



1

Contact Information

Mailing Address:

TDHCA
PO Box 13941
Austin, TX 78711-3941

Physical Address:

TDHCA
221 East 11th Street
Austin, TX 78701

Website: <https://www.tdhca.texas.gov>

Division Phone Number: (512) 305-8869
or (800) 525-0657 (toll free in Texas only)

2

2

Announcements

Schedule:

- The training will run from 9:00 am until approximately 12:00 pm
- We will take a break mid-morning, if needed
- Staff will be present to answer any questions

Housekeeping:

- Certificates will not be emailed but you will receive an email confirming your attendance, usually within 24-hours in an email from the GoTo Platform, please check your “junk” folders as we cannot reissue these emails
 - If you did not use your emailed link for the training from your registration you will not receive a follow-up email or show as having attended the webinar
- We suggest you silence your phones and put an “out of office” email response to help avoid distractions during the training
- Please pose questions and comments to the “Questions Box”



3

3

Department Resources

- **Compliance Forms**
 - <https://www.tdhca.texas.gov/compliance-forms>
- **Manuals and Rules**
 - <https://www.tdhca.texas.gov/compliance-manuals-and-rules>
- **Income and Rent Limits**
 - <https://www.tdhca.texas.gov/income-and-rent-limits>
- **Training and Presentations**
 - <https://www.tdhca.texas.gov/compliance-training>
 - <https://www.tdhca.texas.gov/compliance-program-training-presentations>
- **Contact List**
 - <https://www.tdhca.texas.gov/compliance-division-staff>



4

4



The Notification

5

5

CMTS: Contact Information and Why it Matters

- Notification of on-site reviews are **ONLY** uploaded to the Compliance Monitoring and Tracking System (CMTS).
- Management should be checking CMTS attachments regularly, but also need to (1) verify in CMTS to ensure that all of the contact information entered there is correct (particularly the email addresses), and (2) ensure that the "owner" contact is an owner contact and not property management or management company contact.
- Management needs to receive the automated email notices, however, it is vital for the owner to also receive notices since the owners are ultimately responsible for any noncompliance.
- The owner is the one who would be subject to administrative penalties and/or debarment for noncompliance, so they need to receive and review notices, and supervise corrections by management.

6

6

Notification Letter Uploaded

| Electronic Document Attachments for Level | |
|--|-----------------|
| Description | TDHCA |
| Notification of upcoming onsite monitoring review to be conducted on May 30, 2024. Action is required by May 15, 2024. | From Compliance |

The Compliance Monitor will upload a notification into the Development's CMTS Attachment System. The property contacts will then get a notification by email that an attachment has been uploaded...

7

7

CMTS Attachment System Upload Notification Email

From: cmts.notifications@tdhca.state.tx.us
To: [REDACTED]
Subject: New Attachment for [REDACTED] by TDHCA Staff
Date: Tuesday, February 13, 2024 8:40:49 AM

Notification of Attachments in CMTS

A document has been uploaded by TDHCA to [REDACTED] CMTS ID [REDACTED] in the Compliance Monitoring and Tracking System (CMTS). Please login to CMTS at https://www.tdhca.state.tx.us/comp_reporting.htm and click the Attachments link on the Property Listings screen to view the attachments.

Please do not send a response to this unmonitored email address as it will not be read. Email cmts.requests@tdhca.state.tx.us if you have questions or need assistance.

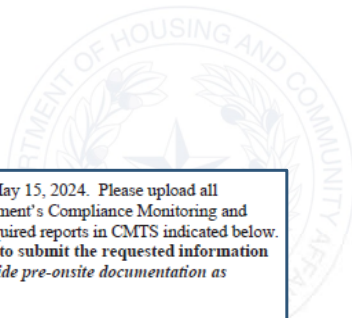
Thank you,
 TDHCA Staff

Document Type: TDHCA Correspondence
 Document Description: Monitoring Report with regards to onsite monitoring review which was conducted on February 8, 2024. Action is required by May 13, 2024.
 File Name: [REDACTED]_Monitoring-Report_2024.02.13.pdf

8

8

The Notification Letter



TEXAS DEPARTMENT OF HOUSING AND COMMUNITY AFFAIRS

May 08, 2024

TO: [REDACTED]

FROM: [REDACTED]

RE: [REDACTED]

CMTS: [REDACTED]

Dear [REDACTED]:

On May 30, 2024 at approximately 10:45 am, monitor(s) will be visiting the above referenced development to conduct an on-site monitoring review. Please note that the Department representative(s) may be visiting other developments in the area which may require the date and/or time of the on-site to change. Please ask your staff to plan for any adjustments requested by the Department.

The following items must be submitted to the attention of Cara Pollei no later than May 15, 2024. Please upload all requested items to the Electronic Document Attachment system through the development's Compliance Monitoring and Tracking System ("CMTS") account. In addition, please electronically complete required reports in CMTS indicated below. If any requested item is not submitted, please submit a written explanation. Failure to submit the requested information by the deadline will result in noncompliance under the finding, "Failure to provide pre-on-site documentation as required."

1. Completed electronically through the CMTS:
 - a. Monitor Review Questionnaire
 - b. Unit Status Report (USR) reporting occupancy as of May 08, 2024

For instructions on how to use the attachment system, please see Attaching Documents to CMTS found on the Department's website. To access on the home page, select the Support and Services tab and then select Compliance. From the sub-menu, select Online Reporting.

On the day of the monitoring visit, Department staff will need access to original resident files. If original resident files are not maintained at the development, please let the Department know immediately so that arrangements can be made.

Unfortunately, the Department is not able to reschedule or postpone monitoring visits. If you have any questions about the

221 East 11th Street, P.O. Box 13941, Austin, Texas 78711-3941 | (800) 525-6857 | (512) 475-5800

The Notification Letter will only ask you to complete the Monitor Review Questionnaire and the Unit Status Report; however, the Questionnaire will indicate what else is needed for the monitoring review.

9

Online Reporting



10

Terms and Definitions

- Compliance Monitoring and Tracking System (CMTS)
- Unit Status Report (USR)
- Monitor Review Questionnaire (MRQ)

We conducted a detailed webinar for the above reporting items along with the annual and quarterly reports required. The recorded webinar is available online; <https://www.tdhca.texas.gov/compliance-program-training-presentations>.



11

11

Online Reporting: Login to CMTS

Overview

Welcome to the Compliance Monitoring and Tracking System (CMTS). This system allows owners to submit required reports, such as the Unit Status Report (USR) and the Annual Owners Compliance Report (AOCR) and submit documentation directly to the Department.

Login to the CMTS

If you have already received your user id and password from

[Login to CMTS](#) 

CMTS User Guidelines

To ensure that information is properly entered into CMTS, p

- [Attaching Documents to CMTS \(PDF\)**NEW**](#) 

To use the CMTS Unit Upload feature for uploading household documents, the file layouts and field definitions for the

Visit the [Compliance Reports](#) page for additional information.

Visit the [Trainings Presentation](#) page for CMTS training.

12

12

Online Reporting

admthca2 Property Listings

| PROPERTIES | Annual Owners Compliance Reports | 2023 Part I Report | Unit Status Report | Contact Information | Edit Manager Password | Reports | Unit Data Upload | Tenant Data Upload | Electronic Document Attachment |
|-------------------------------|---|--------------------|--------------------|----------------------------|-------------------------|---------|----------------------------|--------------------|--------------------------------|
| 1265 Hillcrest House | Annual Owners Compliance Reports - 2018 | Start New Report | Unit Status Report | Update Contact Information | Edit Manager's Password | Reports | Upload Unit Household Data | Upload Tenant Data | Attachments (22) |
| 3417 Villa on South Street | Annual Owners Compliance Reports - 2018 | Start New Report | Unit Status Report | Update Contact Information | Edit Manager's Password | Reports | Upload Unit Household Data | Upload Tenant Data | Attachments (46) |
| 4029 Carson Marie Terrace | Annual Owners Compliance Reports - 2018 | Start New Report | Unit Status Report | Update Contact Information | Edit Manager's Password | Reports | Upload Unit Household Data | Upload Tenant Data | Attachments (59) |
| 5263 Pathways at Gaston Place | Annual Owners Compliance Reports - 2018 | Start New Report | Unit Status Report | Update Contact Information | Edit Manager's Password | Reports | Upload Unit Household Data | Upload Tenant Data | Attachments (41) |

