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Contact Information

Mailing Address:

TDHCA
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Austin, TX 78711-3941

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221 East 11th Street
Austin, TX 78701

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

Email: multifamilycompliance@tdhca.texas.gov

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

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Announcements

Schedule:

- The webinar will run from 8:30 am until approximately 4:30 pm
- Breaks: Mid-Morning and Mid-Afternoon
- Lunch: Approximately 12 – 1 pm

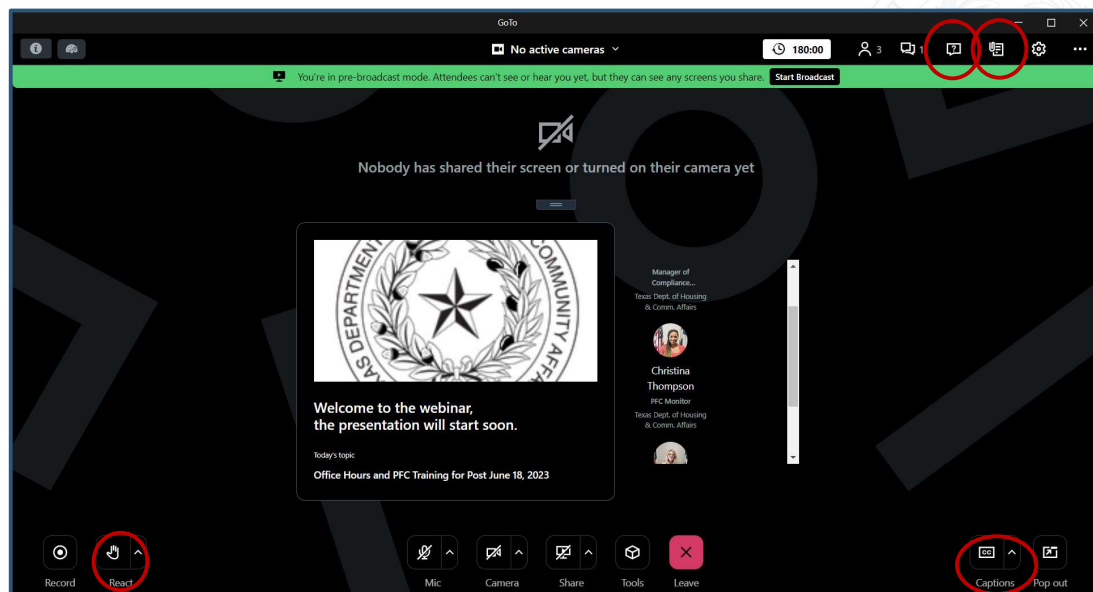
Housekeeping:

- Certificates will be emailed by TDHCA within about a week of the webinar
- You will receive an email confirming your attendance within 24-hours 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 to receive a certificate
- We encourage you to 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”

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GoTo Meeting Platform



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If You or Your Tenants Need Housing Assistance:

If you need housing assistance, such as rental assistance, utility assistance or finding affordable apartments, please contact:

Phone: (800) 525-0657

Email: info@tdhca.texas.gov

Or visit Help For Texans:

<https://www.tdhca.texas.gov/help-for-texans>



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Resources



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Resources

- **Internal Revenue Service (IRS)**

- <https://www.irs.gov/>
- <https://www.irs.gov/pub/irs-pdf/p5913.pdf>

- **Housing and Urban Development (HUD)**

- <https://www.hud.gov/>
- <https://www.hud.gov/hudclips/handbooks/housing-4350-3>

- **Texas Department of Housing and Community Affairs (TDHCA)**

- <https://www.tdhca.texas.gov/>
- <https://www.tdhca.texas.gov/compliance>
- <https://www.tdhca.texas.gov/compliance-manuals-and-rules>
- <https://www.tdhca.texas.gov/compliance-division-staff>
- <https://www.tdhca.texas.gov/programs/multifamily-housing-programs>
- https://texas-sos.appianportalsgov.com/rules-and-meetings?chapter=10&interface=VIEW_TAC&part=1&subchapter=F&title=10



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Module 1

The Tax Credit Program



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Key Players: The IRS

Internal Revenue Service (IRS)

- Section 42 of Internal Revenue Code
- 8823 Audit Guide (revised January 2011)
- Treasury Regulation 1.42
 - 1.42-5 (Tax Credit Compliance Monitoring; updated February 2019)
 - 1.42-10 (Utility Allowance; updated March 2016)
- Revenue Rulings, Procedures and Notices
- Treasury Decisions
- Process Tax Returns
- Responsible for recapturing credits



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Key Players: HUD

US Department of Housing and Urban Development (HUD)

- Chapters 3 and 5 of the 4350.3 (Change 4: 11/2013)
 - Outlines income and asset inclusions/exclusions
 - Defines who counts as a household member
- Publish Income Limits
- **Housing Opportunity Through Modernization Act of 2016 (HOTMA)**



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Key Players: The Department

Texas Department of Housing and Community Affairs (TDHCA)

- Housing Finance Agency (HFA) for Texas
- Allocates Tax Credits
- Publishes QAP and Multifamily Rules
- Compliance Monitoring Rules (Title 10, Chapter 10, Subchapter F of the Texas Administrative Code)
- Reports to The IRS
- Provides Technical Assistance



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Key Players: Owners

Owners

- Provide affordable units
- Maintain property standards
- Maintain sufficient documentation to evidence compliance with all requirements
- Establish written policies and procedures
- Report to TDHCA



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How it works



IRS Issues Credits



States Award Credits



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Qualified Allocation Plan (QAP)

SUBCHAPTER B. SITE AND DEVELOPMENT REQUIREMENTS AND RESTRICTIONS

10 TAC §11.101

§11.101. Site and Development

(a) Site Requirements and Restrictions relate to the Department.

(1) Floodplain. New Construction floodplain as identified by the Federal Emergency Management Agency (FEMA) and 42(m)(1)(B)(i)(II) An Applicant must provide a map of the floodplain area and the proposed development location. (4 points)

(2) Development Owners that agree to extend the Affordability Period to 45 years total. (4 points)

(3) Development Owners that agree to extend the Affordability Period to 40 years total. (3 points)

(4) Development Owners that agree to extend the Affordability Period to 35 years total. (2 points)

(6) Historic Preservation. (§2306.6725(a)(6); §42(m)(1)(C))

(A) An Application may qualify to receive two (2) points for each of the following:

(i) For Developments with under 100 total Units that shall be constructed fully or partially within the Certified Historic Structure.

(ii) For Developments with 100 total Units or more that shall be constructed fully or partially within the Certified Historic Structure.

(7) Resident Supportive Services. The resident supportive services include those listed in subparagraphs (A) - (E) of this paragraph, which are grouped primarily for organizational purposes. Applicants are not required to select a specific number of services from each section. Tax Exempt Bond Developments must select a minimum of eight points; Direct Loan Applications not layered with Housing Tax Credits must include enough services to meet a minimum of four points. The points selected and complete list of supportive services will be included in the LURA and the timeframe by which services are offered must be in accordance with §10.619 of this title (relating to Monitoring for Social Services) and maintained throughout the Affordability Period. The Owner may change, from time to time, the services offered; however, the overall points as selected at Application must remain the same. A Development Owner may be required to substantiate such service(s) if requested by staff. Should the QAP in subsequent years provide different services than those listed in subparagraphs (A) - (E) of this paragraph, the Development Owner may request an Amendment as provided in §10.405(a)(2) of this chapter (relating to Amendments and Extensions). The services provided should be those that will directly benefit the Target Population of the Development. Residents must be provided written notice of the elections made by the Development Owner. No fees may be charged to the residents for any of the services, there must be adequate space for the intended services and services offered should be accessible to all (e.g. exercises classes must be offered in a manner that would enable a person with a disability to participate). Unless otherwise specified, services must be provided on-site or transportation to those off-site services identified on the list must be provided. The same service may not be used for more than one scoring item. These services are intended to be provided by a qualified and reputable provider in the specified industry such that the experience and background of the provider demonstrates sufficient knowledge to be providing the service. In general, on-site leasing staff or property management staff are required to provide the service.

(8) General Information. This section identifies the scoring criteria used in evaluating and ranking Applications. (4 points)

(4) Mandatory Development Amenities. (§2306.187) New Construction, Reconstruction or Adaptive Reuse Units must include all of the amenities in subparagraphs (A) - (O) of this paragraph. Rehabilitation (excluding Reconstruction) Developments must provide the amenities in subparagraphs (D) - (L), (N), and (O) of this paragraph unless stated otherwise. Supportive Housing Developments are not required to provide the amenities in subparagraph (B), (E), (F), (G), (H) or (N) of this paragraph; however, access must be provided to a common area. All amenities listed below must be at the Development. Residents must be provided written notice of the applicable amenities at the time of the Application. The Board may waive one or more of the amenities for Developments that will include Historic Tax Credits, with the request for amendment that the amenity has not been provided as Historical Commission or National Park Service, as applicable. Family Direct Loans should be aware that certain amenities are not required for funding, including without limitation, detached community spaces, swimming pools, athletic courts, and playgrounds, as more fully described at §10.619 of this title (relating to General Loan Requirements). Amenities include:

(A) High-speed internet connections available using current technology for data and voice communications;

(B) Exhaust fans (vented to the outside) in the bathrooms;

(C) Operable windows;

(D) Staircases required for USDA Rehabilitation;

(E) Equivalently rated dishwasher; Rehabilitation Developments exempt if one was not originally in the Unit;

(F) Equivalently rated refrigerator;

(G) Low coverings for all windows;

(H) Energy-Star or equivalently rated ceiling fan per Unit;

(I) A regularly-scheduled basis to provide outreach services and education to the tenants. Applicants may contact service providers on the Department list, or contact other providers that serve the general area in which the Development is located. (1 point)

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<https://www.tdhca.texas.gov/multifamily-programs-qap-nofas-and-rules>

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Qualified Allocation Plan (QAP): Timeline

§11.2. Program Calendar for Housing Tax Credits.

(a) **Competitive HTC Deadlines.** Non-statutory deadlines specifically listed in the Program Calendar may be extended by the Department for a period of not more than 5 business days provided that the Applicant has, in writing, requested an extension prior to the date of the original deadline and has established to the reasonable satisfaction of the Department that there is good cause for the extension.

Deadline	Documentation Required
01/06/2026	Application Acceptance Period Begins. Public Comment period starts.
01/09/2026	Pre-Application Final Delivery Date (including waiver requests).
02/16/2026	Deadline for submission of Request for Preliminary Determination in accordance with §11.8(d) of this chapter.
02/16/2026	Deadline for submission of Application for .ftp access if pre-application not submitted.
Deadline	Documentation Required

02/27/2026	End of Application Acceptance Period and Full Application Delivery Date (including Quantifiable Community Participation documentation for Applications that were initially submitted as a pre-application; Environmental Site Assessments (ESAs), Scope and Cost Reviews (SCRs); Appraisals; Primary Market Area Map; Feasibility Report; all Resolutions necessary under §11.3 of this chapter related to Housing De-Concentration Factors).	Final Input from Elected Officials Delivery Date (including Resolution for Local Government Support pursuant to §11.9(d)(1) of this chapter and State Representative Input pursuant to §11.9(d)(2) of this chapter).													
04/06/2026	Market Analysis this chapter. Deadline for QAP documentation if submitted as a P		<table> <tr> <th>Deadline</th><th>Documentation Required</th></tr> <tr> <td>August 2026</td><td>Commitments are Issued.</td></tr> <tr> <td>11/02/2026</td><td>Carryover Documentation Delivery Date.</td></tr> <tr> <td>07/01/2027</td><td>10% Test Documentation Delivery Date.</td></tr> <tr> <td>12/31/2028</td><td>Placement in Service.</td></tr> <tr> <td>Five business days after the date on the Deficiency Notice (without incurring point loss)</td><td>Administrative Deficiency Response Deadline (unless an extension has been granted).</td></tr> </table>	Deadline	Documentation Required	August 2026	Commitments are Issued.	11/02/2026	Carryover Documentation Delivery Date.	07/01/2027	10% Test Documentation Delivery Date.	12/31/2028	Placement in Service.	Five business days after the date on the Deficiency Notice (without incurring point loss)	Administrative Deficiency Response Deadline (unless an extension has been granted).
Deadline	Documentation Required														
August 2026	Commitments are Issued.														
11/02/2026	Carryover Documentation Delivery Date.														
07/01/2027	10% Test Documentation Delivery Date.														
12/31/2028	Placement in Service.														
Five business days after the date on the Deficiency Notice (without incurring point loss)	Administrative Deficiency Response Deadline (unless an extension has been granted).														
04/15/2026	Deadline for Third Deficiency.														
Early June 2026	Scoring Notices Considered "Complete"														
06/03/2026	Public comment included in the presentation of a §11.10.														
June 2026	On or before June Applications for														
July 2026	On or before July														

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Qualified Allocation Plan (QAP): State Housing Tax Credits

Deadline	Documentation Required
2/27/2026	Full Application Delivery Deadline, must include completed Intent to Request a State Housing Tax Credit Allocation
9/4/2026	State Housing Tax Credit Request Form due
December 2026	Allocation Certificates issued

§11.1008 State Housing Tax Credits for Tax-Exempt Bond Developments.

(a) The request for State Housing Tax Credits shall be reflected in the Uniform Multifamily Application, as prescribed by the Department and further explained in the Multifamily Programs Procedures Manual, and shall include a term sheet from a syndicator that includes the amount of State Housing Tax Credits requested and pricing information.

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§11.1003 State Housing Tax Credit Allocation Process Associated with Competitive HTC Applications.

- (a) Intent to Request State Housing Tax Credit Allocation. Only those Applicants that elect to request an allocation of State Housing Tax Credits from the Department by the Full Application Delivery Date specified in §11.2(a) or (b) of this chapter (relating to Program Calendar) are eligible to submit a Request for State Housing Tax Credits.
- (b) Requests for State Housing Tax Credits must be received by the deadline specified in §11.1002 of this subchapter (relating to Program Calendar for State Housing Tax Credits) in the format required by the Department.
- (c) Minimum Request Amount. The minimum request amount is \$3,000,000.
- (d) Third Party Requests for Administrative Deficiency. Due to the nature of the State Housing Tax Credit process and reliance on the Original Application and scores, the Third Party Request for Administrative Deficiency process will not be utilized during the State Housing Tax Credit process under this subchapter.

