating to funds held under Bond Trust Indentures

**Michael Lyttle**  
Director of  
External Affairs

**Ernie Palacios**  
Director of  
Financial Administration

**Monica Galuski**  
Director of  
Bond Finance

## ACTION ITEMS

### ITEM 3: OCI, HTF, AND NSP

Presentation, discussion, and possible action on Colonia Self-Help Center Program Awards to Maverick County and Starr County in accordance with Tex. Gov't Code §2306.582 through Community Development Block Grant Funding

**Raul Gonzales**  
Director of  
OCI, HTF, and NSP

### ITEM 4: BOND FINANCE

- a) Presentation, discussion, and possible action regarding Resolution No. 20-006 authorizing the form and substance of warehousing agreement, retained mortgage loan agreement and master trade confirmation; authorizing the execution of documents and instruments related to the foregoing; making certain finds and determinations in connection therewith; and containing other provisions relating to the subject
- b) Presentation, discussion, and possible action regarding the Issuance of a Multifamily Note (Ventura at Hickory Tree) Resolution No. 20-007 and a Determination Notice of Housing Tax Credits

**Monica Galuski**  
Director of  
Bond Finance

**Teresa Morales**  
Director of  
Multifamily Bonds

### ITEM 5: MULTIFAMILY FINANCE

- a) Presentation, discussion, and possible action regarding the issuance of Determination Notices for 4% Housing Tax Credit Applications
  - 19406 Primrose Village Apartments Weslaco
  - 19411 Bridge at Canyon View Austin

**Teresa Morales**  
Director of  
Multifamily Bonds

19428	Riverstone Apartments	San Marcos
19438	Legacy Senior Residences	Round Rock
19439	Estates of Shiloh	Dallas
19444	Oaks on North Plaza	Austin

- b) Presentation, discussion, and possible action on an order approving and recommending to the Governor the repeal of 10 TAC Chapter 11 concerning the Housing Tax Credit Program Qualified Allocation Plan, and an order approving and recommending to the Governor in accordance with Tex. Gov't Code §2306.6724(b) the new 10 TAC Chapter 11 concerning the Housing Tax Credit Program Qualified Allocation Plan, and, upon action by the Governor, directing its publication in the *Texas Register*
- c) Presentation, discussion, and possible action on an award of a Predevelopment Grant from the Multifamily 2019-2 Special Purpose Notice of Funding Availability: Predevelopment
- d) Presentation, discussion, and possible action regarding the approval for publication in the *Texas Register* of the 2020-2 Multifamily Direct Loan Special Purpose Notice of Funding Availability

**Marni Holloway**  
Director of  
Multifamily Finance

**Andrew Sinnott**  
Multifamily Loans Program  
Administrator

#### ITEM 6: RULES

- a) Presentation, discussion, and possible action on an order adopting the repeal of 10 TAC §1.10, Public Comment Procedures; and an order adopting new 10 TAC §1.10, Public Comment Procedures; and directing their publication in the *Texas Register*
- b) Presentation, discussion, and possible action on an order proposing new 10 TAC, Chapter 10, Subchapter G, Affirmative Marketing Requirements and Written Policies and Procedures, and directing its publication for public comment in the *Texas Register*
- c) Presentation, discussion, and possible action on amendments to Title 10, Part 1, Chapter 10, Subchapter F of the Texas Administrative Code, in particular 10 TAC §10.602 Notice to Owners and Corrective Action Periods; §10.605 Elections under IRC §42(g); §10.607 Reporting Requirements; §10.609 Notices to the Department; §10.610 Written Policies and Procedures, §10.611 Determination, Documentation and Certification of Annual Income; §10.612 Tenant File Requirements; §10.613 Lease Requirements; §10.614 Utility Allowances; §10.615 Elections under IRC §42(g); Additional Income and Rent Restrictions for HTC, Exchange, and TCAP Developments; §10.616 Household Unit Transfer Requirements for All Programs; §10.617 Affirmative Marketing Requirements, §10.618 Onsite Monitoring; §10.622 Special Rules Regarding Rents and Rent Limit Violations; §10.623 Monitoring Procedures for Housing Tax Credit Properties After the Compliance Period; §10.624 Compliance Requirements for Developments with 811 PRA Units; and Figure §10.625; and directing that they be published for public comment in the *Texas Register*
- d) Presentation, discussion, and possible action on an order adopting the repeal of 10 TAC Chapter 12, concerning the Multifamily Housing Revenue Bond Rules, and an order adopting new 10 TAC Chapter 12 concerning the Multifamily Housing Revenue Bond Rules, and directing its publication in the *Texas Register*
- e) Presentation, discussion, and possible action on an order adopting the repeal of 10 TAC Chapter 25, Colonia Self-Help Center Program Rule, an order adopting new 10 TAC Chapter 25, Colonia Self-Help Center Program Rule, and directing their publication in the *Texas Register*