[Logout](#)

Texas Department of Housing and Community Affairs (TDHCA)

CMTS Property Reporting System

Update Property Information | Enter Unit Occupancy | Print Unit Status Report | **Submit Reports** | Vacancy Clearinghouse | Add and Edit Buildings | Add and Edit Units

Property Selection | Logout

Download account number: 104291560078

| Property 1265 Detail | | | |
|--|----------------------|---------------------------------------|--------------------------|
| Name: Hillcrest House | Type: Community Only | Building type: Single family detached | Building info: N |
| Building status: Single family occupancy | Building year: 1918 | Total units: 16 | Total number units: 1604 |
| Planned buildings: 1 | Planned units: 16 | Land use code: 1 | Other program units: 0 |
| Total sq ft: 20760 | Home building: N | Home info: N | Home info: N |
| Construction: 1 | Home info: N | Home info: N | Home info: N |
| Revised needs: 1 | Home info: N | Home info: N | Home info: N |
| # of parking spots: 1 | Home info: N | Home info: N | Home info: N |
| # of handicap spots: 1 | Home info: N | Home info: N | Home info: N |
| Camera Trac: 481 0802080 | Home info: N | Home info: N | Home info: N |
| GPS Code: 0111020 7 | Home info: N | Home info: N | Home info: N |
| Info Type: 16 | Home info: N | Home info: N | Home info: N |
| Large description: | Home info: N | Home info: N | Home info: N |

Property Status: Active

13

Online Reporting

Your Property Listings

| PROPERTIES | Annual Owners Compliance Reports | 2023 Part I Report | Unit Status Report | Contact Information | Edit Manager Password | Reports | Electronic Document Attachment |
|--------------------------------|----------------------------------|--------------------|--------------------|----------------------------|-----------------------|---------|--------------------------------|
| 4051 Beehive Garden Apartments | | | Unit Status Report | Update Contact Information | | Reports | Attachments (3) |

[Logout](#)

Manager's View of CMTS

Texas Department of Housing and Community Affairs (TDHCA)

14

Monitor Review Questionnaire: Where to find it

The screenshot shows the CMTS Property Reporting System interface. At the top, there's a navigation bar with links like Home, Contact, About, Calendar, Press, Employment, Change Password, and Edit Email Address. Below this is the 'CMTS Property Reporting System' header. The main content area displays 'cpollet Property Listings' with a table of properties. The table has columns for Property ID, Property Name, Annual Owners Compliance Reports, 8609 Part II Report, Unit Status Report, Update Contact Information, Edit Manager Password, Reports, Unit Data Upload, Tenant Data Upload, and Electronic Document Attachment. The 'Unit Status Report' link in the first row is circled in red. Below the table, there's a 'Logout' link and the text 'Texas Department of Housing and Community Affairs (TDHCA)'.

| Property ID | Property Name | Annual Owners Compliance Reports | 8609 Part II Report | Unit Status Report | Update Contact Information | Edit Manager Password | Reports | Unit Data Upload | Tenant Data Upload | Electronic Document Attachment |
|-------------|-----------------|---|---------------------|--------------------|----------------------------|-------------------------|---------|----------------------------|--------------------|--------------------------------|
| 4793 | Oasis Cove | Annual Owners Compliance Reports - 2021 | Start New Report | Unit Status Report | Update Contact Information | Edit Manager's Password | Reports | Upload Unit Household Data | Upload Tenant Data | Attachments (0) |
| 5627 | Greenline North | Annual Owners Compliance Reports - 2021 | | Unit Status Report | Update Contact Information | Edit Manager's Password | Reports | Upload Unit Household Data | Upload Tenant Data | Attachments (1) |

15

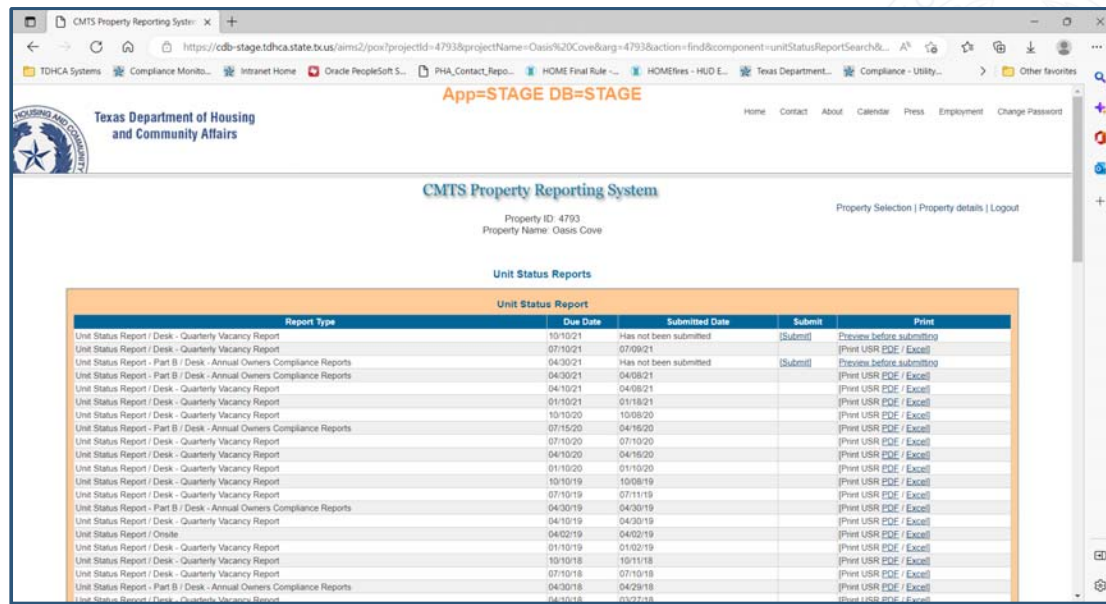
Monitor Review Questionnaire: Where to find it

The screenshot shows the CMTS Property Reporting System interface. At the top, there's a navigation bar with links like Home, Contact, About, Calendar, Press, Employment, Change Password, and Edit Email Address. Below this is the 'CMTS Property Reporting System' header. The main content area displays 'Unit Status Reports' link circled in red. Below the link, there's a 'Property Selection | Logout' link. The main content area displays 'Property#4793 Detail' with a table of property information. The table has columns for Name, Building config, Total buildings, Planned buildings, Total sq ft, Disposition, Special needs, # of parking spots, # of handicap spots, Census Tract, GPS Date, HTC Type, Legal description, Type, Dwelling type, Total units, Planned units, Land site cdt, Home funding, Home 4050, First building in svc date, Last building in svc date, Latitude, RAD Development, Disaster Housing Flag, Scattered site, Year constructed, Total program units, Zoning, Elevator, Floors in tallest bldg, Fair Housing Construction, Next RD onsite rsv date, Last RD onsite rsv date, Longitude, and Property Status.

| Property#4793 Detail | | | |
|---|---|------------------------------|--|
| Name: Oasis Cove | Type: Individual Family | Scattered site: N | |
| Building config: Five+ Units Per Building | Dwelling type: Multi Family Residential | Year constructed: 2013 | |
| Total buildings: 5 | Total units: 64 | Total program units: 64 | |
| Planned buildings: | Planned units: | Zoning: R | |
| Total sq ft: 61880 | Land site cdt: | Elevator: N | |
| Disposition: | Home funding: N | Floors in tallest bldg: 2 | |
| Special needs: | Home 4050: N | Fair Housing Construction: N | |
| # of parking spots: | First building in svc date: 10/17/2013 | Next RD onsite rsv date: | |
| # of handicap spots: | Last building in svc date: 12/15/2013 | Last RD onsite rsv date: | |
| Census Tract: 48211560300 | Latitude: 35.9169 | Longitude: -100.3762 | |
| GPS Date: 01/11/2017 | RAD Development: | Property Status: Active | |
| HTC Type: 9% | Disaster Housing Flag: N | | |
| Legal description: | | | |