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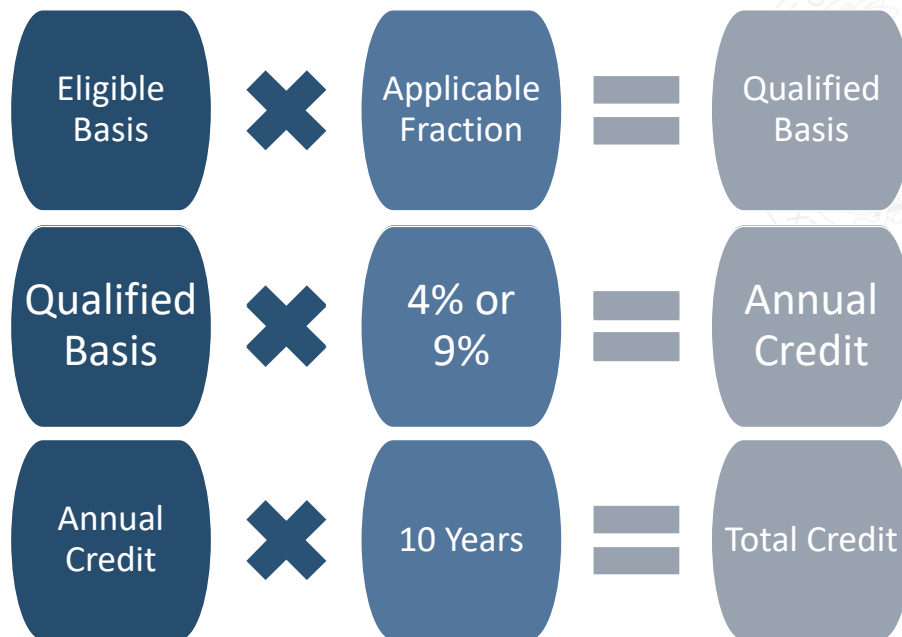
What's Next?



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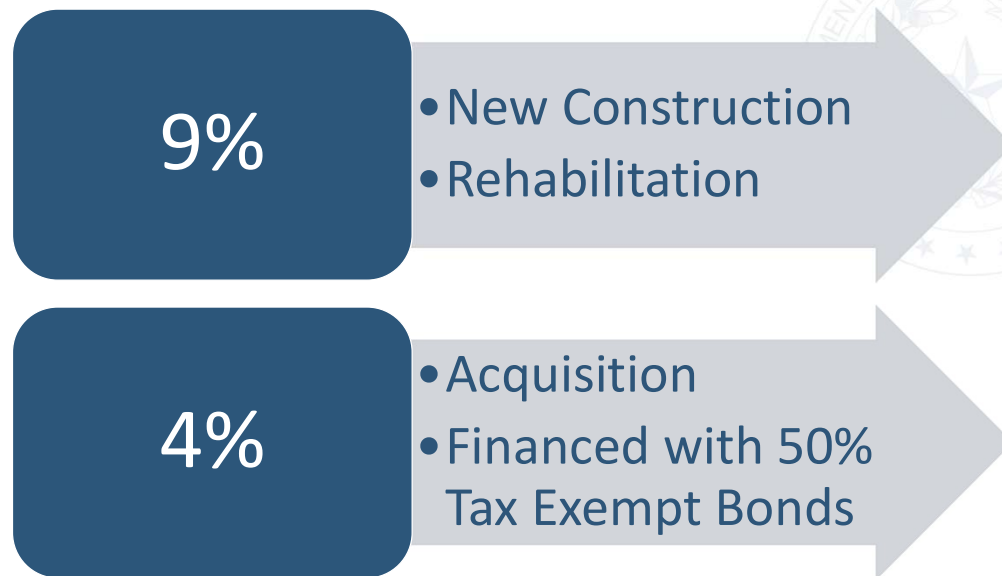
Eligible Basis to Total Credit



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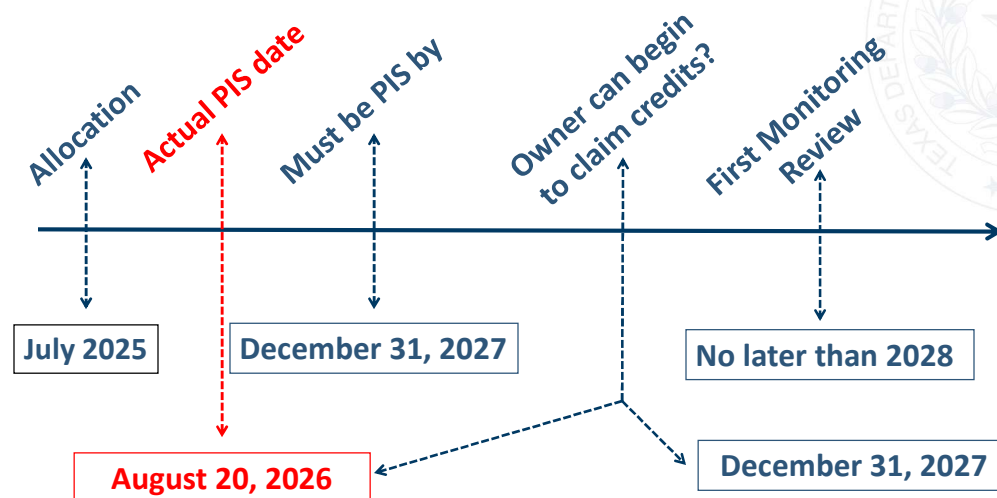
Credit Percentage: 9% versus 4%



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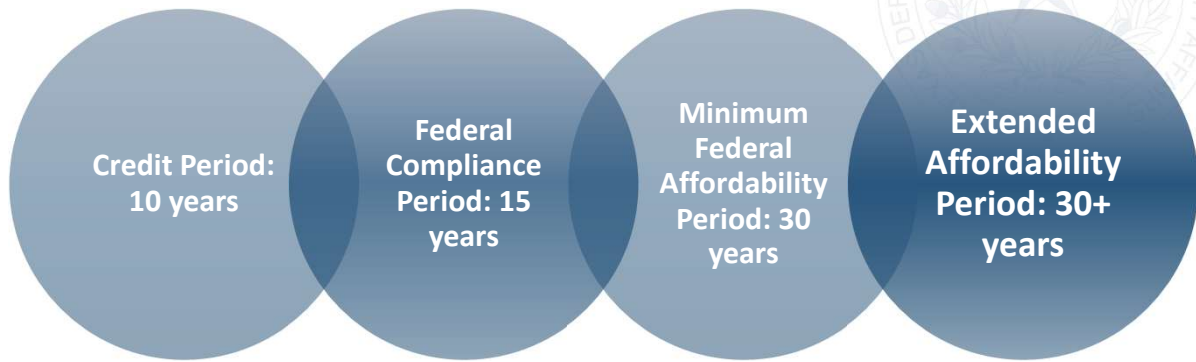
Timeline: From Allocation to First Monitoring Review



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Timeline: LURA Requirements



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Module 2

The Land Use Restriction Agreement



22

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The LURA

What can you find in the LURA?

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The LURA: Minimum Set-Aside

WHEREAS, the Development Owner has represented to the Department in the Development Owner's Low-Income Housing Tax Credit Application (the "Application"), authorized by the Department's Low-Income Rental Housing Tax Credit Rules, also known as the Department's "Qualified Allocation Plan" (Title 10, Part 1, Chapter 11 of the Texas Administrative Code), the Department's Uniform Multifamily Rules (Title 10, Part 1, Chapter 10 of the Texas Administrative Code), the Department's Enforcement Rules (Title 10, Part 1, Chapter 2 of the Texas Administrative Code), and the Department's Administration Rules (Title 10, Part 1, Chapter 1 of the Texas Administrative Code) (collectively, the "Department Rules"), that, among other things, the Development Owner shall lease **100%** of the Units in the Development to individuals or families whose income is sixty percent (60%) or less of the area median gross income (including adjustments for family size), as more specifically provided herein, such Application, and the representations and undertakings set forth therein, being incorporated by reference for all purposes;

100% HTC 40/60

Mixed Income 40/60

WHEREAS, the Development Owner has represented to the Department in the Development Owner's Low-Income Housing Tax Credit Application (the "Application"), authorized by the Department's Low-Income Rental Housing Tax Credit Rules, also known as the Department's "Qualified Allocation Plan" (Title 10, Part 1, Chapter 11 of the Texas Administrative Code), the Department's Uniform Multifamily Rules (Title 10, Part 1, Chapter 10 of the Texas Administrative Code), the Department's Enforcement Rules (Title 10, Part 1, Chapter 2 of the Texas Administrative Code), and the Department's Administration Rules (Title 10, Part 1, Chapter 1 of the Texas Administrative Code) (collectively, the "Department Rules"), that, among other things, the Development Owner shall lease **88.13%** of the Units in the Development to individuals or families whose income is 60% or less of the area median gross income (including adjustments for family size), as more specifically provided herein, such Application, and the representations and undertakings set forth therein, being incorporated by reference for all purposes;

Average Income

WHEREAS, the Development Owner has represented to the Department in the Development Owner's Low-Income Housing Tax Credit Application (the "Application"), authorized by the Department's Low-Income Rental Housing Tax Credit Rules, also known as the Department's "Qualified Allocation Plan" (Title 10, Part 1, Chapter 11 of the Texas Administrative Code), the Department's Uniform Multifamily Rules (Title 10, Part 1, Chapter 10 of the Texas Administrative Code), the Department's Enforcement Rules (Title 10, Part 1, Chapter 2 of the Texas Administrative Code), and the Department's Administration Rules (Title 10, Part 1, Chapter 1 of the Texas Administrative Code) (collectively, the "Department Rules"), that, among other things, the Development Owner shall lease **100%** of the Units in the Development to individuals or families whose imputed incomes do not exceed an average of **54%** of the area median gross income (including adjustments for family size), as more specifically provided herein, such Application, and the representations and undertakings set forth therein, being incorporated herein by reference for all purposes;

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The LURA: Low-Income Units Required – 100% HTC

WHEREAS, the Development Owner has represented to the Department in the Development Owner's Low-Income Housing Tax Credit Application (the "Application"), authorized by the Department's Low-Income Rental Housing Tax Credit Rules, also known as the Department's "Qualified Allocation Plan" (Title 10, Part 1, Chapter 11 of the Texas Administrative Code), the Department's Uniform Multifamily Rules (Title 10, Part 1, Chapter 10 of the Texas Administrative Code), the Department's Enforcement Rules (Title 10, Part 1, Chapter 2 of the Texas Administrative Code), and the Department's Administration Rules (Title 10, Part 1, Chapter 1 of the Texas Administrative Code) (collectively, the "Department Rules"), that, among other things, the Development Owner shall lease **100%** of the Units in the Development to individuals or families whose income is sixty percent (60%) or less of the area median gross income (including adjustments for family size), as more specifically provided herein, such Application, and the representations and undertakings set forth therein, being incorporated by reference for all purposes;

100% HTC 40/60

(c) The Development will contain a total of **164 UNITS** (including Units occupied by a resident manager or other employee, such that they are not treated as "residential rental units" for purposes of Section 42 of the Code), of which **164 UNITS** treated as residential rental Units will be Low-Income Units. The amount of Tax Credits allocated to the Development is based on the requirement that the Minimum Applicable Fraction for each building in the Development will be as specified, building-by-building, in "Minimum Applicable Fraction by Building" attached hereto as Addendum E. During the Term of this Declaration, Units at the Development shall be leased and rented or made available to members of the general public who qualify as Low-Income Tenants; such that each building in the Development shall at all times satisfy the Minimum Applicable Fraction for such building. The Development Owner's failure to ensure that each building in the Development complies with such requirement will cause the Department to report such fact to the Service and may result in the reduction or recapture by the Service of Tax Credits, as well as other enforcement action by the Service and/or the Department. After the Compliance Period, the Minimum Applicable Fraction will be monitored in accordance with Department Rules.

RENT AND OCCUPANCY RESTRICTIONS

INCOME LIMIT	RENT LIMIT	NUMBER OF UNITS
30% OF AMI	30% OF AMI	0
40% OF AMI	40% OF AMI	0
50% OF AMI	50% OF AMI	16
60% OF AMI	60% OF AMI	148
MARKET	MARKET	0

If at recertification the Tenant's household income exceeds the applicable limit, to maintain compliance, the owner agrees to follow recertification guidance in accordance with the Department Rules as amended from time to time ☐

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The LURA: Low-Income Units Required – Mixed Income

Mixed Income 40/60

WHEREAS, the Development Owner has represented to the Department in the Development Owner's Low-Income Housing Tax Credit Application (the "Application"), authorized by the Department's Low-Income Rental Housing Tax Credit Rules, also known as the Department's "Qualified Allocation Plan" (Title 10, Part 1, Chapter 11 of the Texas Administrative Code), the Department's Uniform Multifamily Rules (Title 10, Part 1, Chapter 10 of the Texas Administrative Code), the Department's Enforcement Rules (Title 10, Part 1, Chapter 2 of the Texas Administrative Code), and the Department's Administration Rules (Title 10, Part 1, Chapter 1 of the Texas Administrative Code) (collectively, the "Department Rules"), that, among other things, the Development Owner shall lease **88.13%** of the Units in the Development to individuals or families whose income is 60% or less of the area median gross income (including adjustments for family size), as more specifically provided herein, such Application, and the representations and undertakings set forth therein, being incorporated by reference for all purposes;

(c) The Development will contain a total of **146 UNITS** (including Units occupied by a resident manager or other employee, such that they are not treated as "residential rental units" for purposes of Section 42 of the Code), of which **115 LOW-INCOME UNITS** treated as "residential rental Units" will be Low-Income Units. The amount of Tax Credits allocated to the Development is based on the requirement that the Minimum Applicable Fraction for each building in the Development will be as specified, building-by-building, in "Minimum Applicable Fraction by Building" attached hereto as Addendum E. During the Term of this Declaration, Units at the Development shall be leased and rented or made available to members of the general public who qualify as Low-Income Tenants; such that each building in the Development shall at all times satisfy the Minimum Applicable Fraction for such building. The Development Owner's failure to ensure that each building in the Development complies with such requirement will cause the Department to report such fact to the Service and may result in the reduction or recapture by the Service of Tax Credits, as well as other enforcement action by the Service and/or the Department. After the Compliance Period, the Minimum Applicable Fraction will be monitored in accordance with Department Rules.

