

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

A G E N D A

10:00 AM

July 7, 2022

**John H. Reagan Building, JHR 140
1400 Congress Ave
Austin, Texas 78701**

CALL TO ORDER

ROLL CALL

Leo Vasquez, 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:

EXECUTIVE

- a) Presentation, discussion, and possible action on Board meeting minutes summary for June 16, 2022

Beau Eccles
Board
Secretary

HOUSING RESOURCE CENTER

- b) Presentation, discussion, and possible action on the final 2022 State of Texas Consolidated Plan: One-Year Action Plan

Elizabeth Yevich
Director of
Housing Resource
Center

SINGLE FAMILY & HOMELESS PROGRAMS

- c) Presentation, discussion, and possible action on Colonia Self-Help Center Program Awards to Nueces County and Val Verde County in accordance with Tex. Gov't Code §2306.582 through Community Development Block Grant Funding
- d) Presentation, discussion, and possible action on a proposed amendment to a Colonia Self-Help Center Program Contract with Webb County in accordance with 10 TAC Chapter 25, the Colonia Self-Help Center Program Rule

Abigail Versyp
Director of Single Family
& Homeless Programs

BOND FINANCE

This will be an open, public meeting conducted under Tex. Gov't Code, chapter 551, without COVID-19 emergency waivers. There will not be a remote online or telephone option for public participation. The meeting, however, will be streamed online for public viewing. Masks will be available for members of the public who wish to attend this public meeting.

- e) Presentation, discussion, and possible action on Resolution No. 22-028 authorizing publication of Public Notice for Mortgage Credit Certificate Program; and containing other provisions relating to the subject
- f) Presentation, discussion, and possible action on Resolution No. 22-029 authorizing the filing of one or more applications for reservation to the Texas Bond Review Board with respect to Qualified Mortgage Bonds and containing other provisions relating to the subject

Heather Hodnett
Director of Bond
Finance

MULTIFAMILY BOND FINANCE

- g) Presentation, discussion, and possible action regarding the Issuance of Governmental Lender Notes (380 Villas) Series 2022A and 2022B Resolution No. 22-030, an award of Direct Loan funds, and a Determination Notice of Housing Tax Credits

Teresa Morales
Director of
Multifamily Bond

COMMUNITY AFFAIRS

- h) Presentation, discussion, and possible action on an increase in the annual expenditures for the use of the U.S. Citizenship and Immigration Services' Systematic Alien Verification for Entitlements program from \$15,000 to \$30,000 pursuant to Tex. Gov't Code §2155.088(b)(2)

Michael De Young
Director of Community
Affairs

RULES

- i) Presentation, discussion, and possible action on amendments to 10 TAC §10.601 Compliance Monitoring Objectives and Applicability; §10.602 Notice to Owners and Corrective Action Periods; §10.604 Options for Review; §10.607 Reporting Requirements; §10.608 Record Keeping 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) and Additional Income and Rent Restrictions for HTC, Exchange, and TCAP Developments; §10.616 Household Unit Transfer Requirements for All Programs; §10.618 Onsite Monitoring; §10.619 Monitoring for Social Services; §10.621 Property Condition Standards; §10.622 Special Rules Regarding Rents and Rent Limits 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 their publication for public comment in the Texas Register

Wendy Quackenbush
Director of Multifamily
Compliance

MULTIFAMILY FINANCE

- j) Presentation, discussion, and possible action on a request for return and reallocation of tax credits under 10 TAC §11.6(5) related to Credit Returns Resulting from Force Majeure Events for Applications awarded in the 2020 and 2021 competitive 9% tax credit rounds

Cody Campbell
Director of Multifamily
Programs

CONSENT AGENDA REPORT ITEMS

ITEM 2: THE BOARD ACCEPTS THE FOLLOWING REPORTS:

Media Analysis and Outreach Report (May 2022)

Michael Lyttle
Director of
External Affairs

ACTION ITEMS

Executive Session: the Chair may call an Executive Session at this point in the agenda in accordance with the below-cited provisions¹

Leo Vasquez
Chair

ITEM 3: EXECUTIVE

¹ Note: the Chair is not restricted by this item, and may call for an Executive Session at any time during the posted meeting.

ITEM 4: BOND FINANCE

- a) Report on the closing of the Department's Single Family Mortgage Revenue Bonds, Series 2022A (Non-AMT) (Social Bonds)
- b) Presentation, discussion, and possible action on Resolution No. 22-031 authorizing the issuance, sale and delivery of Texas Department of Housing and Community Affairs Residential Mortgage Revenue Bonds, Series 2022B, approving the form and substance of related documents, authorizing the execution of documents and instruments necessary or convenient to carry out the purposes of this resolution, and containing other provisions relating to the subject
- c) Presentation, discussion, and possible action on Resolution No. 22-032 approving Assignment Agreements relating to Private Activity Bond Authority, and containing other provisions relating to the subject

Heather Hodnett
Director of Bond
Finance

ITEM 5: MULTIFAMILY FINANCE

- a) Report of Third Party Request for Administrative Deficiency under 10 TAC §11.10 of the 2022 Qualified Allocation Plan
- b) Presentation, discussion, and possible action on timely filed appeal of termination for The Ponderosa (#22171) under the Department's Multifamily Program Rules
- c) Presentation, discussion, and possible action on timely filed appeal of termination for The Victorian (#22174) under the Department's Multifamily Program Rules
- d) Presentation, discussion, and possible action on timely filed appeal of scoring for Weber Lofts (#22249) under the Department's Multifamily Program Rules
- e) Presentation, discussion, and possible action on timely filed appeal of scoring for Landmark 301 (#22254) under the Department's Multifamily Program Rules
- f) Presentation, discussion, and possible action on timely filed appeal of scoring for The Reserves at Monarch (#22258) under the Department's Multifamily Program Rules
- g) Presentation, discussion, and possible action on timely filed appeal of scoring for The Zeisel (#22291) under the Department's Multifamily Program Rules

Cody Campbell
Director of Multifamily
Programs

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

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 or contact Michael Lyttle, 512-475-4542, TDHCA, 221 East 11th Street, Austin, Texas 78701, and request the information. If you would like to follow actions taken by the Governing Board during this meeting, please follow TDHCA account (@tdhca) on Twitter.

Individuals who require auxiliary aids, services or sign language interpreters for this meeting should contact Nancy Dennis, 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 Kathleen Vale Castillo, 512-475-4144, 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 Kathleen Vale Castillo, al siguiente número 512-475-4144 por lo menos cinco días antes de la junta para hacer los preparativos apropiados.