16

Monitor Review Questionnaire: Where to find it

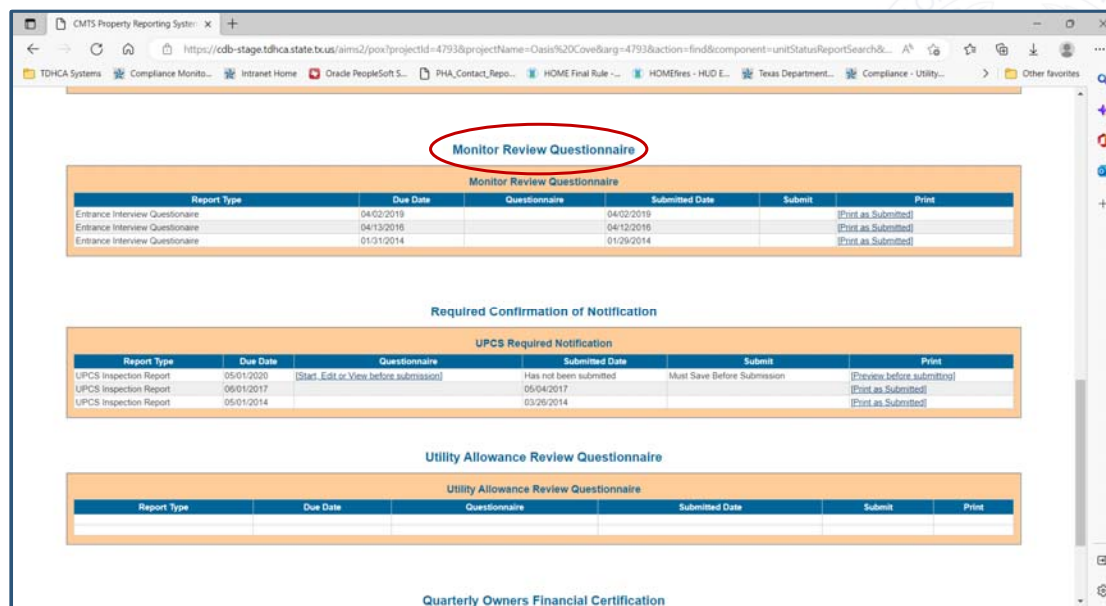


The screenshot shows the CMTS Property Reporting System interface. The main heading is "Unit Status Reports". Below it is a table with columns: Report Type, Due Date, Submitted Date, Submit, and Print. The table lists various reports such as "Unit Status Report / Desk - Quarterly Vacancy Report" and "Unit Status Report - Part B / Desk - Annual Owners Compliance Reports".

| Report Type | Due Date | Submitted Date | Submit | Print |
|---|----------|------------------------|----------|-----------------------------|
| Unit Status Report / Desk - Quarterly Vacancy Report | 10/10/21 | Has not been submitted | [Submit] | [Preview before submitting] |
| Unit Status Report / Desk - Quarterly Vacancy Report | 07/10/21 | 07/09/21 | [Submit] | [Print USR PDF / Excel] |
| Unit Status Report - Part B / Desk - Annual Owners Compliance Reports | 04/30/21 | Has not been submitted | [Submit] | [Preview before submitting] |
| Unit Status Report - Part B / Desk - Annual Owners Compliance Reports | 04/30/21 | 04/08/21 | [Submit] | [Print USR PDF / Excel] |
| Unit Status Report / Desk - Quarterly Vacancy Report | 04/10/21 | 04/08/21 | [Submit] | [Print USR PDF / Excel] |
| Unit Status Report / Desk - Quarterly Vacancy Report | 01/10/21 | 01/18/21 | [Submit] | [Print USR PDF / Excel] |
| Unit Status Report / Desk - Quarterly Vacancy Report | 10/10/20 | 10/08/20 | [Submit] | [Print USR PDF / Excel] |
| Unit Status Report - Part B / Desk - Annual Owners Compliance Reports | 07/15/20 | 04/16/20 | [Submit] | [Print USR PDF / Excel] |
| Unit Status Report / Desk - Quarterly Vacancy Report | 07/10/20 | 07/10/20 | [Submit] | [Print USR PDF / Excel] |
| Unit Status Report / Desk - Quarterly Vacancy Report | 04/10/20 | 04/16/20 | [Submit] | [Print USR PDF / Excel] |
| Unit Status Report / Desk - Quarterly Vacancy Report | 01/10/20 | 01/10/20 | [Submit] | [Print USR PDF / Excel] |
| Unit Status Report / Desk - Quarterly Vacancy Report | 10/10/19 | 10/08/19 | [Submit] | [Print USR PDF / Excel] |
| Unit Status Report / Desk - Quarterly Vacancy Report | 07/10/19 | 07/11/19 | [Submit] | [Print USR PDF / Excel] |
| Unit Status Report - Part B / Desk - Annual Owners Compliance Reports | 04/30/19 | 04/30/19 | [Submit] | [Print USR PDF / Excel] |
| Unit Status Report / Desk - Quarterly Vacancy Report | 04/10/19 | 04/30/19 | [Submit] | [Print USR PDF / Excel] |
| Unit Status Report / Onsite | 04/02/19 | 04/02/19 | [Submit] | [Print USR PDF / Excel] |
| Unit Status Report / Desk - Quarterly Vacancy Report | 01/10/19 | 01/02/19 | [Submit] | [Print USR PDF / Excel] |
| Unit Status Report / Desk - Quarterly Vacancy Report | 10/10/18 | 10/11/18 | [Submit] | [Print USR PDF / Excel] |
| Unit Status Report / Desk - Quarterly Vacancy Report | 07/10/18 | 07/10/18 | [Submit] | [Print USR PDF / Excel] |
| Unit Status Report - Part B / Desk - Annual Owners Compliance Reports | 04/30/18 | 04/29/18 | [Submit] | [Print USR PDF / Excel] |
| Unit Status Report / Desk - Quarterly Vacancy Report | 04/10/18 | 03/27/18 | [Submit] | [Print USR PDF / Excel] |

17

Monitor Review Questionnaire: Where to find it



The screenshot shows the CMTS Property Reporting System interface. The main heading is "Monitor Review Questionnaire". Below it is a table with columns: Report Type, Due Date, Questionnaire, Submitted Date, Submit, and Print. The table lists various reports such as "Entrance Interview Questionnaire" and "UPCS Required Notification".

| Report Type | Due Date | Questionnaire | Submitted Date | Submit | Print |
|----------------------------------|------------|---------------|----------------|----------|----------------------|
| Entrance Interview Questionnaire | 04/02/2019 | | 04/02/2019 | [Submit] | [Print as Submitted] |
| Entrance Interview Questionnaire | 04/13/2016 | | 04/12/2016 | [Submit] | [Print as Submitted] |
| Entrance Interview Questionnaire | 01/01/2014 | | 01/29/2014 | [Submit] | [Print as Submitted] |

Below the table is a section titled "Required Confirmation of Notification". It contains a table with columns: Report Type, Due Date, Questionnaire, Submitted Date, Submit, and Print. The table lists various reports such as "UPCS Inspection Report".

| Report Type | Due Date | Questionnaire | Submitted Date | Submit | Print |
|------------------------|------------|---|------------------------|-----------------------------|-----------------------------|
| UPCS Inspection Report | 05/01/2020 | [Start, Edit or View before submission] | Has not been submitted | Must Save Before Submission | [Preview before submitting] |
| UPCS Inspection Report | 06/01/2017 | | 06/04/2017 | [Submit] | [Print as Submitted] |
| UPCS Inspection Report | 05/01/2014 | | 03/26/2014 | [Submit] | [Print as Submitted] |

Below the table is a section titled "Utility Allowance Review Questionnaire". It contains a table with columns: Report Type, Due Date, Questionnaire, Submitted Date, Submit, and Print. The table lists various reports such as "Utility Allowance Review Questionnaire".

| Report Type | Due Date | Questionnaire | Submitted Date | Submit | Print |
|--|----------|---------------|----------------|--------|-------|
| Utility Allowance Review Questionnaire | | | | | |