RENT AND OCCUPANCY RESTRICTIONS

INCOME LIMIT	RENT LIMIT	NUMBER OF UNITS
30% OF AMI	30% OF AMI	6
40% OF AMI	40% OF AMI	0
50% OF AMI	50% OF AMI	22
60% OF AMI	60% OF AMI	24
MARKET	MARKET	7

If at recertification the Tenant's household income exceeds the applicable limit, to maintain compliance, the owner agrees to follow recertification guidance in accordance with the Department Rules as amended from time to time ☐

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The LURA: Average Income Details

WHEREAS, the Development Owner has represented to the Department in the Development Owner's Low-Income Housing Tax Credit Application (the "Application"), authorized by the Department's Low-Income Rental Housing Tax Credit Rules, also known as the Department's "Qualified Allocation Plan" (Title 10, Part 1, Chapter 11 of the Texas Administrative Code), the Department's Uniform Multifamily Rules (Title 10, Part 1, Chapter 10 of the Texas Administrative Code), the Department's Enforcement Rules (Title 10, Part 1, Chapter 2 of the Texas Administrative Code), and the Department's Administration Rules (Title 10, Part 1, Chapter 1 of the Texas Administrative Code) (collectively, the "Department Rules"), that, among other things, the Development Owner shall lease **100%** of the Units in the Development to individuals or families whose imputed incomes do not exceed an average of **54%** of the area median gross income (including adjustments for family size), as more specifically provided herein, such Application, and the representations and undertakings set forth therein, being incorporated herein by reference for all purposes;

Average Income

AVERAGE INCOME RESTRICTION

The Development Owner has represented to the Department in the Development Owner's Application, authorized by the Department Rules, that among other things, the Development Owner shall lease **ONE HUNDRED PERCENT (100%)** of the Units in the Development to individuals or families whose imputed incomes do not exceed an average of **SIXTY PERCENT (60%)** of the area median gross income (including adjustments for family size), as more specifically provided herein, such Application, and the representations and undertakings set forth therein, being incorporated herein by reference for all purposes.

WHEREAS, the Development Owner has represented to the Department in the Development Owner's Low-Income Housing Tax Credit Application (the "Application"), authorized by the Department's Low-Income Rental Housing Tax Credit Rules, also known as the Department's "Qualified Allocation Plan" (Title 10, Part 1, Chapter 11 of the Texas Administrative Code), the Department's Uniform Multifamily Rules (Title 10, Part 1, Chapter 10 of the Texas Administrative Code), the Department's Enforcement Rules (Title 10, Part 1, Chapter 2 of the Texas Administrative Code), and the Department's Administration Rules (Title 10, Part 1, Chapter 1 of the Texas Administrative Code) (collectively, the "Department Rules"), that, among other things, the Development Owner shall lease **78.76%** of the Units in the Development to individuals or families whose imputed incomes do not exceed an average of **54%** of the area median gross income (including adjustments for family size), as more specifically provided herein, such Application, and the representations and undertakings set forth therein, being incorporated herein by reference for all purposes;

RESTRICTION

The Development Owner has represented to the Department in the Development Owner's Application, authorized by the Department Rules, that among other things, the Development Owner shall lease **78.76%** of the Units in the Development to individuals or families whose imputed incomes do not exceed an average of **FIFTY-FOUR (54%)** of the area median gross income (including adjustments for family size), as more specifically provided herein, such Application, and the representations and undertakings set forth therein, being incorporated herein by reference for all purposes.

INCREASE IN ELIGIBLE BASIS (30% BOOST) (10 TAC §11.4(c)(3)(D) OF THE 2022 QAP)
The Development Owner has represented to the Department in the Development Owner's Application, authorized by the Department Rules, that among other things, the Development Owner shall restrict 10% of the low income Units for households at or below 30% of AMGI. The following rent and occupancy restrictions will not be included in the income average calculation identified in the section above:

ADDITIONAL RENT AND OCCUPANCY RESTRICTIONS		
INCOME LIMIT	RENT LIMIT	NUMBER OF UNITS
30% OF AMI	30% OF AMI	12

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The LURA: Marketing Requirements

ADDENDUM B TO DECLARATION – ADDITIONAL USE RESTRICTIONS

MARKETING (10 TAC §11.204(1)(G) OF THE 2022 QAP)

For affirmative marketing activities, all affirmative marketing plans must provide affirmative marketing to persons with disabilities. For general marketing activities, the Development Owner will specifically market to **veterans** through direct marketing or contracts with veteran's organizations. The Development Owner will be required to identify how they will specifically market to veterans and report to the Department in the annual housing report on the results of the marketing efforts to veterans. Exceptions to this requirement must be approved in writing by the Department.

ADDENDUM B TO DECLARATION – ADDITIONAL USE RESTRICTIONS

MARKETING (10 TAC §11.204(1)(G) OF THE 2023 QAP)

For affirmative marketing activities, all affirmative marketing plans must provide affirmative marketing to persons with disabilities. For general marketing activities, the Development Owner will specifically market to **veterans** through direct marketing or contracts with veteran's organizations and will specifically market to the **public housing authority (PHA)** waitlists for any PHA in the city and/or county the Development is located within and the PHA of any City within five (5) miles of the Development. The Development Owner will be required to identify how they will specifically market to veterans and the PHA waiting lists and report to the Department in the annual housing report on the results of the marketing efforts to veterans and PHA waiting lists. Exceptions to this requirement must be approved in writing by the Department.

There are **two parts** to this requirement:

1. Affirmative marketing to persons with disabilities.
2. General marketing to veterans & public housing authorities through direct marketing or contracts with applicable organizations.

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Affirmative Marketing Requirements

The purpose of affirmative marketing is to specifically identify potentially eligible tenants and homebuyers who are "least likely to apply" for housing and ensure they are aware of available housing opportunities.

Marketing efforts must begin 90 days prior to the first building Placed in Service date

Update the Affirmative Marketing Plan every 5 years

Conduct Outreach Marketing annually, unless waitlist is closed

Exception to Affirmative Marketing: Wait List Closed

Find more information online: <https://www.tdhca.texas.gov/fair-housing-tdhca-monitored-properties>

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Affirmative Marketing Training and Technical Assistance

For training and technical assistance, or to have your Affirmative Fair Housing Marketing Plan reviewed, please contact the Texas Department of Housing and Community Affairs Fair Housing Division.

Phone: (512) 475-0306

Email: Fair.Housing@tdhca.texas.gov

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The LURA: Learning Point 1

What are the minimum set-asides available in Texas?

- A 20/50
- B 40/60
- C Average Income
- D Only B and C
- E A, B and C

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The LURA: Learning Point 2

All TDHCA monitored properties are required to market to veterans and public housing authorities?

- A True
- B False

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The LURA: Learning Point 3

Marketing to veterans and public housing authorities is part of the property's affirmative marketing efforts?

A True

B False

35

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The LURA: Additional State Rent and Occupancy Requirements

RENT AND OCCUPANCY RESTRICTIONS		
INCOME LIMIT	RENT LIMIT	NUMBER OF UNITS
30% OF AMI	30% OF AMI	0
40% OF AMI	40% OF AMI	0
50% OF AMI	50% OF AMI	16
60% OF AMI	60% OF AMI	148
MARKET	MARKET	0

If at recertification the Tenant's household income exceeds the applicable limit, to maintain compliance, the owner agrees to follow recertification guidance in accordance with the Department Rules as amended from time to time

RENT AND OCCUPANCY RESTRICTIONS		
INCOME LIMIT	RENT LIMIT	NUMBER OF UNITS
30% OF AMI	30% OF AMI	6
40% OF AMI	40% OF AMI	0
50% OF AMI	50% OF AMI	22
60% OF AMI	60% OF AMI	24
MARKET	MARKET	7

If at recertification the Tenant's household income exceeds the applicable limit, to maintain compliance, the owner agrees to follow recertification guidance in accordance with the Department Rules as amended from time to time

INCREASE IN ELIGIBLE BASIS (30% BOOST) (10 TAC §11.4(C)(3)(D) OF THE 2022 QAP

The Development Owner has represented to the Department in the Development Owner's Application, authorized by the Department Rules, that among other things, the Development Owner shall restrict 10% of the low income Units for households at or below 30% of AMGI. The following rent and occupancy restrictions will not be included in the income average calculation identified in the section above:

ADDITIONAL RENT AND OCCUPANCY RESTRICTIONS		
INCOME LIMIT	RENT LIMIT	NUMBER OF UNITS
30% OF AMI	30% OF AMI	12

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The LURA: Additional State Rent and Occupancy Requirements

☒ RENT AND OCCUPANCY RESTRICTIONS

INCOME LIMIT	RENT LIMIT	NUMBER OF UNITS
30% OF AMI	30% OF AMI	6
50% OF AMI	50% OF AMI	52
60% OF AMI	60% OF AMI	57
80% OF AMI	80% OF AMI	3
MARKET	MARKET	26

If at recertification the Tenant's household income exceeds the applicable limit, to maintain compliance, the owner agrees to follow recertification guidance in accordance with the Department Rules as amended from time to time.

RENT AND OCCUPANCY RESTRICTIONS

INCOME LIMIT	RENT LIMIT	NUMBER OF UNITS
30% OF AMI	30% OF AMI	9
40% OF AMI	40% OF AMI	0
50% OF AMI	50% OF AMI	34
60% OF AMI	60% OF AMI	40
MARKET	MARKET	19

If at recertification the Tenant's household income exceeds the applicable limit, to maintain compliance, the owner agrees to follow recertification guidance in accordance with the Department Rules as amended from time to time.

If the Development includes Units that are not Low-Income Units (i.e. market rate units), at least 10% of all the Units that are not Low-Income Units must be set aside with incomes at or below 80% of AMI. The Development will set aside 2 of the market rate units for households with income at or below 80% AMI with rents that do not exceed 30% of the income limitation.

- Certify at 80% AMI at move-in only
- No recertification requirement
- No student restrictions

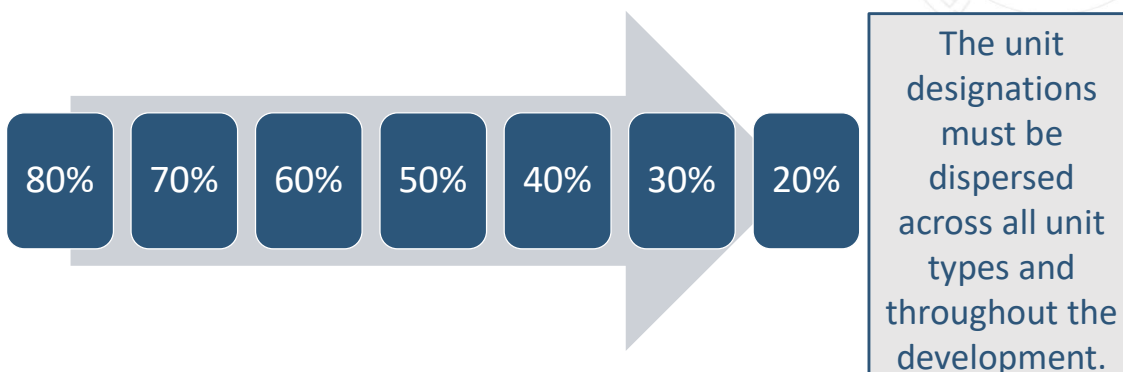
37

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The LURA: Average Income Restriction – 100% HTC

AVERAGE INCOME RESTRICTION

The Development Owner has represented to the Department in the Development Owner's Application, authorized by the Department Rules, that among other things, the Development Owner shall lease **ONE HUNDRED PERCENT (100%)** of the Units in the Development to individuals or families whose imputed incomes do not exceed an average of **SIXTY PERCENT (60%)** of the area median gross income (including adjustments for family size), as more specifically provided herein, such Application, and the representations and undertakings set forth therein, being incorporated herein by reference for all purposes.



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The LURA: Average Income Restriction – Mixed Income

AVERAGE INCOME RESTRICTION

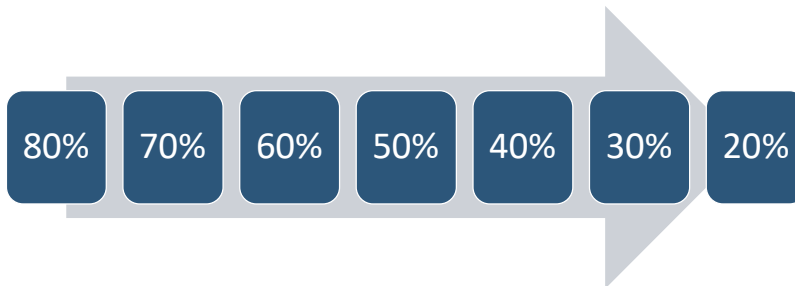
The Development Owner has represented to the Department in the Development Owner's Application, authorized by the Department Rules, that among other things, the Development Owner shall lease **78.76%** of the Units in the Development to individuals or families whose imputed incomes do not exceed an average of **FIFTY-FOUR (54%)** of the area median gross income (including adjustments for family size), as more specifically provided herein, such Application, and the representations and undertakings set forth therein, being incorporated herein by reference for all purposes.

INCREASE IN ELIGIBLE BASIS (30% BOOST) (10 TAC §11.4(c)(3)(D) OF THE 2022 QAP

The Development Owner has represented to the Department in the Development Owner's Application, authorized by the Department Rules, that among other things, the Development Owner shall restrict 10% of the low income Units for households at or below 30% of AMGI. The following rent and occupancy restrictions will not be included in the income average calculation identified in the section above.

ADDITIONAL RENT AND OCCUPANCY RESTRICTIONS

INCOME LIMIT	RENT LIMIT	NUMBER OF UNITS
30% OF AMI	30% OF AMI	12



The unit designations must be dispersed across all unit types and throughout the development.

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LURA: Learning Point 4

Designations are attached to the unit and not the household?

- A** False, the designations are attached to the household and can float property-wide
- B** True, the designations, once designated at lease-up, are considered fixed and cannot change
- C** False, the designations float, but only in the building
- D** True, the LURA specifies a required leasing strategy that must be adhered to

40

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LURA: Learning Point 5

For Average Income, all the 80% units can be prime locations and the largest floorplans?

- ☐ A True, the owner needs to make money on those prime units
- ☒ B False, designations must be spread throughout the property and unit types
- ☐ C True, but only if the owner asked Cara for approval
- ☐ D False, 80% is not a real designation, Cara made that up

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The LURA: Longer Compliance Period and/or Extended Use Period

☒ Longer Compliance Period and Extended Use Period

The Compliance Period shall be a period of 40 consecutive taxable years and the Extended Use Period shall be a period of 55 consecutive taxable years, each commencing with the first year of the Credit Period.

☒ Longer Compliance Period and Extended Use Period

The Compliance Period shall be a period of 15 consecutive taxable years and the Extended Use Period shall be a period of 40 consecutive taxable years, each commencing with the first year of the Credit Period.

LONGER EXTENDED USE PERIOD (10 TAC §11.9(e)(5) OF THE 2022 QAP)

In accordance with the Code, each Development is required to maintain its affordability for a fifteen (15) year Compliance Period and, subject to certain exceptions, an additional fifteen (15) year period. Development Owner indicates below that the Development will extend the affordability period beyond the thirty (30) years required in the Code as follows:

The Development will extend its affordability for 15 years, resulting in an Extended Use Period of 45 years.

