

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

**A G E N D A  
10:00 AM  
November 10, 2022**

**Capitol Extension, Hearing Room E2.030  
1100 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 the Board meeting minutes summary for October 13, 2022

**Beau Eccles**  
Board  
Secretary

**COMMUNITY AFFAIRS**

- b) Presentation, Discussion, and Possible Action on the 2023 Section 8 Payment Standards for the Housing Choice Voucher Program (HCVP)

**Michael De Young**  
Director of Community  
Affairs

**ASSET MANAGEMENT**

- c) Presentation, discussion, and possible action regarding a Material Amendment to the Housing Tax Credit Application

**Rosalio Banuelos**  
Director of Asset  
Management

19330	Avanti Legacy at Emerald Point	McAllen
19331	Avanti at Emerald Point	McAllen
21608	Fiji Lofts	Dallas

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

19603	Northgate Village	Dallas
-------	-------------------	--------

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 regarding a Material Amendment to the HOME Land Use Restriction Agreement

531001 Crystal Falls Crossing

Leander

**MULTIFAMILY BOND FINANCE**

- f) Presentation, discussion, and possible action on Inducement Resolution No. 23-005 for Multifamily Housing Revenue Bonds Regarding Authorization for Filing an Application for Private Activity Bond Authority for Palladium Oak Grove (#22617)

**Teresa Morales**  
Director of  
Multifamily Bond

**RULES**

- g) Presentation, discussion, and possible action on amendment to 10 TAC §10.622 Special Rules Regarding Rents and Rent Limit Violations, and directing that this be published for adoption in the *Texas Register*
- h) Presentation, discussion, and possible action on an order proposing the readoption with amendments of 10 TAC §1.11, Definition of Service-Enriched Housing and directing its publication for public comment in the *Texas Register*
- i) Presentation, discussion, and possible action on an order proposing new 10 TAC Chapter 1 Subchapter A, §1.9 Housing Finance Corporation Reporting Requirements and directing that it be published for public comment in the *Texas Register*
- j) Presentation, discussion, and possible action on the proposed repeal and proposed new sections 10 TAC §7.8, §7.25, §7.34, §7.36, §7.39, and §7.40, and directing their publication for public comment in the *Texas Register*.

**Wendy Quackenbush**  
Director of Multifamily  
Compliance

**Elizabeth Yevich,**  
Director of  
Housing Resource  
Center

**Brooke Boston**  
Deputy Director  
of Programs

**Abigail Versyp**  
Director of Single Family  
and Homeless Programs

**SINGLE FAMILY & HOMELESS PROGRAMS**

- k) Presentation, discussion, and possible action on State Fiscal Year 2021 Homeless Housing and Services Program Reallocations and Authorization to Reallocate Future Deobligated Funds.

**Abigail Versyp**  
Director of Single Family  
and Homeless Programs

**LEGAL**

- l) Presentation, discussion, and possible action regarding the adoption of an Agreed Final Order concerning SA Union Pines II (HTC 02092 / CMTS 3243) and Rene O. Campos

**Nina Wiggins**  
Associate General  
Counsel

**MULTIFAMILY FINANCE**

- m) Presentation, discussion, and possible action on multiple requests 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 2021 competitive 9% tax credit round

**Cody Campbell**  
Director of Multifamily  
Programs

**CONSENT AGENDA REPORT ITEMS**

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

- a) Media Analysis and Outreach Report, September 2022
- b) Report on TDHCA One-Time or Temporary Allocations – Pandemic Response and Other Initiatives
- c) Report on the Department's 4th Quarter Investment Report relating to funds held under Bond Trust Indentures
- d) Report on the closing of the Department's Residential Mortgage Revenue Bonds Series 2022B (Non-AMT) (Social Bonds)
- e) Report on the Department's 4th Quarter Investment Report in accordance with the Public Funds Investment Act

**Michael Lyttle**  
Director of

External Affairs

**Brooke Boston**  
Deputy Director  
of Programs

**Scott Fletcher**  
Director of Bond  
Finance

**Scott Fletcher**  
Director of Bond  
Finance

**Joe Guevara**  
Interim Director of  
Administration

## ACTION ITEMS

Executive Session: the Chair may call an Executive Session at this point in the agenda in accordance with the below-cited provisions<sup>1</sup>

**Leo Vasquez**  
Chair

### ITEM 3: EXECUTIVE

Executive Director's Report

**Bobby Wilkinson**  
Executive Director, TDHCA

### ITEM 4: ASSET MANAGEMENT

Presentation, discussion, and possible action regarding a Material Amendment to the Housing Tax Credit Application

**Rosalio Banuelos**  
Director of Asset  
Management

21017      Hughes House

Fort Worth

### ITEM 5: LEGAL

Presentation, discussion, and possible action regarding the adoption of an Agreed Final Order concerning Mission Pointe Club f/k/a Country Villa (HTC 91040 / CMTS 958)

**Nina Wiggins**  
Associate General  
Counsel

### ITEM 6: BOND FINANCE

- a) Presentation, discussion, and possible action regarding Resolution No. 23-006 authorizing the implementation of Texas Department of Housing and Community Affairs Mortgage Credit Certificate Program 103, approving the form and substance of the program manual and the program summary, authorizing the execution of documents and instruments necessary or convenient to carry out Mortgage Credit Certificate Program 103, and containing other provisions relating to the subject
- b) Presentation, discussion, and possible action on Resolution No. 23-007 authorizing the filing of one or more applications for reservation with the Texas Bond Review Board with respect to qualified mortgage bonds and containing other provisions relating to the subject
- c) Presentation, discussion, and possible action on Resolution No. 23-008 authorizing the issuance, sale and delivery of Texas Department of Housing and Community Affairs Single Family Mortgage Revenue Bonds, 2022 Series B (Non-AMT), 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
- d) Presentation, discussion, and possible action on Resolution No. 23-009 authorizing the filing of one or more applications for reservation with the Texas Bond Review Board with respect to qualified mortgage bonds, authorizing state debt application, and containing other provisions relating to the subject
- e) Presentation, discussion, and possible action regarding Resolution No. 23-010 authorizing request for Unencumbered State Ceiling and containing other provisions relating to the subject

**Scott Fletcher**  
Director of Bond  
Finance

### ITEM 7: RULES

- a) 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*

**Teresa Morales**  
Director of  
Multifamily Bond

---

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

b) Presentation, discussion, and possible action on the adoption of the repeal of 10 TAC Chapter 11 concerning the Housing Tax Credit Program Qualified Allocation Plan, adoption of new 10 TAC Chapter 11 concerning the Housing Tax Credit Program Qualified Allocation Plan, and directing their publication for adoption in the *Texas Register*

**Cody Campbell**  
Director of Multifamily  
Programs

**ITEM 8: MULTIFAMILY FINANCE**

Presentation, discussion, and possible action on the timely appeal of termination of HTC application 22106, Mariposa Apartment Homes at Plano Parkway, and waiver of 10 TAC §11.901(6) 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](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 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 Danielle Leath, 512-475-4606, 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 Danielle Leath, al siguiente número 512-475-4606 por lo menos cinco días antes de la junta para hacer los preparativos apropiados.