18

Monitor Review Questionnaire: Where to find it

| Monitor Review Questionnaire | | | | | | |
|----------------------------------|------------|---|------------------------|----------|-----------------------------|--|
| Report Type | Due Date | Questionnaire | Submitted Date | Submit | Print | |
| Entrance Interview Questionnaire | 03/30/2021 | | 03/25/2021 | | (Print as Submitted) | |
| Entrance Interview Questionnaire | 04/23/2018 | | 04/24/2018 | | (Print as Submitted) | |
| Entrance Interview Questionnaire | 05/26/2015 | | 05/14/2015 | | (Print as Submitted) | |
| Entrance Interview Questionnaire | 06/26/2014 | | 06/24/2014 | | (Print as Submitted) | |
| Entrance Interview Questionnaire | 06/10/2013 | | 05/29/2013 | | (Print as Submitted) | |
| Entrance Interview Questionnaire | 07/16/2012 | | 07/09/2012 | | (Print as Submitted) | |
| Entrance Interview Questionnaire | 06/30/2011 | | 06/27/2011 | | (Print as Submitted) | |
| Entrance Interview Questionnaire | 05/27/2010 | | 06/01/2010 | | (Print as Submitted) | |
| Entrance Interview Questionnaire | 07/06/2009 | (Start, Edit or View before submission) | Has not been submitted | (Submit) | (Preview before submission) | |

19

19

The Monitor Review Questionnaire

| TEXAS DEPARTMENT OF HOUSING AND COMMUNITY AFFAIRS ENTRANCE INTERVIEW QUESTIONNAIRE | | | Printed Date 1/17/22 Page 1 of 13 |
|---|--|--|--------------------------------------|
| Project# 2636 | Project Name Freeport Apartments 1001 N Avenue J, FREEPORT | Project Type Individual/Family | |
| CR#: 80040 | Fiscal Year: | | |
| Ques# | Question | Answer | |
| | Please answer the following questions. Based on your response, if instructed below, please submit through the attachment system in CMTS the indicated documentation to evidence compliance with the requirement. | | |
| | Contact Information | | |
| 1 | In CMTS, is the contact information for the Owner representative, management company, and onsite manager true and correct? | | |
| | If not, please update the contact information in CMTS. | | |
| 2 | If the Department is conducting the monitoring review onsite, has onsite staff been made aware of the visit? | | |
| | If not, please notify onsite staff that the date and time in the notice are approximate. | | |
| 3 | In CMTS, is the name of the development the same as it is known to the public? | | |
| | If not, please update the development's address in CMTS. | | |
| 4 | In CMTS, is the physical address correct for the development? | | |
| | If not, please update the development's address in CMTS. | | |
| 5 | Does the development have a leasing office at the physical address provided in CMTS? | | |
| 6 | If not, please indicate where the files are kept by providing a full physical address (street number, street name, city, state, and ZIP). Reporting | | |
| | Please submit electronically in CMTS an accurate and up-to-date Unit Status Report. | | |
| 7 | Have Forms 8609 been issued by the Department? | | |
| | If not, please submit through the attachment system in CMTS copies of the Certificates of Occupancy. | | |

The Monitor Review Questionnaire was revised in late 2022 and is much more in-depth than the previous Questionnaire. We conducted a detailed webinar on the completion process which is now available online; <https://www.tdhca.texas.gov/compliance-program-training-presentations>.

Once you have completed the Questionnaire, before submitting, there will be a list of items you need to upload to the monitor for review. Please print or copy the list and upload all required items by the due date outlined in the Notification Letter.

20

20

Example: Monitor Review Questionnaire

| Social Services | | |
|---|--|-----|
| 87 | Does a LURA for the development require the provision of supportive services to tenants? | Yes |
| If so, please answer questions lines between 88 through 120. | | |
| If not, please skip questions lines between 88 through 120. | | |
| 88 | If this is the development's first monitoring review and not all services can be provided at this time, does the development have a plan to provide services with specific dates? | N/A |
| 89 | If so, please submit through the attachment system in CMTS the plan. | |
| 90 | Does a LURA for the development require an onsite Notary Public? | No |
| If so, please submit through the attachment system in CMTS evidence of the Notary Public. | | |
| 91 | Does a LURA for the development require the community to make available on a regularly-schedule basis, to a local nonprofit or government provider of services, space to provide outreach services and education to tenants regarding their health and well-being? | No |
| 92 | If so, please submit evidence through the attachment system in CMTS. | |

21

21

Example: Monitor Review Questionnaire

| | | |
|--|---|---|
| 93 | Does a LURA for the development require a per-unit cost that the Owner must expend monthly? | No |
| 94 | If so, how much is expended by the development on a monthly basis? | |
| If so, please provide through the attachment system in CMTS evidence of those costs. | | |
| Please provide information on supportive services as required per a LURA for the development, including required providers. For each services, please submit through the attachment system in CMTS sufficient documentation to evidence the required frequency and scope as indicated in a LURA. | | |
| Service 1 | | |
| 95 | Provide the name of the service as listed in the LURA. | Credit Counseling |
| 96 | What events are being provided? | Credit Counseling vs Debt Settlement; How to get a copy of your credit report; Side effects of bad credit; 5 sneaky way to improve your credit score; |
| Service 2 | | |
| 97 | Provide the name of the service as listed in the LURA. | Financial Planning |
| 98 | What events are being provided? | Estate Planning; What is zero-based budget? How to stop living paycheck to paycheck |
| Service 3 | | |
| 99 | Provide the name of the service as listed in the LURA. | Health and Nutrition Courses |
| 100 | What events are being provided? | Preventing High Cholesterol; Arthritis class; How to avoid portion pitfalls |
| Service 4 | | |

22

22



23

CMTS Attachment System

admtchca2 Property Listings

| Property ID | Property Name | Annual Owners Compliance Reports | 8030 Part II Report | Unit Status Report | Update Contact Information | Edit Manager's Password | Reports | Unit Data Upload | Tenant Data Upload | Electronic Document Attachment |
|-------------|--------------------------|---|----------------------------------|------------------------------------|--|---|-------------------------|--|------------------------------------|----------------------------------|
| 1255 | Hilcrest House | Annual Owners Compliance Reports - 2018 | Start New Report | Unit Status Report | Update Contact Information | Edit Manager's Password | Reports | Upload Unit Household Data | Upload Tenant Data | Attachments (22) |
| 1341 | Island Palms Apartments | Annual Owners Compliance Reports - 2018 | Start New Report | Unit Status Report | Update Contact Information | Edit Manager's Password | Reports | Upload Unit Household Data | Upload Tenant Data | Attachments (46) |
| 3417 | Villas on Sixth Street | Annual Owners Compliance Reports - 2018 | Start New Report | Unit Status Report | Update Contact Information | Edit Manager's Password | Reports | Upload Unit Household Data | Upload Tenant Data | Attachments (59) |
| 4839 | Dannon Marie Terrace | Annual Owners Compliance Reports - 2018 | | Unit Status Report | Update Contact Information | Edit Manager's Password | Reports | Upload Unit Household Data | Upload Tenant Data | Attachments (41) |
| 5363 | Pathways at Gaston Place | Annual Owners Compliance Reports - 2018 | | Unit Status Report | Update Contact Information | Edit Manager's Password | Reports | Upload Unit Household Data | Upload Tenant Data | Attachments (24) |

[Logout](#)

Make sure you select the correct property for the reports you are submitting.

24

CMTS Attachment System: Uploaded Documentation

| Electronic Document Attachments for Estrada | | |
|---|-------------------------------------|--|
| ATTACHMENTS [176 RECORDS FOUND] | | |
| | Type | Description |
| 1 | Pre-Onsite Documentation | ESI Pre-Onsite Documentation |
| 2 | TDHCA Correspondence | Notification of upcoming onsite monitoring review to be conducted on May 29, 2024. Action is required by May 14, 2024. |
| 3 | TDHCA Correspondence | DR-4586-TX Restoration Acknowledgement |
| 4 | Casualty Loss/Restoration Documents | Owner Certification signed 4.30.2024 |

The monitor will receive an alert that documentation was uploaded to their attention, they will then download the documentation and utilize it to prepare for the monitoring review. Documentation can be uploaded in multiple attachments or in a compressed (.zip) file.

25

25

The Monitoring Review: Pre-Review

- The notification letter will provide a deadline to submit pre-onsite documentation; the due date is incredibly important because of the 15-day notification window.
- Once submitted, the monitor will prepare for the review using the documentation submitted, along with the Land Use Restriction Agreement (LURA) and other available items.
- The monitor(s) will arrive at the property for the monitoring review, or the monitor will upload a file request list into the CMTS Attachment System and provide on-site staff with a file list for the review.
 - If the review is being conducted as a desk monitoring review, the number of files expected to be uploaded will be given in the letter, if the upload cannot be completed within 24 hours of the notification, the monitor must be notified to make plans to split up the file list to allow the upload to be completed timely.