**Brooke Boston**  
Director of Programs

**Cate Tracz**  
Manager of  
Fair Housing

**Patricia Murphy**  
Director of Compliance

**Teresa Morales**  
Director of  
Multifamily Bonds

**Raul Gonzales**  
Director of  
OCI, HTF, and NSP

- f) Presentation, discussion, and possible action on the proposed repeal of 10 TAC Chapter 27, Texas First Time Homebuyer Program Rule; proposed new 10 TAC Chapter 27, Texas First Time Homebuyer Program Rule; and directing their publication for public comment in the *Texas Register*
- g) Presentation, discussion, and possible action on the proposed repeal of 10 TAC Chapter 28, Taxable Mortgage Program; proposed new 10 TAC Chapter 28, Taxable Mortgage Program; and directing their publication for public comment in the *Texas Register*

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

#### **EXECUTIVE SESSION**

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

J.B. Goodwin  
Chair

The Board may go into Executive Session Pursuant to Tex. Gov't Code §551.074 for the purposes of discussing personnel matters including to deliberate the appointment, employment, evaluation, reassignment, duties, discipline, or dismissal of a public officer or employee;

Pursuant to Tex. Gov't Code §551.071(1) to seek the advice of its attorney about pending or contemplated litigation or a settlement offer;

Pursuant to Tex. Gov't Code §551.071(2) for the purpose of seeking the advice of its attorney about a matter in which the duty of the attorney to the governmental body under the Texas Disciplinary Rules of Professional Conduct of the State Bar of Texas clearly conflicts with Tex. Gov't Code Chapter 551; including seeking legal advice in connection with a posted agenda item;

Pursuant to Tex. Gov't Code §551.072 to deliberate the possible purchase, sale, exchange, or lease of real estate because it would have a material detrimental effect on the Department's ability to negotiate with a third person; and/or

Pursuant to Tex. Gov't Code §2306.039(c) the Department's internal auditor, fraud prevention coordinator or ethics advisor may meet in an executive session of the Board to discuss issues related to fraud, waste or abuse.

#### **OPEN SESSION**

If there is an Executive Session, the Board will reconvene in Open Session. Except as specifically authorized by applicable law, the Board may not take any actions in Executive Session.

#### **ADJOURN**

To access this agenda and details on each agenda item in the board book, please visit our website at [www.tdhca.state.tx.us](http://www.tdhca.state.tx.us) or contact Michael Lyttle, 512-475-4542, TDHCA, 221 East 11<sup>th</sup> Street, Austin, Texas 78701, and request the information. If you would like to follow actions taken by the Governing Board during this meeting, please follow TDHCA account (@tdhca) on Twitter.

Individuals who require auxiliary aids, services or sign language interpreters for this meeting should contact MeLissa Nemecek, ADA Responsible Employee, at 512-475-3959 or Relay Texas at 1-800-735-2989, at least five days before the meeting so that appropriate arrangements can be made. Non-

English speaking individuals who require interpreters for this meeting should contact Elena Peinado, 512-475-3814, at least five days before the meeting so that appropriate arrangements can be made. Personas que hablan español y requieren un intérprete, favor de llamar a Elena Peinado, al siguiente número 512-475-3814 por lo menos cinco días antes de la junta para hacer los preparativos apropiados.

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

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

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

**THIS RESTRICTION IS APPLICABLE TO THE IDENTIFIED MEETING ROOM ON THIS DATE AND DURING THE MEETING OF THE GOVERNING BOARD OF THE TEXAS DEPARTMENT OF HOUSING AND COMMUNITY AFFAIRS**