☒ LONGER COMPLIANCE PERIOD AND EXTENDED USE PERIOD

In accordance with the Code, each Development is required to maintain its affordability for a 15-year Compliance Period and, subject to certain exceptions, an additional 15-year period. Development Owner indicates below that the Development will extend the affordability period beyond the 30 years required in the Code as follows:

☒ Add 10 years affordability resulting in an Extended Use Period total affordability period of 40 years

If the LURA does not include this or the "box" is not checked, the development does not have an extended period.

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The LURA: Historically Underutilized Business (HUB)

TDHCA notice: HUB Compliance Monitoring Suspension



TDHCA <do-not-reply@tdhca.state.tx.us>
To: Cara Pollei



Reply



Reply All



Forward



Tue 11/25/2025 11:32 AM

The Texas Department of Housing and Community Affairs (TDHCA) would like to inform Owners and Agents of Housing Tax Credit developments that the provision for Historically Underutilized Business (HUB) participation will not be monitored due to the "freeze" of the HUB program by the Texas Comptroller of Public Accounts. If monitoring of this provision is reinstated by TDHCA in the future, Owners will be provided Corrective Action Periods in accordance with 10 TAC Section 10.602 to correct non-compliance.

For questions about compliance monitoring, please contact the Director of Multifamily Compliance, Wendy Quackenbush, at wendy.quackenbush@tdhca.texas.gov or by phone at (512) 305-8860.

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The LURA: Material Participation by Nonprofit Organization

MATERIAL PARTICIPATION BY QUALIFIED NONPROFIT ORGANIZATION

Throughout the Compliance Period, the ownership structure of the Development Owner shall contain a Qualified Nonprofit Organization (as defined in Section 42(h)(5)(C) of the Code) with a greater than fifty percent (50%) controlling interest in the General Partner (in the case of a limited partnership, the Qualified Nonprofit Organization must be the Managing General Partner; in the case of a limited liability company, the Qualified Nonprofit Organization must be the controlling managing member). The Qualified Nonprofit Organization shall materially participate (within the meaning of Section 469(h) of the Code) in the development and operation of the Development throughout the Compliance Period, shall have experience directly related to the housing industry, and shall otherwise meet the requirements of Section 42(h)(5) of the Code and Section 2306.6729 and 2306.6706(b) of the Texas Government Code. The Principals of the Qualified Nonprofit Organization cannot be a Related Party to any Principals of the Applicant or Developer unless the Related Party is a wholly-owned subsidiary of the Qualified Nonprofit Organization. At the time this Declaration is filed, the Qualified Nonprofit Organization which shall own such interest and shall so materially participate in the development and operation of the Development is _____. The Development Owner shall notify the Department (i) of any change in the status or role of such organization with respect to the Development and (ii) if such organization is proposed to be replaced by a different Qualified Nonprofit Organization, that Organization must meet the requirements of 42(h)(5) and Section 2306.6729 and 2306.6706(b) of the Texas Government Code at time of transfer; or

Throughout the Extended Use period, a Nonprofit Organization must be involved with the Development Services or in the provision of on-site tenant services but will not qualify the Development as part of the Nonprofit Set-Aside. A Principal of the Nonprofit Organization cannot be a Related Party to any Principal of the Applicant or Developer (excluding another Principal of the Nonprofit Organization). The Development Owner shall notify the Department (i) of any change in the status or role of such organization with respect to the Development and (ii) if such organization is proposed to be replaced by a different Nonprofit Organization is _____.

MATERIAL PARTICIPATION BY NONPROFIT ORGANIZATION (10 TAC §11.9(b)(2)(C) OF THE 2022 QAP)

Throughout the Compliance Period, the ownership structure of the Development Owner shall contain a Nonprofit (as defined in Section 42(h)(5)(C) of the Code) with at least 51% ownership in the General Partner (in the case of a limited partnership, the Nonprofit Organization must be the manager of the Managing General Partner; in the case of a limited liability company, the Qualified Nonprofit Organization must be the Manager of the controlling Managing Member). The Nonprofit Organization shall maintain Control of the Development and materially participate (within the meaning of Section 469(h) of the Code) in the operation of the Development throughout the Compliance Period, and shall otherwise meet the requirements of Section 42(h)(5) of the Code. The Development Owner shall notify the Department (i) of any change in the status or role of such organization with respect to the Development and (ii) if such organization is proposed to be replaced by a different Nonprofit Organization, that Organization must meet the requirements of 42(h)(5) and must have at least 10 years' experience in the continuous operation of a Development that provides services similar to those of the Development.

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Nonprofit Material Participation

Confirm Ownership

- Conduct a search on the Secretary of State website
- If unable to identify, will request documentation from owner

In Good Standing

- Secretary of State or IRS will confirm nonprofit status

Material Participation

- Owner must submit a narrative describing material participation
- Providing Supportive Services only is not always sufficient

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The LURA: Elderly Limitation Development

ELDERLY LIMITATION DEVELOPMENT

Throughout the Term, unless otherwise permitted by the Department, this Development must meet the requirements of the Housing for Older Persons Act ("HOPA") under the Federal Fair Housing Act (42 U.S.C. §3601, as amended), receive no funding that requires leasing to persons other than the elderly (unless the funding is from a federal program for which the Secretary of HUD has confirmed that it may operate as a Development that meets the requirements of HOPA), and must be a Development which:

- As determined by the HUD Secretary, is specifically designed and operated to assist elderly persons as defined in and provided under any Federal, State, or local government programs; or
- Is intended for, and solely occupied by persons who are 62 or older; or
- Is intended and operated for occupancy by at least one person 55 years of age or older per Unit, where at least 80% of the total housing Units are occupied by at least one person who is 55 years of age or older; and adheres to policies and procedures which demonstrate an intent by Development Owner and manager to provide housing for persons 55 years of age or older.

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The LURA: Elderly Development

ELDERLY DEVELOPMENT (10 TAC §11.1(p)(47) OF THE 2022 OAP)

This Development receives federal funding that has a requirement for a preference or limitation for elderly persons or households, but must accept qualified households with children. Throughout the Term, unless otherwise permitted by the Department in an amendment to this Declaration, this Development must operate as an Elderly Development as defined by the household definition and age restrictions imposed by the source of its federal assistance:

All 60 Units must contain an Elderly Household, which is defined as a household whose head (including co-head), spouse, or sole member is a person who is at least 62 years of age. This may include two or more persons who are at least 62 years of age living together, or one or more persons who are at least 62 years of age living with one or more live-in aides. This includes otherwise qualifying households with minor children. If the Development ceases to receive federal assistance or if the restrictions of the federal assistance are changed, it must notify the Department and may be required to request an amendment to this Declaration.

If the LURA requires the development operate as an Elderly Development during the **Compliance Period**, the owner must contact the Asset Manager to process a LURA Amendment if they wish to continue operating as such.



☒ Qualified Elderly Developments (2000 and later)

Throughout the Compliance Period, unless otherwise permitted by the Department, this Development must conform to the Federal Fair Housing Act and must be a Development which:

- (i) is intended for, and solely occupied by Persons 62 years of age or older; or
- (ii) is intended and operated for occupancy by at least one person 55 years of age or older per unit, where at least 80% of the total housing units are occupied by at least one person who is 55 years of age or older; and adheres to policies and procedures which demonstrate an intent by the owner and manager to provide housing for persons 55 years of age or older.

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The LURA: Elderly Preference Development

ELDERLY PREFERENCE DEVELOPMENT

This Development is an elderly development with an "elderly preference" as defined herein, throughout the Term, unless and until the Project is no longer required to operate under the age restrictions imposed by federal assistance, this Project must operate as an Elderly Preference Development as defined below:

A Household must contain one member 62 years of age or older and accept qualifying Households with children. If the Development ceases to receive federal assistance, it must notify the Department and may be required to request an amendment to this Declaration.

ELDERLY PREFERENCE DEVELOPMENT

This Development is an elderly development with an "elderly preference" as defined herein, throughout the Term, unless and until the Development is no longer required to operate under the age restrictions imposed by federal assistance. This Development must operate as an Elderly Preference Development as defined:

ELDERLY LIMITATION DEVELOPMENT

Throughout the Term, unless otherwise permitted by the Department in an amendment to this Declaration, this Development must conform to the Federal Fair Housing Act (42 U.S.C. 3601-3618) other than the elderly (unless the funding is from a federal project that meets the requirements of HOPA), and must

QUALIFIED ELDERLY DEVELOPMENTS¹

☒ Qualified Elderly Projects (2000 and later)

Throughout the Compliance Period, unless otherwise permitted by the Department, this project must conform to the Federal Fair Housing Act and must be a project which:

- (i) is intended for, and solely occupied by Persons 62 years of age or older; or
- (ii) is intended and operated for occupancy by at least one person 55 years of age or older per unit, where at least 80% of the total housing units are occupied by at least one person who is 55 years of age or older; and adheres to policies and procedures which demonstrate an intent by the owner and manager to provide housing for persons 55 years of age or older.

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The LURA: Mitigation for Schools

MITIGATION FOR SCHOOLS (10 TAC §11.101(A)(3)(D)(III) OF THE 2023 QAP)

Throughout the Affordability Period, the Development Owner commits to operating an after-school learning center that offers at a minimum fifteen (15) hours of weekly, organized, on-site educational services provided to elementary, middle and high school children by a dedicated service coordinator or Third-Party entity which includes at a minimum:

- Homework assistance,
- Tutoring, test preparation,
- Assessment of skill deficiencies and provision of assistance in remediation of those deficiencies (e.g., if reading below grade level is identified for a student, tutoring in reading skills is provided),
- Research and writing skills,
- Providing a consistent weekly schedule,
- Provides for the ability to tailor assistance to the age and education levels of those in attendance, and
- Other evidence-based approaches and activities that are designed to augment classroom performance.

Up to twenty percent (20%) of the activities offered may also include other enrichment activities such as music, art, or technology. The services above cannot be used to count for purposes of meeting the threshold requirements for Resident Supportive Services in 10 TAC §11.9(C)(3)(A) and 10 TAC §11.101(B)(7) of the 2023 QAP.

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LURA: Supportive Services

RESIDENT SUPPORTIVE SERVICES (10 TAC §11.9(C)(3)(A) AND 10 TAC §11.101(B)(7) OF THE 2023 QAP)

The Development Owner has been awarded points based on providing a combination of supportive services appropriate for the proposed residents through the Extended Use Period. The Development Owner may change, from time to time, the services offered; however, the overall points must remain the same. No fees may be charged to the tenant for providing these services. Unless otherwise specified, services must be provided on-site or transportation to those off-site services identified on the list must be provided. The services should be those that directly benefit the Target Population of the Development, there must be adequate space for the intended services, and services offered should be accessible to all (e.g., exercise classes must be offered in a manner that would enable a person with a disability to participate). Services are intended to be provided by a qualified and reputable provider in the specified industry such that the experience and background of the provider demonstrates sufficient knowledge to be providing the service. In general, on-site waiting staff or property maintenance staff would not be considered a qualified provider. Where applicable, the services must be documented by a written agreement with the provider. Unless otherwise noted, courses and services must be offered by an on-site instructor(s). Tenants must be provided written notice of the resident services elections made by the Development Owner. Development Owner must provide at a minimum at least (5) total points worth of services from the following list (the same service may not be used for more than one (1) scoring item):

- (A) Transportation Supportive Services include:
- Shuttle, at least three (3) days a week, to a grocery store and pharmacy or a major, big-box retailer that includes a grocery store and pharmacy. On a daily shuttle during the school year, to and from nearby schools not served by a school bus system for children who live at the Development (3.5 points); and
 - Monthly transportation to community/social events such as mall trips, community theatre, bowling, organized tours, etc. (1 point).
- (B) Children Supportive Services include:
- Twelve (12) hours of weekly, organized, on-site services provided to K-12 children by a dedicated service coordinator or third-party entity. Services include after-school and summer care and tutoring, recreational activities, character building programs, mealtime opportunities, test preparation, and similar activities that promote the betterment and growth of children and young adults (3.5 points).
- (C) Adult Supportive Services include:
- Four (4) hours of weekly, organized, in-person, hybrid, or virtual classes accessible to participants from a common area on site to an adult audience by persons skilled or trained in the subject matter being presented, such as English as a second language classes, computer training, financial literacy courses, homebuyer counseling, health education courses, certification courses, GED preparation classes, resume and interview preparatory classes, general presentations about community services and resources, and any other course, class, or presentation that may equip residents with new skills that they may wish to develop (2.5 points).
 - Annual income tax preparation (offered by an income tax prep service) or IRS-certified VITA (Volunteer Income Tax Assistance) program (offered by a qualified individual) that also emphasizes how to claim the Earned Income Tax Credit (1 point);
 - Contracted career training and placement partnerships with local work source offices, culinary programs, or vocational counseling services may include resident training programs that train and hire residents for job opportunities inside the development in areas like leasing, tenant services, maintenance, landscaping, or food and beverage operation (2 points); and
 - External partnerships for provision of weekly substance abuse meetings at the Development Site (1 point).
 - For the duration of the Affordability Period, reporting rent payments to credit bureaus for any resident who affirmatively elects to participate (2 points).
- (D) Health Supportive Services include:
- Food pantry consisting of an assortment of non-perishable food items and common household items (i.e., laundry detergent, toiletries, etc.) accessible to residents at least 90 days per year or upon request by a resident. While it is possible that transportation may be provided to a local food bank to meet the requirement of this resident service, the resident must not be required to pay for the items they receive at the food bank (2 points);
 - Annual health fair provided by a health care professional (1 point);
 - Weekly exercise classes (offered at times when most residents would be likely to attend) (2 points); and
 - Contracted on-site occupational or physical therapy services for Elderly Development or Developments where the service is provided for Persons with Disabilities and documentation to that effect can be provided for monitoring purposes (2 points).
- (E) Community Supportive Services include:
- Partnership with local law enforcement or local first responders to provide quarterly on-site social and interactive activities intended to foster relationships with residents (such activities could include playing sports, having a cook-out, swimming, card games, etc.) (2 points);
 - Notary Services during regular business hours (3206.6710(b)(3)) (1 point);
 - Twice monthly arts, crafts, and other recreational activities (e.g., Book Clubs and creative writing classes) (1 point);

DECLARATION OF LAND-USE RESTRICTIVE COVENANTS FOR HOUSING TAX CREDITS
The Development Owner / TDPCA #20201

Page 19

How can you be
successful with
Supportive Services?

Read the LURA!

50

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Who, What, Where and When of Supportive Services

- Who?
 - The LURA outlines **who** is required to conduct the Supportive Services.
- What?
 - The LURA outlines **what** services are required for the specific development and program.
- Where?
 - The LURA indicates **where** the services may be conducted.
 - Generally, this will be on-site at the development or require that transportation is provided at no cost when the services are offered off-site.
- When?
 - The LURA dictates **when** a service is to be offered; daily, weekly, monthly, quarterly, annually, etc.