26

26



The Monitoring Review

27

27

The Monitoring Review: The Actual Review

- If this is a Desk Monitoring Review, the development will have 24 hours from the time of the file request to upload the tenant files. The monitor will review the files timely from their computer rather than at the property.
- The monitor(s) will need a space to set up their laptops, near electrical outlets, and review the files. The lead monitor will provide the file request at this time.
- While the monitor(s) are setting up, the on-site staff should pull tenant files and take them to the monitor(s) so that the review can begin and end timely.
- The monitor(s) will review the tenant files provided and any additional documents requested at the time of the review.
- The lead monitor may conduct an Exit Interview. The Exit Interview will not include specific issues of noncompliance; however, the monitor will go over the general strengths and weaknesses of the files.

28

28

The Monitoring Review: On-Site Staff

Please make sure that the on-site staff are aware of the on-site visit and that it may be anytime during the week scheduled.

29

29

The Monitoring Review: After the Review

- A final review of all the documents and checklists will be conducted. This review includes any pre-onsite area that was not fully reviewed prior to the actual monitoring review, a review of the tenant checklists and any area of identified noncompliance to ensure accuracy.
- The lead monitor will write a Monitoring Report to address any noncompliance found during the review. This letter may also offer Technical Assistance that will be helpful in avoiding future noncompliance.
- If the owner or owner's representative has questions about the Monitoring Report, please reach out to the monitor sooner, rather than later, to get any questions answered. If the development staff would like a detailed Exit Interview (after reading the full Monitoring Report and Detailed Noncompliance Report), this would be the time to ask for it.

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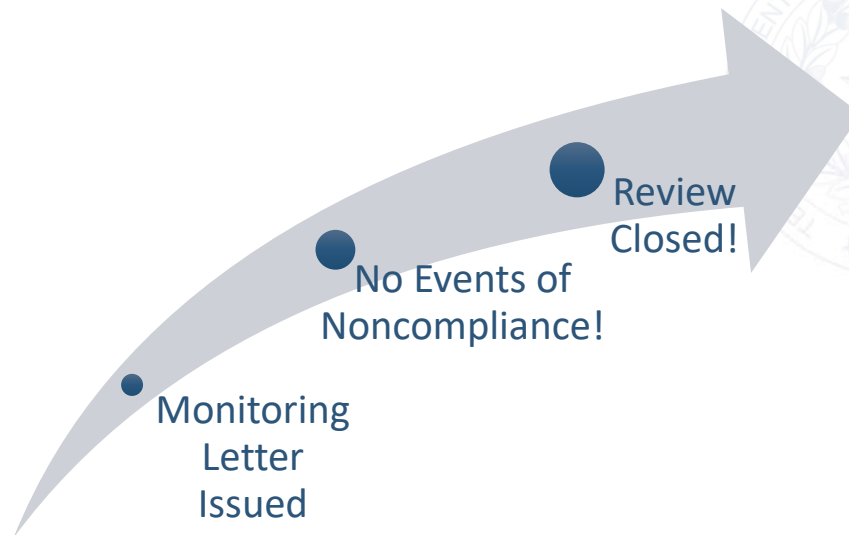
The Monitoring Report

Types of Monitoring Reports

- **No Issues of Noncompliance and No Technical Assistance:** this type of report indicates that the monitors did not identify any area of noncompliance during the review.
- **No Issues of Noncompliance with Technical Assistance:** this type of report indicates that the monitors did not identify any area of noncompliance during the review, but did note items that could become future areas of noncompliance if they are not addressed.
- **Events of Noncompliance and Technical Assistance:** this means that there were issues of noncompliance identified during the review, along with some noted items that the monitor wanted to further address. This letter will come with a Detailed Noncompliance Report to explain what the issue is and how to correct the issue.

32


The Monitoring Report Flow: No Findings



33

33

The Monitoring Report: No Findings



TEXAS DEPARTMENT OF HOUSING AND COMMUNITY AFFAIRS
www.tdhca.state.tx.us

King Adams
610-0000

June 1, 2022

Betty Landers
Pandora Springs, LTD
Austin, Texas
blanders@pandora.com

RE: Pandora Springs
CMTS ID: 5656

Dear Ms. Landers:

The Texas Department of Housing and Community Affairs (Department) has completed a monitoring review of Pandora Springs, which participates in the Low-Income Housing Tax Credit (LIHTC) and HOME programs. This review was performed as required by Treasury Regulation §1.42-5, 24 CFR Part 92 and/or 10 TAC §101.018.

Based on the limited scope of the review, no event(s) of noncompliance were identified during the review. Please note that although no event(s) of noncompliance were identified, only a sample of information provided to the Department was reviewed for the purposes of this report. It is the owner's responsibility to maintain compliance.

Please extend our thanks to your onsite staff for their cooperation extended during the monitoring review. If you have any questions about this monitoring report, please contact Cara Pollei toll free in Texas at (800) 643-8204, directly at (512) 475-3821, or email: cara.pollei@tdhca.state.tx.us.

Sincerely,

Cara Pollei
Compliance Monitor

220 East 53rd Street P.O. Box 13943 Austin, Texas 78713-3943 (800) 643-8204 (512) 475-3821

Monitoring Report
Pandora Springs
LIHTC File: 2004658
HOME File: 100035698
CMTS ID: 5656

The Texas Department of Housing and Community Affairs completed an on-site monitoring review of Pandora Springs on May 20, 2022. Cara Pollei and Amy Hammond represented the Department.

During the exit interview, the following Technical Assistance was provided:

- During the review, it was noted that white out was being used while completing documentation to correct information. If an error is made by management or a tenant makes an error when completing documentation, white out must not be used. Instead, the erroneous item should be crossed out and initialed.

| Files reviewed: | 16 | 22 | 26 | 32 | 40 |
|-----------------|----|----|----|----|----|
| | 49 | 53 | 58 | 60 | 62 |

Additional tips and links for future reference:

- Join Our Email List: The Department recommends signing up for the Email list to receive updates regarding important compliance rule and form changes. Sign up at the "Join our Email List" link in the left column of the TDHCA homepage at <http://www.tdhca.state.tx.us/>
- Compliance Monitoring Rules: These rules change periodically and you are responsible for staying apprised of any and all updates. The rules are published on the Secretary of State website at: <http://www.sos.state.tx.us/publicaffairs/secretaryofstate/secretaryofstate/2016/06/20/20160620RulesofMonitoring>
- Compliance Forms are available at: <http://www.tdhca.state.tx.us/monitors/forms.htm>
- Income and Rent Limits are published at least annually at: <http://www.tdhca.state.tx.us/monitors/limits.htm>
- Frequently asked questions and answers are available at: <http://www.tdhca.state.tx.us/monitors/faq.htm>
- Ownership transfer: If you are contemplating a sale, transfer, or exchange of the Development or the structure of the owning entity, you are required to receive pre-approval from TDHCA. Procedures are outlined in the Ownership Transfer section of the Post Award Activities Manual at: <http://www.tdhca.state.tx.us/post-award-management-manual.htm>

If a "No Issues" of noncompliance report is issued after the monitoring review, there will not be anything further to do.

The letter will let staff know what programs were monitored, on what date, by whom and what tenant files were reviewed. Page 2 of the letter will also indicate if there is any Technical Assistance offered from the review.

Reach out to the lead monitor with any questions.