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Who provides the Supportive Services? continued

☒ Tenant Supportive Services

☒ Coordination with State Programs. (2006 and 2007 allocations only)

The Development Owner agrees to coordinate their tenant services with those services provided through state workforce development and welfare programs.

- ☒ The Development Owner will provide a combination of special supportive services appropriate for the proposed tenants. The provision of supportive services will be selected from the list of services identified below. No fee may be charged to tenants for any of the services. Services will be provided on-site or transportation to off-site services must be provided. (2006, 2007 and 2008 allocations)

A. Number of Services. Owner must provide, at a minimum, six of the following number of services from the list in paragraph B:

B. Service options include: Child care; transportation; basic adult education; legal assistance; counseling services; GED preparation; English as a second language classes; vocational training; home buyer education; credit counseling; financial planning assistance or courses; health screening services; health and nutritional courses; organized team sports programs; youth programs; scholastic tutoring; any other programs described under Title IV-A of the Social Security Act (42 U.S.C. §§ 601 et seq.) which enables children to be cared for in their homes or the homes of relatives; ends the dependence of needy families on government benefits by promoting job preparation, work and marriage; prevents and reduces the incidence of out of wedlock pregnancies; and encourages the formation and maintenance of two-parent families; any other services addressed by 2306.254 of Texas Government Code; or any other services approved in writing by the Department.

If your program was awarded in 2006 or 2007 your LURA may have the highlighted requirement to coordinate the tenant services through state workforce development and welfare programs.

You will need to reach out to those agencies in your area and coordinate the Supportive Services through those agencies to be compliant with the requirements of the LURA.

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Where are the Supportive Services to be held?

PROVISION OF SUPPORTIVE SERVICES/PROVISION OF TENANT SERVICES

The Development Owner has been awarded points based on providing a combination of special supportive services appropriate for the proposed tenants through the Extended Use Period. The Development Owner may change, from time to time, the services offered; however, the overall points must remain the same. **No rent or fees may be charged to the tenant for providing these services.** Services must be provided on-site or transportation to off-site services must be provided, there must be adequate space for the intended services, and services offered should be accessible to all. Tenants must be provided written notice of the elections made by the Development Owner. Owner must provide at a minimum _____ total points worth of services (maximum of 9 points; 10 for a Supportive Housing Development proposed by a Qualified Nonprofit) from the following list (the same service may not be used for more than one scoring item):

RESIDENT SUPPORTIVE SERVICES (10 TAC §11.9(C)(3)(A) AND 10 TAC §11.101(B)(7) OF THE 2023 QAP)

The Development Owner has been awarded points based on providing a combination of supportive services appropriate for the proposed residents through the Extended Use Period. The Development Owner may change, from time to time, the services offered; however, the overall points must remain the same. **No fees may be charged to the tenant for providing these services.** Unless otherwise specified, services must be provided on-site or transportation to those off-site services identified on the list must be provided, the services should be those that directly benefit the Target Population of the Development, there must be adequate space for the intended services, and services offered should be accessible to all (e.g., exercise classes must be offered in a manner that would enable a person with a disability to participate). Services are intended to be provided by a qualified and reputable provider in the specified industry such that the experience and background of the provider demonstrates sufficient knowledge to be providing the service. In general, on-site leasing staff or property maintenance staff would not be considered a qualified provider. Where applicable, the services must be documented by a written agreement with the provider. Unless otherwise noted, courses and services must be offered by an onsite instructor(s). Tenants must be provided written notice of the resident services elections made by the Development Owner. Development Owner must provide at a minimum 8 total points worth of services from the following list (the same service may not be used for more than one (1) scoring item):

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How Long do Supportive Services Have to be Provided?

- Supportive Services must be provided as long as the LURA requires.
 - Throughout the Compliance Period...
 - If the Compliance Period has been extended, then Services must be offered throughout.
 - Throughout the Extended Use Period...

PROVISION OF SUPPORTIVE SERVICES

The Development Owner has been awarded points based on providing a combination of special supportive services appropriate for the proposed tenants through the Extended Use Period. The Development Owner may change, from time to time, the services offered; however, the overall points must remain the same. **No rent or fees may be charged to the tenant for providing these services.** Services must be provided on-site or transportation to off-site services must be provided, there must be adequate space for the intended services, and services offered should be accessible to all. Tenants must be provided written notice of the elections made by the Development Owner. Owner must provide at a minimum _____ total points worth of services (maximum of 9 points; 10 for a Supportive Housing Development proposed by a Qualified Nonprofit) from the following list (the same service may not be used for more than one scoring item):

☒ **Supportive Services**

Throughout the Compliance Period, unless otherwise permitted by the Department, a Local Tax Exempt Organization shall provide the services appropriate for the proposed tenants through the Extended Use Period.

☒ **Longer Compliance Period and Extended Use Period**

The Compliance Period shall be a period of **25 consecutive taxable years** and the Extended Use Period shall be a period of **40 consecutive taxable years**, each commencing with the first year of the Credit Period.

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LURA: Supportive Services – Outreach & Education

PROVISION OF SUPPORTIVE SERVICES – OUTREACH & EDUCATION

The Development Owner was awarded an additional point for certifying that the Development will contact local nonprofit and governmental providers of services that would support the health and well-being of the Department's tenants, and will make the Development community space available to them on a regularly-scheduled basis to provide outreach services and education to the tenants. The Development Owner may contact service providers on the Department list or contact other providers that serve the general area in which the Development is located.

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55

LURA: Learning Point 6

If the residents do not attend the service offered, that supportive service no longer needs to be offered?

A

True

B

False

56

56

LURA: Learning Point 7

How long do Supportive Services need to be offered?

A

Throughout the Compliance Period

B

Throughout the Extended Use Period

C

Depends on the LURA

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LURA: Learning Point 8

If the property's elderly election is for the compliance period, will we need a LURA Amendment to continue this election after the compliance period, Federal and Extended, to continue as elderly?

A

Yes, contact the asset manager

B

No, the owner can do what they want

C

The property can begin leasing to the general public after the compliance period

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The LURA: Special Housing Needs

TENANT POPULATIONS WITH SPECIAL HOUSING NEEDS (10 TAC §11.9(c)(6) OF THE 2022 QAP)

At least five percent (5%) of Units must be initially set aside for households where one (1) individual meets the definition of "Persons with Special Needs." "Persons with Special Needs" may not be the same Units participating in the Section 811 Project Rental Assistance program and include all of the following:

- a "person with disability," as defined in 24 CFR §5.403; or
- has alcohol or drug addictions; or
- is a Colonia resident; or
- is a victim of domestic violence, dating violence, sexual assault, or stalking (as defined by the Violence Against Women Reauthorization Act of 2013 (42 U.S.C. §13925 et seq.)); or
- has HIV/AIDS; or
- is homeless; or
- is a veteran; or
- is a farmworker.
- The Development must have an initial minimum twelve (12)-month period during which Units must either be occupied by Persons with Special Needs or held vacant unless the Unit receives HOME funds from any source. The twelve (12)-month period will begin on the date each building receives its certificate of occupancy. For buildings that do not receive a certificate of occupancy, the twelve (12)-month period will begin on the placed in service date as provided in the Post Award Activities Manual. After the twelve (12)-month period, the Development Owner will no longer be required to hold Units vacant for Persons with Special Needs, but will be required to continue to specifically market Units to Persons with Special Needs throughout the Compliance Period, unless specifically allowed otherwise by the Department in writing.
- The Development must commit at least an additional 2% of the total Units to Persons referred from the Continuum of Care or local homeless services providers for persons experiencing homelessness. The Department requires an initial 12-month period (beginning on the same date as defined in the preceding section) during which Units must either be occupied by households referred from the Continuum of Care or local homeless services providers or held vacant, unless the Unit receives HOME funds from any source. Rejection of an applicant's tenancy for those referred may not be for reasons of credit history or prior rental payment history. The Development Owner is required to continue to provide quarterly notifications throughout the Compliance Period regarding available Units at the Development to the Continuum of Care and other homeless service providers local to the Development, unless specifically otherwise allowed by the Department in writing (1 point).

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The LURA: Learning Point 9

What is the correct statement about the Special Needs units and requirements?

- A** May be the same as the Mobility and Visual Impaired Units
- B** Must be held vacant, unless occupied by Special Needs Households, during the time period specified in the LURA
- C** Must be affirmatively marketed during the entire affordability period
- D** All of the above
- E** None of the above

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60

The LURA: Learning Point 10

The 12 months to hold special needs/CoC units vacant begins the day of the LURA execution?

- A No
- B It begins the date the building is placed in service
- C The 12-month period begins on the date each building receives its certificate of occupancy**
- D I am not sure
- E None of the above

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The LURA: Veteran Identification in Tenant Applications

Beginning January 1, 2021, all Applications were to include an option for applicants to indicate if they are a veteran and the statement as outlined below. The newest LURA version includes this as a LURA requirement; however, this is a requirement for all TDHCA developments.

VETERAN IDENTIFICATION IN TENANT APPLICATIONS (SECTION 434.214, TX Gov'T CODE)

The tenant applications must provide a space for applicants to indicate if they are a veteran. In addition, the application must include the following statement: "Important Information for Former Military Services Members. Women and men who served in any branch of the United States Armed Forces, including Air Force, Army, Navy, Marines, Coast Guard, Reserves or National Guard, may be eligible for additional benefits and services. For more information please visit the Texas Veterans Portal at <https://veterans.portal.texas.gov/>."

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LURA: Learning Point 11

The LURA for the development does not require Veteran Identification in Tenant Applications. This means the application for the development does not have to ask the question and have the statement?

A True

B False

63

63

The LURA: Applicable Fraction

ADDENDUM F TO DECLARATION – MINIMUM APPLICABLE FRACTION BY BUILDING

BUILDING NUMBER	BUILDING IDENTIFICATION NUMBER (BIN)	MINIMUM APPLICABLE FRACTION
1	TX-23-20901	100%
2	TX-23-20902	100%

ADDENDUM F TO DECLARATION – MINIMUM APPLICABLE FRACTION BY BUILDING

BUILDING NUMBER	BUILDING IDENTIFICATION NUMBER (BIN)	MINIMUM APPLICABLE FRACTION
1.	TX-22-27801	96.00%
1.	TX-22-27802	81.88%

ADDENDUM F TO DECLARATION – MINIMUM APPLICABLE FRACTION BY BUILDING

BUILDING NUMBER	BUILDING IDENTIFICATION NUMBER (BIN)	MINIMUM APPLICABLE FRACTION
1.	TX-23-45501	100%
2.	TX-23-45502	100%
3.	TX-23-45503	100%
4.	TX-23-45504	100%
5.	TX-23-45505	100%
6.	TX-23-45506	100%
7.	TX-23-45507	100%
8.	TX-23-45508	100%

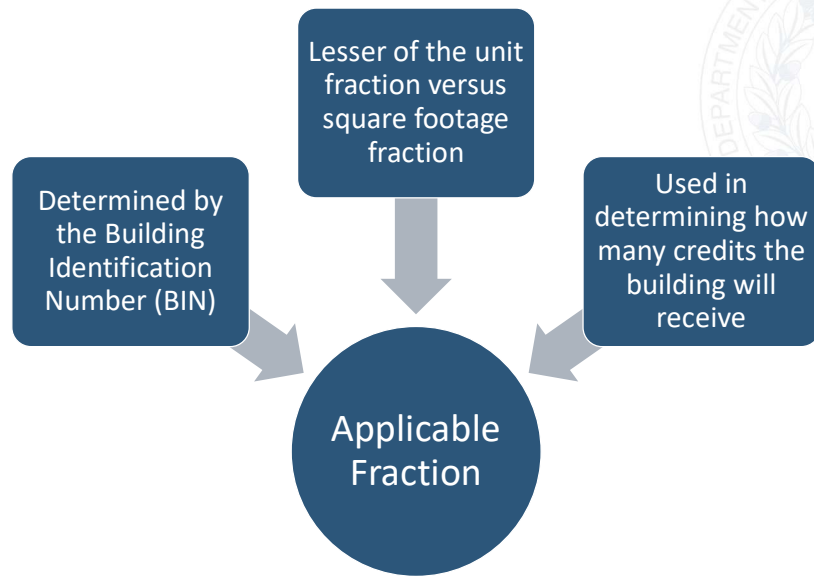
ADDENDUM F TO DECLARATION – MINIMUM APPLICABLE FRACTION BY BUILDING

BUILDING NUMBER	BUILDING IDENTIFICATION NUMBER (BIN)	MINIMUM APPLICABLE FRACTION
1.	TX-22-05301	79.07%
2.	TX-22-05302	83.33%
3.	TX-22-05303	62.67%
4.	TX-22-05304	79.19%
5.	TX-22-05305	86.23%

64

64

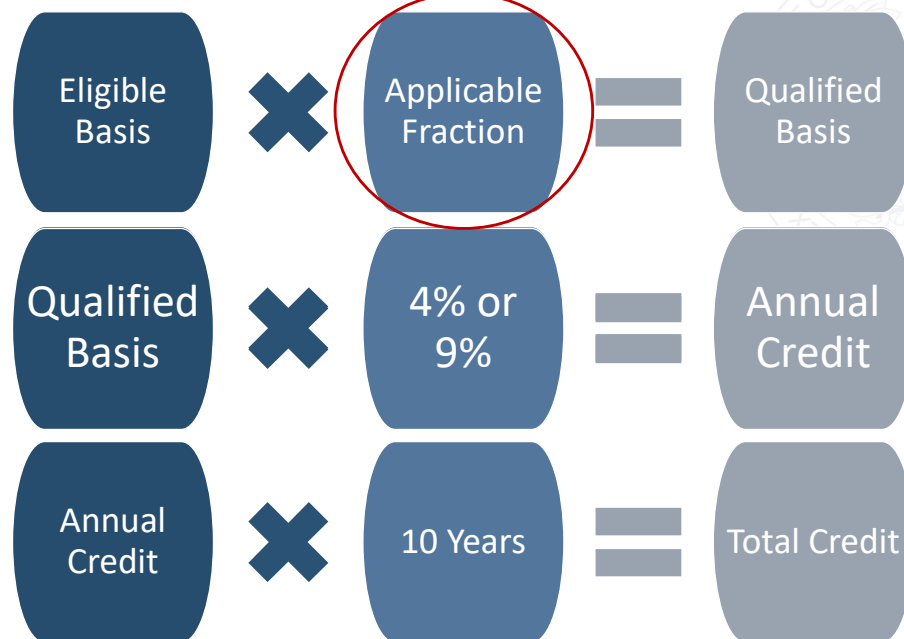
Applicable Fraction



65

65

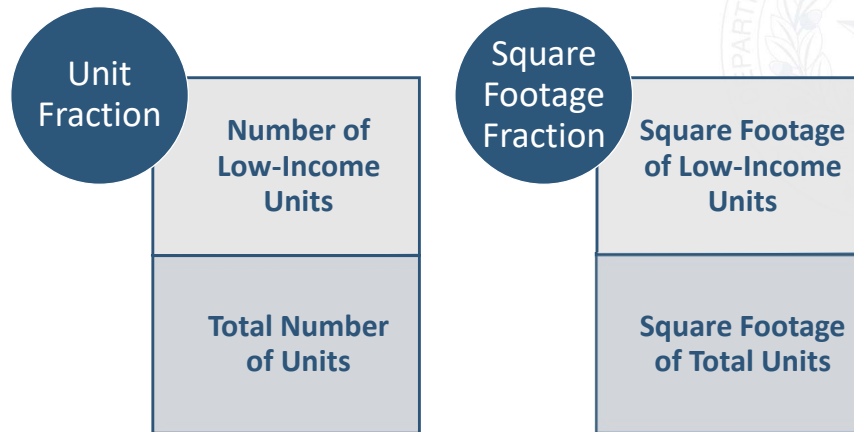
Applicable Fraction to Determine Qualified Basis