34

34

The Monitoring Report: Technical Assistance

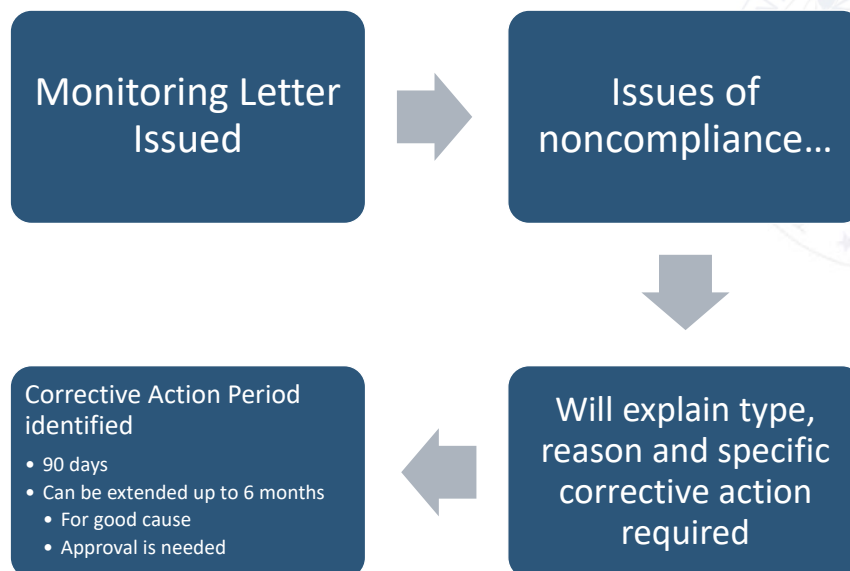
Reasons for Technical Assistance (TA):

- Changes to the program rules/requirements that are being noted in TA
- Issues that could become future areas of noncompliance if they are not addressed
 - If these items are still an issue at the next review they will most likely be cited as noncompliance, please make adjustments when needed based on TA
- Imperfect documentation
 - If the monitor is able to determine that the household is eligible, but imperfect documentation was used, i.e. activity print outs instead of bank statements, to qualify the household but the file contains enough information to determine eligibility that the monitor did not cite noncompliance.
- Details that will further explain the issues of noncompliance on the Detail Noncompliance Report
- Anything else the monitor wants to make the owner aware of from the review

35

35

The Monitoring Report Flow: Issues of Noncompliance



36

36

The Monitoring Report: Issues of Noncompliance, Pages 1 & 2

TEXAS DEPARTMENT OF HOUSING AND COMMUNITY AFFAIRS
 1001 WEST 10TH STREET
 AUSTIN, TEXAS 78703-5007
 (512) 463-0000

June 1, 2022

Wendy Maxwell
 Creek Properties, LLC
 Austin, Texas
 wendy.maxwell@shallowcreekapts.com

RE: Shallow Creek Apartments CMTS ID: 1135

Dear Ms. Maxwell:

The Texas Department of Housing and Community Affairs (Department) has completed a monitoring review of Shallow Creek Apartments, which participates in the Low-Income Housing Tax Credit (LIHTC) program. This review was performed as required by Treasury Regulation 24.425, 24.426 and 24.427.

Events of noncompliance have been identified and corrective action is required. The attached Monitoring and Finding Report details the events of noncompliance and the required corrective action. This review begins the corrective action period. Please supply all requested documentation no later than August 31, 2022, the last day of the corrective action period. If you submit your response early, please email a notification to compliance@tdhca.texas.gov.

If clarification is necessary to complete the corrective action, contact us as soon as possible. If it is not possible to provide the requested documentation by August 31, 2022, contact us as soon as you can and submit a corrective action plan detailing how and when the remaining issue(s) of noncompliance will be corrected. The Department may have the ability to extend the corrective action period for a total of six months, but only if there is a good cause and a request is received prior to the end of the corrective action period. If an extension to correct the event(s) of noncompliance is needed, please email a request prior to August 31, 2022 to compliance@tdhca.texas.gov.

The Department recommends submitting a cover letter explaining the documentation submitted to address each event of noncompliance, upload your corrective action to the Electronic Document Attachment system using the development's Compliance Monitoring and Tracking System (CMTS) account. For instructions on how to use the attachment system, please see Attaching Documents to account.

If the monitor issues a report that indicates there are issues of noncompliance after the monitoring review, then there will be more steps to complete. Pages 1 & 2 of this letter are informational in content and should be reviewed.

- Please supply all requested documentation no later than the specified Corrective Action Due Date, which is the last day of the corrective action period.
- If an extension to correct the event(s) of noncompliance is needed, please send an email request prior to the end of the Corrective Action period outlining the extension and reason to compliance.extensionrequest@tdhca.texas.gov.
- The Department recommends submitting a cover letter explaining the documentation submitted to address each event of noncompliance. Upload the corrective action to the Electronic Document Attachment system using the development's Compliance Monitoring and Tracking System (CMTS) account.
- Any Outstanding Noncompliance issues from past reviews will be outlined and the findings report from that review will also be attached to this letter.

37

37

The Monitoring Report: Issues of Noncompliance, Pages 3+

Monitoring Report
 Shallow Creek Apartments
 LIHTC File: 17315
 CMTS ID: 1135

The Texas Department of Housing and Community Affairs completed an on-site monitoring review of Shallow Creek Apartments on May 25, 2022. Cara Polle and Trisha Smith represented the Department.

The review resulted in two (2) events of noncompliance:

1. Noncompliance with utility allowance requirements described in §10.614 of this subchapter and/or Treasury Regulation 24.425-10.
2. Program Unit not leased to Low-Income household/household income above income limit upon initial occupancy affecting unit 15

The following Technical Assistance is offered:

- During the review, it was noted that while out was being used while completing documentation to correct information. If an error is made by management or a tenant makes an error when completing documentation, while out must not be used. Instead, the erroneous item should be crossed out and initialed.

Files reviewed:

| | | | | |
|----|----|----|----|-----|
| 1 | 7 | 9 | 15 | 21 |
| 26 | 34 | 37 | 40 | 42 |
| 46 | 47 | 51 | 53 | 57 |
| 60 | 62 | 66 | 70 | 73 |
| 76 | 79 | 82 | 86 | 90 |
| 92 | 94 | 96 | 97 | 100 |

Additional tips and links for future reference:

- Join Our Email List: The Department recommends signing up for the Email list to receive updates regarding important compliance rules and form changes. Sign up at the "Join our Email List" link in the left column of the TDHCA homepage at <http://www.tdhca.state.tx.us/>
- Compliance Monitoring Rules: These rules change periodically and you are responsible for staying current of any and all updates. The rules are published on the Secretary of State website at <http://www.sos.state.tx.us/public/realtime/ViewPage.aspx?view=54871&id=11&id=10&id=10&id=10>
- Compliance Forms are available at: <http://www.tdhca.state.tx.us/forms/Forms.aspx>
- Income and Rent Limits are published at least annually at: <http://www.tdhca.state.tx.us/compliance/limits.aspx>
- Frequently asked questions and answers are available at: <http://www.tdhca.state.tx.us/faq/faq.aspx>
- Ownership transfer: If you are contemplating a sale, transfer, or exchange of the Development or the structure of the owning entity, you are required to receive pre-approval from TDHCA. Procedures are outlined in the Ownership Transfer section of the Post Award Activities Manual at: <http://www.tdhca.state.tx.us/post-award-activities-manual.aspx>

If the monitor issues a report that indicates there are issues of noncompliance after the monitoring review, pages 3+ (length of letter will depend on the number of findings and any Technical Assistance offered):

- This will tell the owner when the review was conducted, and the names of the monitors that were present for the review.
- In this section, events of noncompliance cited will be listed and, if any, what units were affected by the issues.
- This section will outline and detail technical assistance, if any, that the monitor identified during the review. This is also some of the information that might be provided during an on-site Exit Interview.
- The files reviewed will be listed.
- The last section offers some additional resources and links that are useful to all parties in connection with the Affordable Housing Programs that are monitored by the Department.
- The pages following this will detail the findings listed in the Report.

38

38

The Monitoring Report: Detailed Noncompliance Report

TEXAS DEPARTMENT OF HOUSING AND COMMUNITY AFFAIRS
COMPLIANCE REVIEW
DETAIL FINDINGS AND CORRECTIVE ACTION
By program

Property ID # 1135
Property: Shadow Creek Apartments
Address: 635 Shadow Creek Rd, Austin, TX 78750

Last Desk Review Date: 05/25/22
Last Onsite Review Date: 05/25/22
Program: LHTC - File # 17815
Occupancy as of: 06/02/22

Printed Date: 06/20/22
Page 1 of 3

PROGRAM: ALL - FILE

PROGRAM: LHTC - FILE: 17815

PROPERTY FINDINGS

Finding Noncompliance with utility allowance requirements described in §10.614 of this subchapter and/or Treasury Regulation 1.42-10

Noncompliance Date 01/01/2022

Current Status Uncorrected - Not Reportable to IRS

Correction Date

Reason The Development does not have a properly implemented utility allowance. The Department approved the use of the HUD Utility Schedule Model for the electric portion of the Utility Allowance (UA) on November 18, 2021. The Development also uses the Austin Housing Authority PHA for gas, water and sewer. At the time of the monitoring review the total of the combined methodologies was not reflected on the USR.

Corrective Action To correct, implement the Utility Allowance, the HUD Model for the electric portion dated November 18, 2021 and the most current PHA schedule from the Austin Housing Authority, dated December 1, 2021 for the gas, water and sewer utilities. The finding will be considered corrected when the owner can demonstrate that the gross rent for each unit is restricted using the correct and current Utility Allowance. Once implemented, submit to the Department an updated the Unit Status Report for all units. Once a properly calculated utility allowance is in effect, the Department will review the gross rent for each unit to confirm compliance with the LURA. Any additional non-compliance which results from that review will be addressed under separate cover.

Potential Administrative Penalty

Finding Noncompliance with social service requirements

Noncompliance Date 06/02/2022

Current Status Uncorrected - Not Reportable to IRS

Correction Date

Reason Per Appendix A of the Land Use Restriction Agreement (LURA), the Development is required to provide services which total a point value of eight (8). The monitor was able to identify services adding up to six (6) points from the submitted April and May 2022 documentation. Submission indicated that a plan would be available while on-site; however, this was not presented to the monitor during the review.

Corrective Action Identify an additional program in Appendix A worth two (2) points and implement, or adjust the services offered to total eight (8) points in another way. Submit evidence to the Department for review of services offered.

Potential Administrative Penalty \$5 per day per violation

TEXAS DEPARTMENT OF HOUSING AND COMMUNITY AFFAIRS
COMPLIANCE REVIEW
DETAIL FINDINGS AND CORRECTIVE ACTION
By program

Property ID # 1135
Property: Shadow Creek Apartments
Address: 635 Shadow Creek Rd, Austin, TX 78750

Last Desk Review Date: 05/25/22
Last Onsite Review Date: 05/25/22
Program: LHTC - File # 17815
Occupancy as of: 06/02/22

Printed Date: 06/20/22
Page 2 of 3

PROGRAM: LHTC - FILE: 13117

INIT FINDINGS

Unit # 1 **Build # 1** **BIN # TX1781501**

Finding Failure to provide Tenant Income Certification and documentation

Noncompliance Date 04/30/2022

Current Status Uncorrected

Correction Date

Reason In accordance with Title 10 of the Texas Administrative Code §10.612, LHTC projects (as defined on Part II question, 8b of IRS Form 8809) with Market Units must complete annual income recertification. During the on-site monitoring review the Department did not observe an annual Income Certification for unit 1. The annual recertification for unit 1 was due on April 30, 2022.

Corrective Action Complete an annual Income Certification for this household and submit the following documentation to the Department: application, necessary income and asset verifications/certifications, Income Certification and first and signature page of the lease.

Potential Administrative Penalty \$250 per violation

Unit # 15 **Build # 10** **BIN # TX1781510**

Finding Failure to provide Tenant Income Certification and documentation

Noncompliance Date 05/24/2022

Current Status Uncorrected

Correction Date

Reason In accordance with Title 10 of the Texas Administrative Code §10.612, LHTC projects (as defined on Part II question, 8b of IRS Form 8809) with Market Units must complete annual income recertification. During the on-site monitoring review the Department did not observe an annual Income Certification for unit 15. The annual recertification for unit 15 was due on May 24, 2022.

Corrective Action Complete an annual Income Certification for this household and submit the following documentation to the Department: application, necessary income and asset verifications/certifications, Income Certification and first and signature page of the lease.

Potential Administrative Penalty \$250 per violation

Unit # 82 **Build # 18** **BIN # TX1781518**

Finding Program Unit not leased to Low Income Household/Household income above income limit upon initial occupancy

Noncompliance Date 05/09/2022

Current Status Uncorrected

Correction Date

Reason Per the Development's Land Use Restriction Agreement (LURA), building 5 has an applicable fraction of 63.63%; however, according to the tenant file for unit 82, it is the most recent move-in to a market unit in the building. During the on-site monitoring review the monitor was able to determine that this household is not income eligible based on the file documentation that was present at the time of the review. Based on the USR submitted for the review, building 5 has an applicable fraction of 63.63% based on the square footage of 14 low income households designated on the report. The issue is corrected when enough units in the building are occupied by income eligible households to satisfy the required applicable fraction of 63.63%. The household in unit 82 moved in on May 9, 2022 and is not an eligible low-income household. Based on the USR, unit 87 is a vacant market unit, this unit must be occupied with a low-income household.

Corrective Action

39

How to Read the Detailed Noncompliance Report

| | | | |
|---|---|---|------------------------|
| Finding | Noncompliance with utility allowance requirements described in §10.614 of this subchapter and/or Treasury Regulation 1.42-10 | | |
| Noncompliance Date | 01/01/2022 | Current Status Uncorrected - Not Reportable to IRS | Correction Date |
| Reason | The Development does not have a properly implemented utility allowance. The Department approved the use of the HUD Utility Schedule Model for the electric portion of the Utility Allowance (UA) on November 18, 2021. The Development also uses the Austin Housing Authority PHA for gas, water and sewer. At the time of the monitoring review the total of the combined methodologies was not reflected on the USR. | | |
| Corrective Action | To correct, implement the Utility Allowance, the HUD Model for the electric portion dated November 18, 2021 and the most current PHA schedule from the Austin Housing Authority, dated December 1, 2021 for the gas, water and sewer utilities. The finding will be considered corrected when the owner can demonstrate that the gross rent for each unit is restricted using the correct and current Utility Allowance. Once implemented, submit to the Department an updated the Unit Status Report for all units. Once a properly calculated utility allowance is in effect, the Department will review the gross rent for each unit to confirm compliance with the LURA. Any additional non-compliance which results from that review will be addressed under separate cover. | | |
| Potential Administrative Penalty | | | |

The Detail Noncompliance Report will outline the specifics of each issue of noncompliance, the noncompliance date, status (reportable if under the HTC program), the correction date, if applicable, the reason for the issue of noncompliance and the corrective action required to fix the issue of noncompliance. If there are questions the owner or owner's representative should reach out to the issuing monitor sooner, rather than later.

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Corrective Action

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41

Corrective Action

The Monitoring Report will indicate a Corrective Action Period of 90 days from the date of the Monitoring Report.

- Please supply all requested documentation no later than said date, which is the last day of the corrective action period.
- If clarification is necessary to complete the corrective action contact the issuing monitor as soon as possible.
- The Department may have the ability to extend the corrective action period for a total of six months, but only if there is good cause and a request is received prior to the end of the corrective action period. If an extension to correct the event(s) of noncompliance is needed, please send an email request prior to said date to compliance.extensionrequest@tdhca.texas.gov.
- The Department recommends submitting a cover letter explaining the documentation submitted to address each event of noncompliance.

42

42

Corrective Action: How to Submit CA

How to submit Corrective Action:

- Upload the corrective action to the Electronic Document Attachment system using the development's Compliance Monitoring and Tracking System (CMTS) account.
 - This must be completed before the end of the 90-day Corrective Action Period, or by the deadline in the extension, if one is granted.
 - For instructions on how to use the attachment system, please see Attaching Documents to CMTS found on the Department's website. To access, on the home page, select "Support and Services" tab; then select "Compliance". From the submenu, select "Online Reporting".
- Failure to submit complete and satisfactory corrections on or before the corrective action deadline will result in a referral to the Department's Enforcement Committee.

43

43

Corrective Action: What if 90 days is not enough?

What if 90 days and an extension are not enough time to correct?

- Upload a detailed corrective action plan to the Electronic Document Attachment system using the development's Compliance Monitoring and Tracking System (CMTS) account.
 - This must be completed before the end of the 90 day Corrective Action Period, or by the deadline in the extension, if one is granted.
- The detailed corrective action plan should include what will be done to correct the issue of noncompliance, how long will it take and when the owner anticipates completion of the corrective action and submission of the documentation to evidence completion.
- While a corrective action plan will prevent the referral it will not prevent the issuance of the 8823s for Housing Tax Credit communities.