66

66

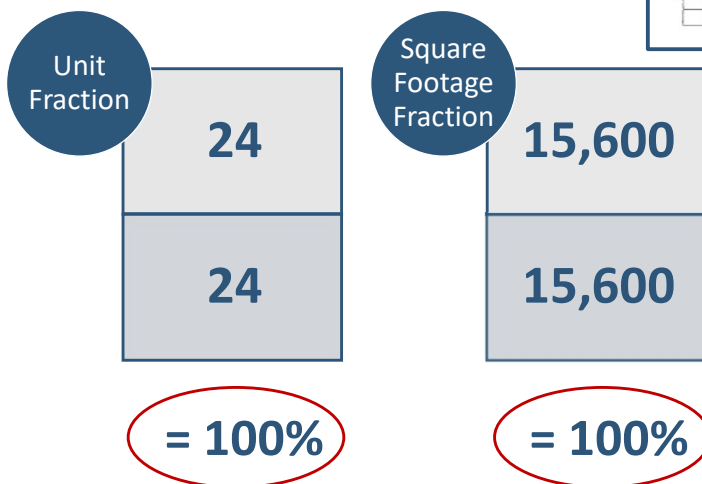
How to Calculate Applicable Fraction



67

67

Applicable Fraction: 100% HTC



ADDENDUM F TO DECLARATION - MINIMUM APPLICABLE FRACTION BY BUILDING

BUILDING NUMBER	BUILDING IDENTIFICATION NUMBER (BIN)	MINIMUM APPLICABLE FRACTION
1	TX-23-20901	100%
2	TX-23-20902	100%

Building Type	1	2
Floors/Stories	5	5
Number of Bldgs	1	1
Units per Bldg	24	54
Total Units	24	54

Building 1: All 1-bedroom units at 650 sq. feet
 Building 2: 25 2-bedroom units at 800 sq. feet and 29 3-bedroom units at 1,000 sq. feet

Building 1: 24 x 650 sq. feet = **15,600 total**

Building 2: 25 x 800 sq. feet = 20,000 and
 29 x 1,000 sq. feet = 29,000
 20,000 + 29,000 = **49,000 total**

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Applicable Fraction: 100% HTC with an Exempt Unit

ADDENDUM F TO DECLARATION – MINIMUM APPLICABLE FRACTION BY BUILDING

BUILDING NUMBER	BUILDING IDENTIFICATION NUMBER (BIN)	MINIMUM APPLICABLE FRACTION
1	TX-23-20801	100%
2	TX-23-20802	100%

Building Type	1	2
Floors/Stories	5	5
Number of Bldgs	1	1
Units per Bldg	24	54
Total Units	24	54

Unit Fraction

53

53

= 100%

Square Footage Fraction

48,000

48,000

= 100%

Building 1: All 1-bedroom units at 650 sq. feet
Building 2: 25 2-bedroom units at 800 sq. feet and 29 3-bedroom units at 1,000 sq. feet

Building 1: 24 x 650 sq. feet = **15,600 total**

Building 2: 25 x 800 sq. feet = 20,000 and
29 x 1,000 sq. feet = 29,000
20,000 + 29,000 = **49,000 total**

Maintenance Supervisor lives onsite in a 3-bedroom unit

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Applicable Fraction: Mixed Income – Unit Fraction

ADDENDUM F TO DECLARATION – MINIMUM APPLICABLE FRACTION BY BUILDING

BUILDING NUMBER	BUILDING IDENTIFICATION NUMBER (BIN)	MINIMUM APPLICABLE FRACTION
1	TX-22-27801	96.00%
1	TX-22-27802	81.88%

	LHTC Units	Total Units	LHTC Sq. Ft.	Total Sq. Ft.
1	24	25	18,424	19,124
2	28	34	20,818	25,424
3	52	59	39,242	44,548

Unit Fraction

24

25

= 96%

Square Footage Fraction

18,424

19,124

= 96.34%

Building 1: 25 Total Units; 24 HTC Units
Building 2: 34 Total Units; 28 HTC Units

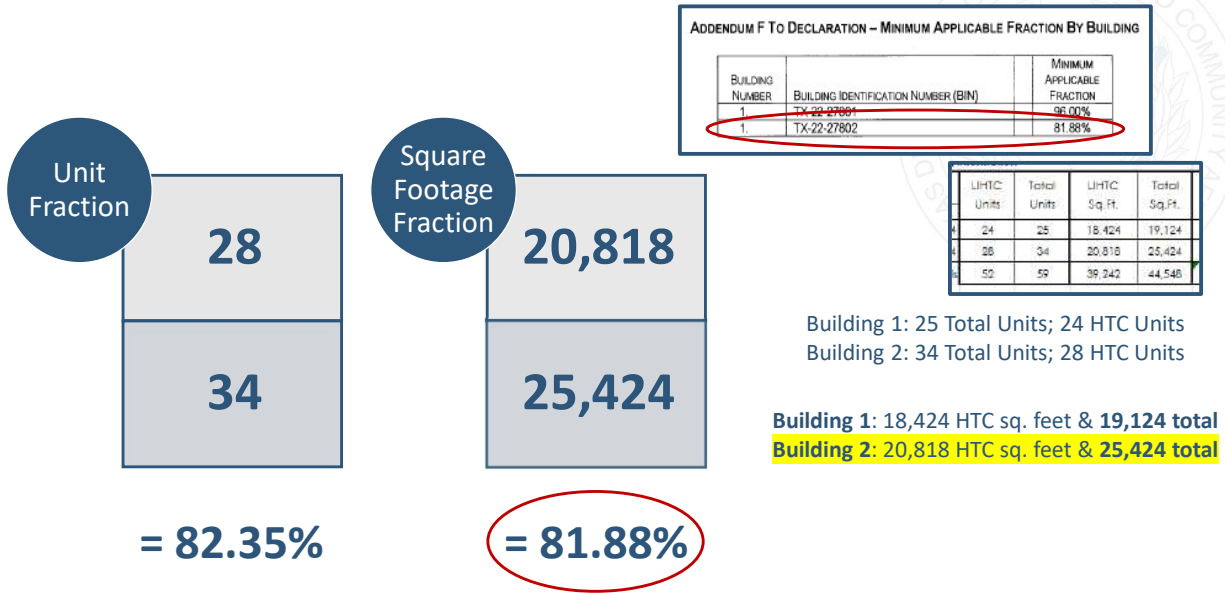
Building 1: 18,424 HTC sq. feet & **19,124 total**

Building 2: 20,818 HTC sq. feet & **25,424 total**

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70

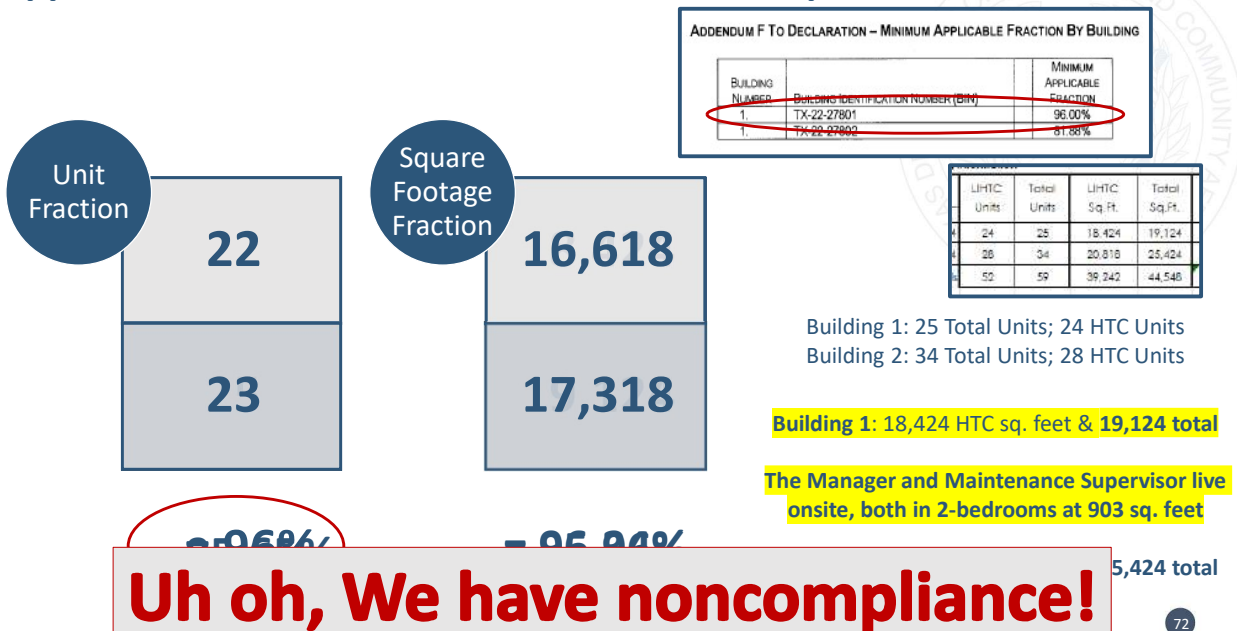
Applicable Fraction: Mixed Income – Square Footage



71

71

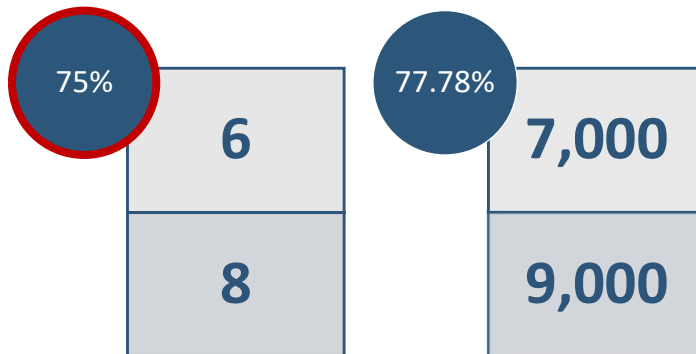
Applicable Fraction: Mixed Income with Exempt Unit



72

72

Applicable Fraction: Building 5



ADDENDUM F TO DECLARATION – MINIMUM APPLICABLE FRACTION BY BUILDING

BUILDING NUMBER	BUILDING IDENTIFICATION NUMBER (BIN)	MINIMUM APPLICABLE FRACTION
1	TX-22-05301	79.07%
2	TX-22-05302	83.33%
3	TX-22-05303	62.67%
4	TX-22-05304	79.19%
5	TX-22-05305	75.00%

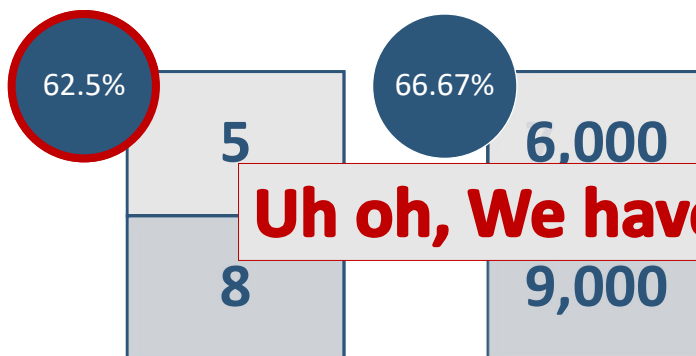
4-Bedroom units are 1,500 sq. feet and 3-Bedroom units are 1,000 sq. feet

Building BIN #	Building #	UNIT #	MOVE IN DATE	MOVE OUT DATE	LAST NAME	ANNUAL INCOME	TENANT PAID RENT	UTILITY ALLOW.	# BRs	HH SIZE	UNIT QUALIFICATIONS
TX0020604	5	511	07/03/2025		Abba	\$ 57,600.00	\$ 1,450.00	\$ 327.00	4	4	Income LIHTC: 50 Rent LIHTC: 50
TX0020604	5	512	10/26/2023		Beattie	\$ 52,575.00	\$ 1,500.00	\$ 327.00	4	7	Income LIHTC: 50 Rent LIHTC: 50
TX0020604	5	513	06/06/2025		Stone	\$ 44,320.00	\$ 1,199.00	\$ 287.00	3	4	Income LIHTC: 50 Rent LIHTC: 50
TX0020604	5	514	12/23/2024		Santana	\$ 29,505.00	\$ 1,200.00	\$ 287.00	3	4	Income LIHTC: 60 Rent LIHTC: 60
TX0020604	5	521	02/16/2024		Beach	\$ 66,068.00	\$ 1,351.00	\$ 287.00	3	5	Income LIHTC: 60 Rent LIHTC: 60
TX0020604	5	522	03/29/2025		Creedence	\$ 55,295.00	\$ 1,351.00	\$ 287.00	3	4	Income LIHTC: 60 Rent LIHTC: 60
TX0020604	5	523	01/02/2018		Byrd	\$ 43,521.00	\$ 1,351.00	\$ 287.00	3	4	Income LIHTC: Market Rent LIHTC: Market
TX0020604	5	524	04/03/2025		Bread	\$ 72,585.00	\$ 1,351.00	\$ 287.00	3	4	Income LIHTC: Market Rent LIHTC: Market

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Applicable Fraction: Building 5 with an Over Income Unit



ADDENDUM F TO DECLARATION – MINIMUM APPLICABLE FRACTION BY BUILDING

BUILDING NUMBER	BUILDING IDENTIFICATION NUMBER (BIN)	MINIMUM APPLICABLE FRACTION
4	TX-22-05304	79.19%
5	TX-22-05305	75.00%

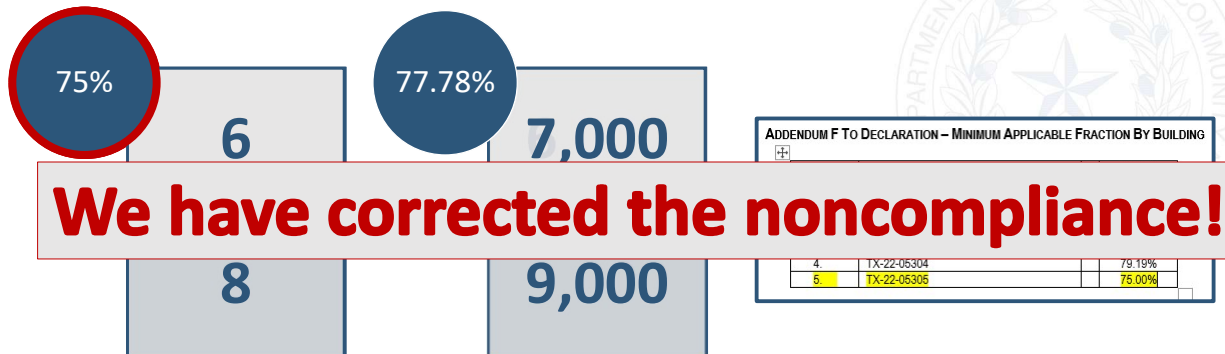
4-Bedroom units are 1,500 sq. feet and 3-Bedroom units are 1,000 sq. feet

Building BIN #	Building #	UNIT #	MOVE IN DATE	MOVE OUT DATE	LAST NAME	ANNUAL INCOME	TENANT PAID RENT	UTILITY ALLOW.	# BRs	HH SIZE	UNIT QUALIFICATIONS
TX0020604	5	511	07/03/2025		Abba	\$57,600.00	\$ 1,450.00	\$327.00	4	07/03/2025	Income LIHTC: 50 Rent LIHTC: 50
TX0020604	5	512	10/26/2023		Beattie	\$52,575.00	\$ 1,500.00	\$327.00	4	10/26/2025	Income LIHTC: 50 Rent LIHTC: 50
TX0020604	5	513	06/06/2025		Stone	\$44,320.00	\$ 1,199.00	\$287.00	3	06/06/2025	Income LIHTC: 50 Rent LIHTC: 50
TX0020604	5	514	12/23/2024		Santana	\$29,505.00	\$ 1,200.00	\$287.00	3	12/23/2024	Income LIHTC: 60 Rent LIHTC: 60
TX0020604	5	521	02/16/2024		Beach	\$66,068.00	\$ 1,351.00	\$287.00	3	02/16/2025	Income LIHTC: 60 Rent LIHTC: 60
TX0020604	5	522	03/29/2025		Creedence	\$55,295.00	\$ 1,351.00	\$287.00	3	03/29/2025	Income LIHTC: 60 Rent LIHTC: 60
TX0020604	5	523	01/02/2018		Byrd	\$43,521.00	\$ 1,351.00	\$287.00	3	01/02/2025	Income LIHTC: Market Rent LIHTC: Market
TX0020604	5	524	04/03/2025		Bread	\$72,585.00	\$ 1,351.00	\$287.00	3	04/03/2025	Income LIHTC: Market Rent LIHTC: Market

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Applicable Fraction: Building 5 with an Over Income Unit



4-Bedroom units are 1,500 sq. feet and 3-Bedroom units are 1,000 sq. feet

Building BIN #	Building #	UNIT #	MOVE IN DATE	MOVE OUT DATE	LAST NAME	ANNUAL INCOME	TENANT PAID RENT	UTILITY ALLOW.	# BRs	TIC DATE	UNIT QUALIFICATIONS
TX0020604	5	511	07/03/2025		Abba	\$57,600.00	\$ 1,450.00	\$327.00	4	07/03/2025	Income LIHTC: 50 Rent LIHTC: 50
TX0020604	5	512	10/26/2023		Beatie	\$52,575.00	\$ 1,500.00	\$327.00	4	10/26/2025	Income LIHTC: 50 Rent LIHTC: 50
TX0020604	5	513	06/06/2025		Stone	\$44,320.00	\$ 1,199.00	\$287.00	3	06/06/2025	Income LIHTC: 50 Rent LIHTC: 50
TX0020604	5	514	12/23/2024		Santana	\$29,505.00	\$ 1,200.00	\$287.00	3	12/23/2024	Income LIHTC: 60 Rent LIHTC: 60
TX0020604	5	521	02/16/2024		Beach	\$66,068.00	\$ 1,351.00	\$287.00	3	02/16/2025	Income LIHTC: Market Rent LIHTC: Market
TX0020604	5	522	03/29/2025		Creedence	\$55,295.00	\$ 1,351.00	\$287.00	3	03/29/2025	Income LIHTC: 60 Rent LIHTC: 60
TX0020604	5	523	12/1/2025		Garfunkel	\$19,632.00	\$ 1,351.00	\$287.00	3	12/1/2025	Income LIHTC: 60 Rent LIHTC: 60
TX0020604	5	524	04/03/2025		Bread	\$72,585.00	\$ 1,351.00	\$287.00	3	04/03/2025	Income LIHTC: Market Rent LIHTC: Market

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75

Module 3

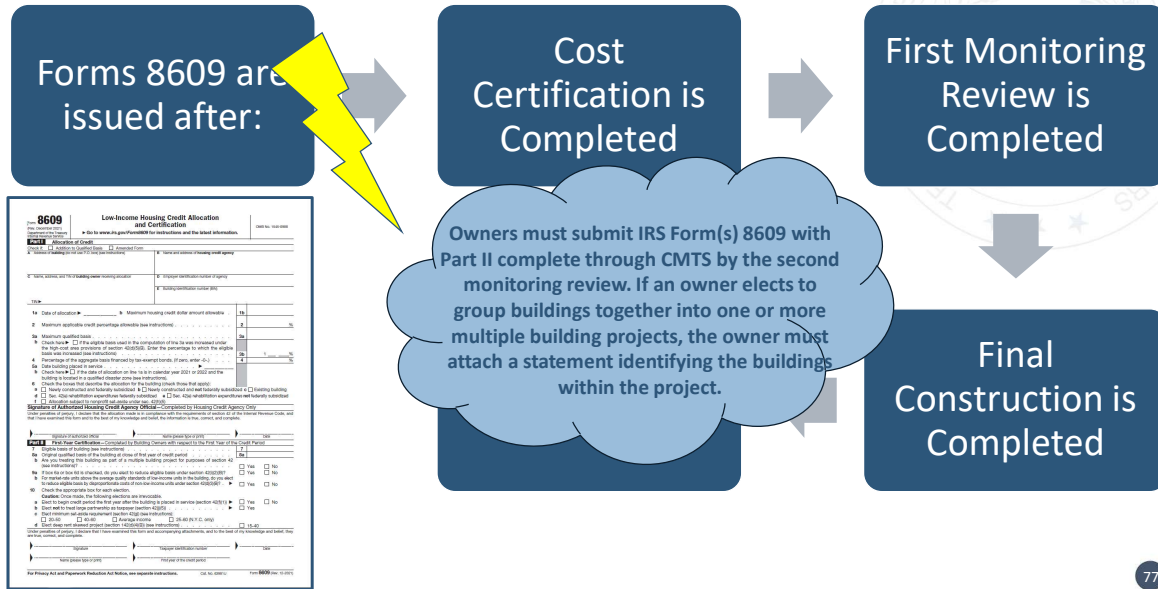
Form 8609: Low-Income
Housing Credit Allocation
and Certification



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Form 8609: When are they issued?



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Forms 8609: Part I – Building Identification Number (BIN) & Allocation

Form 8609 Low-Income Housing Credit Allocation and Certification
 (Rev. December 2021)
 Department of the Treasury
 Internal Revenue Service
 ▶ Go to www.irs.gov/Form8609 for instructions and the latest information.

OMB No. 1545-0988

Part I Allocation of Credit
 Check if: ☐ Addition to Qualified Basis ☐ Amended Form

A Address of building (do not use P.O. box) (see instructions)
 The Development
 301 E Austin St
 Austin, TX 78721

B Name and address of housing credit agency
 Texas Dept. of Housing and Community Affairs
 221 E. 11th St
 Austin, TX 78701

C Name, address, and TIN of building owner receiving allocation
 Extraordinary Owner Person
 3130 Beauregard Ave
 Austin, TX 78725

D Employer identification number of agency
 74-0910542

E Building identification number (BIN)
 TX-24-21801

1a Date of allocation ▶ 12/16/2024

b Maximum housing credit dollar amount allowable **1b** 274,327

2 Maximum applicable credit percentage allowable (see instructions) **2** 9.00%

3a Maximum qualified basis **3a** 2,740,327

b Check here ☐ if the eligible basis used in the computation of line 3a was increased under the high-cost area provisions of section 42(d)(5)(B). Enter the percentage to which the eligible basis was increased (see instructions) **3b** 1 3 0 %

4 Percentage of the aggregate basis financed by tax-exempt bonds. (If zero, enter -0-) **4** 0.00%

5a Date building placed in service ▶ 12/17/2025

b Check here ☐ if the date of allocation on line 1a is in calendar year 2021 or 2022 and the building is located in a qualified disaster zone (see instructions).

6 Check the boxes that describe the allocation for the building (check those that apply):
☐ Newly constructed and federally subsidized **b** ☒ Newly constructed and not federally subsidized ☐ Existing building
☐ Sec. 42(e) rehabilitation expenditures federally subsidized **e** ☐ Sec. 42(e) rehabilitation expenditures not federally subsidized
☐ Allocation subject to nonprofit set-aside under sec. 42(h)(5)

Signature of Authorized Housing Credit Agency Official—Completed by Housing Credit Agency Only
 Under penalties of perjury, I declare that the allocation made is in compliance with the requirements of section 42 of the Internal Revenue Code, and that I have examined this form and to the best of my knowledge and belief, the information is true, correct, and complete.

Signature of authorized official **for example purposes only - not real forms** Name (please type or print) Date

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Forms 8609: Date of Allocation

Determining Initial Date of Allocation

Activity	Initial Date of Allocation
9% Credit	Date Carryover Agreement signed by the Department
4% Credit	Effective date of the Determination Agreement
TCAP	Same date as accompanied credit
Exchange	Effective date of the Sub-Award Agreement

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Forms 8609: Part I – Credit Percentage; 9%

Form 8609 Low-Income Housing Credit Allocation and Certification
 (Rev. December 2021)
 Department of the Treasury
 Internal Revenue Service

OMB No. 1545-0988

Go to www.irs.gov/Form8609 for instructions and the latest information.

Part I Allocation of Credit

Check if: ☐ Addition to Qualified Basis ☐ Amended Form

A Address of building (do not use P.O. box (see instructions))

The Development
 301 E Austin St
 Austin, TX 78721

B Name and address of housing credit agency

Texas Dept. of Housing and Community Affairs
 221 E 11th St
 Austin, TX 78701

C Name, address, and TIN of building owner receiving allocation

Extraordinary Owner Person
 3130 Beauregard Ave
 Austin, TX 78725
 TIN 75-0165960

D Employer identification number of agency

74-2610542

E Building identification number (BIN)

TX-24-21801

1a Date of allocation 12/16/2024 **b** Maximum housing credit dollar amount allowable 274,327

2 Maximum applicable credit percentage allowable (see instructions) 9.00%

3a Maximum qualified basis 2,740,327

b Check here ☐ if the eligible basis used in the computation of line 3a was increased under the high-cost area provisions of section 42(d)(5)(B). Enter the percentage to which the eligible basis was increased (see instructions)

4 Percentage of the aggregate basis financed by tax-exempt bonds. (If zero, enter -0-)

5a Date building placed in service 12/17/2025

b Check here ☐ if the date of allocation on line 1a is in calendar year 2021 or 2022 and the building is located in a qualified disaster zone (see instructions)

6 Check the boxes that describe the allocation for the building (check those that apply):

☐ Newly constructed and federally subsidized ☒ Newly constructed and not federally subsidized ☐ Existing building

☐ Sec. 42(e) rehabilitation expenditures federally subsidized ☐ Sec. 42(e) rehabilitation expenditures not federally subsidized

☐ Allocation subject to nonprofit set-aside under sec. 42(h)(5)

Signature of Authorized Housing Credit Agency Official—Completed by Housing Credit Agency Only

Under penalties of perjury, I declare that the allocation made is in compliance with the requirements of section 42 of the Internal Revenue Code, and that I have examined this form and to the best of my knowledge and belief, the information is true, correct, and complete.

Signature of authorized official for example purposes only - not real forms Name (please type or print) Date

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Form 8609: Part I – Credit Percentage; 4%

1a	Date of allocation ▶	b	Maximum housing credit dollar amount allowable	1b	45,000
2	Maximum applicable credit percentage allowable (see instructions)			2	3.830%
3a	Maximum qualified basis			3a	500,000
b	Check here ☐ if the eligible basis used in the computation of line 3a was increased under the high-cost area provisions of section 42(d)(5)(B). Enter the percentage to which the eligible basis was increased (see instructions)				
3b	1 0 0 %				
4	Percentage of the aggregate basis financed by tax-exempt bonds. (If zero, enter -0-.)			4	51%
5a	Date building placed in service ▶ 1/15/2020				
b	Check here ☐ if the date of allocation on line 1a is in calendar year 2021 or 2022 and the building is located in a qualified disaster zone (see instructions).				
6	Check the boxes that describe the allocation for the building (check those that apply):				
a	☐ Newly constructed and federally subsidized				
b	☒ Newly constructed and not federally subsidized				
c	☐ Existing building				
d	☐ Sec. 42(e) rehabilitation expenditures federally subsidized				
e	☐ Sec. 42(e) rehabilitation expenditures not federally subsidized				
f	☒ Allocation subject to nonprofit set-aside under sec. 42(h)(5)				

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Forms 8609: Part I – Placed in Service Date (PISD)