44

44

Corrective Action: CA Review

How the Department will review Corrective Action:

- The Department will review the submission of CA and issue a response accordingly.
 - If all issues of noncompliance are corrected by the submission, a close-out letter will be issued, and no further action is required.
 - If all issues of noncompliance are addressed, but not corrected, by the submission, the Department will issue a 10-day letter, allowing the development an additional window of time to completely correct the issues of noncompliance.
 - If the submission does not address an issue of noncompliance, a 10-day allowance cannot be given.
 - If no response is received, the Department will issue a letter referring the development to the Enforcement Committee.
 - If the CA submission, either initially or within the 10-day window, does not fully correct the issues of noncompliance cited under the monitoring review, the Development will be referred to the Enforcement Committee.

45

45

Corrective Action: CA Hot Topics

There are some CA items that we want to expand on:

1. Qualifying under current circumstances
2. When the noncompliant household moves out
3. Any noncompliance triggered by the Utility Allowance

46

46

Corrective Action: Enforcement Action

Suggestions to help avoid Enforcement Action:

- Make sure that the development is meeting all calendar reporting deadlines:
 - Quarterly Vacancy Reporting due the 10th of every January, April, July, October
 - Annual Owners Compliance Report due every April 30th for the year prior
- Check CMTS regularly to ensure that TDHCA correspondence is not accidentally missed, and that any file or physical inspection deadlines are calendared and adhered to.
- Failure to resolve noncompliance within the corrective action period will result in referral for an administrative penalty and/or debarment, per 10 TAC Chapter 2.
- IMPORTANT NOTE: Responsible Parties in Control who have a referral ratio of 50% or more of Actively Monitored Developments being referred to the Enforcement Committee within the last three years will be referred for debarment in accordance with 10 TAC 2.401(e)(2)(A).

47

47

Corrective Action: Enforcement Action cont.

If a property is referred to the Enforcement Committee, Owners shouldn't ignore the referral or wait for legal to contact them. The best thing for the Owner to do after getting notice of penalty referral is to immediately talk to the management/compliance company:

- Contact the referring monitor and Ysella Kaseman at ysella.kaseman@tdhca.texas.gov via email to explain what happened,
- Upload complete corrections into CMTS,
- Complete the "Owner Acknowledgment of Referral" that will be uploaded as a separate line item in CMTS with the referral letter. This must be completed by the Owner and not an owner representative, and
- Adjust internal management policies to ensure that similar referrals do not occur again.

Taking these steps immediately could help the owner avoid penalty action in many cases.

48

48

Enforcement Action: Owner's Acknowledgement

The Owner's Acknowledgement of Referral is required as part of any referral for file monitoring, physical inspections, affirmative marketing, or written policies and procedures:

- The "Owner Acknowledgment of Referral" will be uploaded as a separate line item in CMTS with the referral letter.
- This form must be completed by the Owner and not an owner representative.
- This form is required as a result of the requirement for debarment for an entity with a referral ratio of 50% or more.
- CMTS must be current and correct with the ownership entity contact information, this will allow the group to be notified of any correspondence from the Department.

49

49

Corrective Action: Debarment

Tips for avoiding penalties or debarment

- Technical Support for Avoiding Administrative Penalty Referrals has been compiled to help owners avoid an administrative penalty or debarment referral. It includes useful tips and guidance to help maintain compliance. It is not all-inclusive and it remains the owner's responsibility to be aware of all applicable TDHCA statutes, TDHCA rules, and LURA terms.
 - The Technical Support document can be found online at <https://www.tdhca.texas.gov/sites/default/files/pmcdocs/24-TechSupport-AvoidAdminPenaltyRefs.pdf>.
- It is vital that owners and management groups proactively edit their internal management policies and take all necessary actions to ensure complete and timely compliance since failure to do so could cause the owner to be debarred if too many (a referral ratio of 50% or more) properties in the portfolio are referred. The above link should help with this.
- **There are levels of debarment, Compliance does not have any control over this, debarment is handled by the Enforcement Committee.**

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Corrective Action: Previous Participation Review (PPR)

- If anyone affiliated with the development submits an application for a new award/funds/or transfer a PPR will be conducted in accordance with §1.301 (for MF & Proposed Transfers requests) or §1.302 (for SF and CA funds).
- If there is a monitoring review open at the time a PPR is conducted that has reached the end of the designated corrective action period, the Department will review any CA submission uploaded to CMTS. A response will be issued to the development and the outcome taken into consideration by the PPR contact in their assessment.
 - There is typically a seven (7) day period for this review, so timely submissions and communication are essential.
- Noncompliance that was corrected after the applicable corrective action period and noncompliance that has not been corrected will be taken into consideration when conducting a PPR for a three (3) year period (starting on the date of correction).
- Monitoring reviews with Noncompliance corrected after the CAP will result in Events of Noncompliance during a PPR assessment; however, failure to submit any type of corrective action/response during the designated corrective action period (unresponsiveness) also plays a significant role in the PPR assessment.

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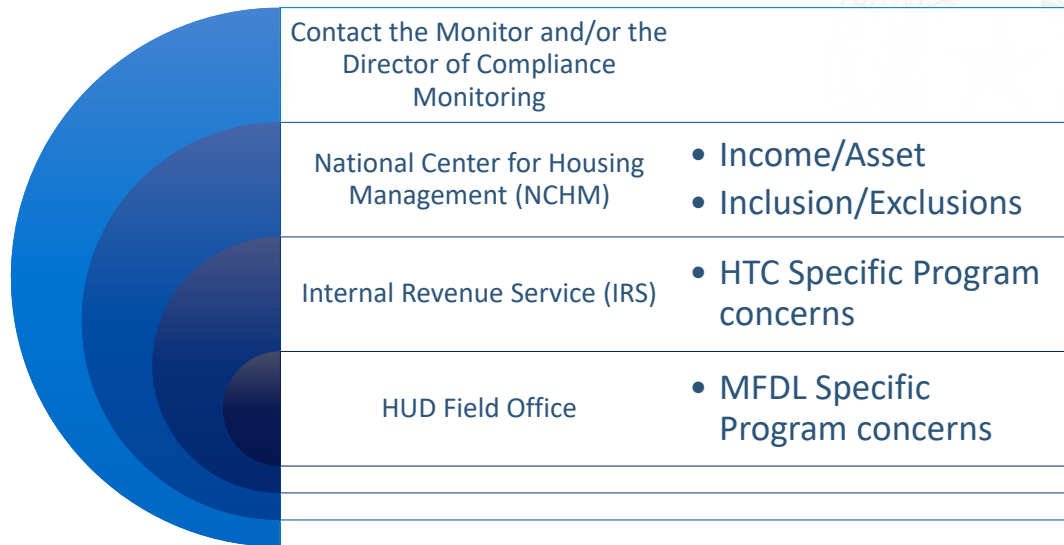
Notes for Success

- Communication is key!
 - Make sure that CMTS has current and correct contact information for all parties!
 - Ask questions when given the opportunity while the monitor is on-site, after the Monitoring Review has been completed.
 - Contact the monitor when the Monitoring Report is received after a review has been conducted if there are any questions. Contact the monitor as soon as the letter is reviewed so that there are not any unnecessary delays.
- Read the Monitoring Report and Detailed Noncompliance Report carefully and completely. They may all look the same, but the information does change based on the development and the review, so reading the report fully is necessary.
- Respond to Monitoring Reports as required in order to avoid being referred unnecessarily.
 - As soon as the Monitoring Report is uploaded into CMTS, review the report internally and ask questions early-on so that you have the full 90 days to work on the Corrective Action response.
- Conduct a review of the Corrective Action response before submission. If the on-site staff puts together a response that is not reviewed by the owner and management group, it may result in undue delays in correcting the issues and an unnecessary referral.

52

52

What happens if you do not agree?



53

53

THANK YOU



Texas Department of Housing and Community Affairs Multifamily Compliance Division

MONITORING REVIEWS AND CORRECTIVE ACTION
SUBMISSIONS

WWW.TDHCA.TEXAS.GOV

INFO@TDHCA.TEXAS.GOV

512-475-3800



54