Form 8609 (Rev. December 2021) Department of the Treasury Internal Revenue Service		Low-Income Housing Credit Allocation and Certification ▶ Go to www.irs.gov/Form8609 for instructions and the latest information.		OMB No. 1545-0988	
Part I Allocation of Credit					
Check if: ☐ Addition to Qualified Basis ☐ Amended Form					
A Address of building (do not use P.O. box) (see instructions)		B Name and address of housing credit agency			
The Development 301 E Austin St Austin, TX 78721		Texas Dept. of Housing and Community Affairs 221 E 11th St Austin, TX 78701			
C Name, address, and TIN of building owner receiving allocation		D Employer identification number of agency			
Extraordinary Owner Person 3130 Beaugard Ave Austin, TX 78725 TIN ▶ 75-0165960		74-2610542			
		E Building identification number (BIN) TX-24-21801			
1a	Date of allocation ▶ 12/16/2024	b	Maximum housing credit dollar amount allowable	1b	274,327
2	Maximum applicable credit percentage allowable (see instructions)			2	9.00%
3a	Maximum qualified basis			3a	2,740,327
b	Check here ☐ if the eligible basis used in the computation of line 3a was increased under the high-cost area provisions of section 42(d)(5)(B). Enter the percentage to which the eligible basis was increased (see instructions)				
3b	1 3 0 %				
4	Percentage of the aggregate basis financed by tax-exempt bonds. (If zero, enter -0-.)			4	0.00%
5a	Date building placed in service ▶ 12/17/2025				
b	Check here ☐ if the date of allocation on line 1a is in calendar year 2021 or 2022 and the building is located in a qualified disaster zone (see instructions).				
6	Check the boxes that describe the allocation for the building (check those that apply):				
a	☐ Newly constructed and federally subsidized				
b	☒ Newly constructed and not federally subsidized				
c	☐ Existing building				
d	☐ Sec. 42(e) rehabilitation expenditures federally subsidized				
e	☐ Sec. 42(e) rehabilitation expenditures not federally subsidized				
f	☐ Allocation subject to nonprofit set-aside under sec. 42(h)(5)				
Signature of Authorized Housing Credit Agency Official—Completed by Housing Credit Agency Only					
Under penalties of perjury, I declare that the allocation made is in compliance with the requirements of section 42 of the Internal Revenue Code, and that I have examined this form and to the best of my knowledge and belief, the information is true, correct, and complete.					
Signature of authorized official		for example purposes only - not real forms		Date	

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Forms 8609: Placed in Service Date

New Construction

- Certificate of Occupancy (CO)
- Including Temporary CO if issued

Acquisition

- Date Building is Acquired
- Settlement Statement for the Transfer of the Property (closing statement)

Rehab

- Accounting function based on aggregate expenditures over a 24-month period

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Forms 8609: Part I – Building Type: New or Existing

Form 8609 (Rev. December 2021) Department of the Treasury Internal Revenue Service		Low-Income Housing Credit Allocation and Certification ▶ Go to www.irs.gov/Form8609 for instructions and the latest information.		OMB No. 1545-0988
Part I Allocation of Credit Check if: ☐ Addition to Qualified Basis ☐ Amended Form				
A Address of building (do not use P.O. box) (see instructions) The Development 301 E Austin St Austin, TX 78721		B Name and address of housing credit agency Texas Dept. of Housing and Community Affairs 221 E. 11th St Austin, TX 78701		
C Name, address, and TIN of building owner receiving allocation Extraordinary Owner Person 3130 Beauregard Ave Austin, TX 78725 TIN ▶ 75-0165960		D Employer identification number of agency 74-2610542 E Building identification number (BIN) TX-24-21801		
1a Date of allocation ▶ 12/16/2024		b Maximum housing credit dollar amount allowable 1b 274,327		
2 Maximum applicable credit percentage allowable (see instructions)		2 9.00%		
3a Maximum qualified basis		3a 2,740,327		
b Check here ☐ if the eligible basis used in the computation of line 3a was increased under the high-cost area provisions of section 42(d)(5)(B). Enter the percentage to which the eligible basis was increased (see instructions)		3b 1 3 0 %		
4 Percentage of the aggregate basis financed by tax-exempt bonds. (If zero, enter -0-)		4 0.00%		
5a Date building placed in service ▶ 12/17/2025		b Check here ☐ if the date of allocation on line 1a is in calendar year 2021 or 2022 and the building is located in a qualified disaster zone (see instructions)		
6 Check the boxes that describe the allocation for the building (check those that apply): ☐ Newly constructed and federally subsidized ☒ Newly constructed and not federally subsidized ☐ Existing building ☐ Sec. 42(e) rehabilitation expenditures federally subsidized ☐ Sec. 42(e) rehabilitation expenditures not federally subsidized ☐ Allocation subject to nonprofit set-aside under sec. 42(h)(5)				
Signature of Authorized Housing Credit Agency Official - Completed by Housing Credit Agency Only. Under penalties of perjury, I declare that the allocation made is in compliance with the requirements of section 42 of the Internal Revenue Code, and that I have examined this form and to the best of my knowledge and belief, the information is true, correct, and complete.				
Signature of authorized official		for example purposes only - not real forms Name (please type or print)		Date

84

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Forms 8609: Part I – Nonprofit Set-Aside

6 Check the boxes that describes the allocation for the building (check those that apply):

a ☐ Newly constructed and federally subsidized b ☒ Newly constructed and not federally subsidized c ☐ Existing Building

d ☐ Sec. 42(e) rehabilitation expenditures federally subsidized e ☐ Sec. 42(e) rehabilitation expenditures not federally subsidized

f ☒ Allocation subject to nonprofit set-aside under sec. 42(h)(5)

6 Check the boxes that describes the allocation for the building (check those that apply):

a ☒ Newly constructed and federally subsidized b ☐ Newly constructed and not federally subsidized c ☐ Existing Building

d ☐ Sec. 42(e) rehabilitation expenditures federally subsidized e ☐ Sec. 42(e) rehabilitation expenditures not federally subsidized

f ☐ Allocation subject to nonprofit set-aside under sec. 42(h)(5)

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Forms 8609: Part II – Eligible Basis

Part II First-Year Certification—Completed by Building Owners with respect to the First Year of the Credit Period

7 Eligible basis of building (see instructions) 7 2,470,327

8a Original qualified basis of the building at close of first year of credit period 8a 2,470,327

b Are you treating this building as part of a multiple building project for purposes of section 42 (see instructions)? ☒ Yes ☐ No

9a If box 6a or box 6d is checked, do you elect to reduce eligible basis under section 42(i)(2)(B)? ☐ Yes ☐ No

b For market-rate units above the average quality standards of low-income units in the building, do you elect to reduce eligible basis by disproportionate costs of non-low-income units under section 42(d)(3)(B)? . ☐ Yes ☒ No

10 Check the appropriate box for each election.

Caution: Once made, the following elections are irrevocable.

a Elect to begin credit period the first year after the building is placed in service (section 42(f)(1)) ☒ Yes ☐ No

b Elect **not** to treat large partnership as taxpayer (section 42(j)(5)) ☐ Yes

c Elect minimum set-aside requirement (section 42(g)) (see instructions):

☐ 20-50 ☒ 40-60 ☐ Average income ☐ 25-60 (N.Y.C. only)

d Elect deep rent skewed project (section 142(d)(4)(B)) (see instructions) ☐ 15-40

Under penalties of perjury, I declare that I have examined this form and accompanying attachments, and to the best of my knowledge and belief, they are true, correct, and complete.

Signature _____ Taxpayer identification number 75-0165960 Date _____

For example purposes only • not real forms 2026

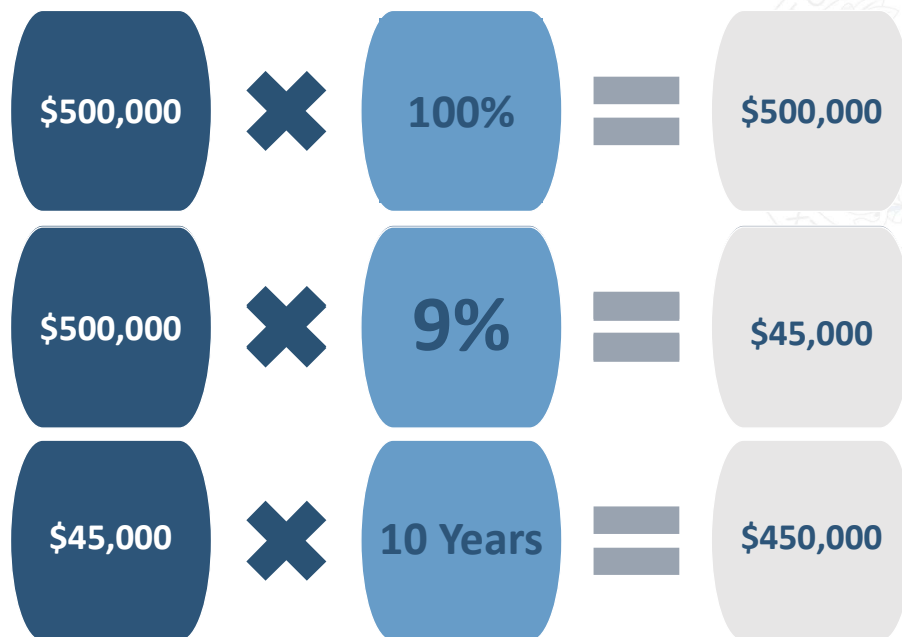
Name (please type or print) _____ First year of the credit period _____

For Privacy Act and Paperwork Reduction Act Notice, see separate instructions. Cat. No. 63961U Form 8609 (Rev. 12-2021)

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Eligible Basis in the Calculation of Credit



87

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Forms 8609: Part II – Multiple Building Project; Yes or No

Part II First-Year Certification—Completed by Building Owners with respect to the First Year of the Credit Period

7	Eligible basis of building (see instructions)	7	2,470,327
8a	Original qualified basis of the building at close of first year of credit period	8a	2,470,327
b	Are you treating this building as part of a multiple building project for purposes of section 42 (see instructions)?	☒ Yes ☐ No	
9a	If box 6a or box 6d is checked, do you elect to reduce eligible basis under section 42(i)(2)(B)?	☐ Yes ☐ No	
b	For market-rate units above the average quality standards of low-income units in the building, do you elect to reduce eligible basis by disproportionate costs of non-low income units under section 42(d)(3)(B)?	☐ Yes ☐ No	

Part II First-Year Certification—Completed by Building Owners with respect to the First Year of the Credit Period

7	Eligible basis of building (see instructions)	7	3,080,254
8a	Original qualified basis of the building at close of first year of credit period	8a	3,080,254
b	Are you treating this building as part of a multiple building project for purposes of section 42 (see instructions)?	☐ Yes ☒ No	
9a	If box 6a or box 6d is checked, do you elect to reduce eligible basis under section 42(i)(2)(B)?	☐ Yes ☒ No	
b	For market-rate units above the average quality standards of low-income units in the building, do you elect to reduce eligible basis by disproportionate costs of non-low income units under section 42(d)(3)(B)?	☐ Yes ☒ No	
10	Check the appropriate box for each election:		
Caution: Once made, the following elections are irrevocable.			
a	Elect to begin credit period the first year after the building is placed in service (section 42(f)(1))	☒ Yes ☐ No	
b	Elect not to treat large partnership as taxpayer (section 42(j)(5))	☐ Yes	
c	Elect minimum set-aside requirement (section 42(g)) (see instructions):		
	☐ 20-50 ☒ 40-60 ☐ Average income ☐ 25-60 (N.Y.C. only)		
d	Elect deep rent skewed project (section 142(d)(4)(B)) (see instructions)	☐ 15-40	

Under penalties of perjury, I declare that I have prepared this information to the best of my knowledge and belief, and that the information is true, correct, and complete.

Signature _____

For example purposes only • not real form
Name (please type or print) _____

For Privacy Act and Paperwork Reduction Act Notice, see separate instructions. Cat. No. 63961U Form 8609 (Rev. 12-2021)

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Forms 8609: Part II – Multiple Building Project; The Attachment

Part II First-Year Certification—Completed by Building Owners with respect to the First Year of the Credit Period

7 Eligible basis of building (see instructions) **7** 2,470,327

8a Original qualified basis of the building at close of first year of credit period **8a** 2,470,327

b Are you treating this building as part of a multiple building project for purposes of section 42 (see instructions)? ☒ Yes ☐ No

9a If box 8a or box 6d is checked, do you elect to reduce eligible basis under section 42(i)(2)(B)? ☐ Yes ☐ No

b For market-rate units above the average quality standards of low-income units in the building, do you elect to reduce eligible basis by disproportionate costs of non-low-income units? ☐ Yes ☐ No

10 Check the appropriate box for each election.
Caution: Once made, the following elections are irrevocable.

a Elect to begin credit period the first year after the building is placed in service (section 42(f)(1)) ☒ Yes ☐ No

b Elect **not** to treat large partnership as taxpayer (section 42(j)(5)) ☐ Yes ☒ No

c Elect minimum set-aside requirement (section 42(g)) (see instructions) ☐ 20-50 ☒ 40-60 ☐ Average income

d Elect deep rent skewed project (section 142(d)(4)(B)) (see instructions) ☐ Yes ☒ No

Under penalties of perjury, I declare that I have examined this form and accompanying attachments and the information is true, correct, and complete.

Signature _____ Taxpayer identification number _____
 For example purposes only - not real forms
 Name (please type or print) _____ First year of the credit period _____

The projects listed below are intended to be one project for the purposes of the election made on line 8(b) of the attached Form 8609.

BIN	Address	Maximum Credit Allowable
TX-24-21801	301 E. Austin Street, Austin, TX 78721	\$ 274,327.00
TX-24-21802	301 E. Austin Street, Austin, TX 78721	\$ 274,327.00
TX-24-21803	301 E. Austin Street, Austin, TX 78721	\$ 274,327.00
TX-24-21804	301 E. Austin Street, Austin, TX 78721	\$ 274,327.00
Total Credit		\$1,097,308.00

The Development
Tax ID 75-0165960

For Privacy Act and Paperwork Reduction Act Notice, see separate instructions.

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Forms 8609: Part II – Credit Period

Part II First-Year Certification—Completed by Building Owners with respect to the First Year of the Credit Period

7 Eligible basis of building (see instructions) **7** 2,470,327

8a Original qualified basis of the building at close of first year of credit period **8a** 2,470,327

b Are you treating this building as part of a multiple building project for purposes of section 42 (see instructions)? ☒ Yes ☐ No

9a If box 8a or box 6d is checked, do you elect to reduce eligible basis under section 42(i)(2)(B)? ☐ Yes ☐ No

b For market-rate units above the average quality standards of low-income units in the building, do you elect to reduce eligible basis by disproportionate costs of non-low-income units under section 42(d)(3)(B)? ☐ Yes ☒ No

10 Check the appropriate box for each election.
Caution: Once made, the following elections are irrevocable.

a Elect to begin credit period the first year after the building is placed in service (section 42(f)(1)) ☒ Yes ☐ No

b Elect **not** to treat large partnership as taxpayer (section 42(j)(5)) ☐ Yes ☒ No

c Elect minimum set-aside requirement (section 42(g)) (see instructions) ☐ 20-50 ☒ 40-60 ☐ Average income

d Elect deep rent skewed project (section 142(d)(4)(B)) (see instructions) ☐ Yes ☒ No

Under penalties of perjury, I declare that I have examined this form and accompanying attachments and the information is true, correct, and complete.

Signature _____ Taxpayer identification number 75-0165960 _____ Date _____
 For example purposes only - not real forms
 Name (please type or print) _____ First year of the credit period 2026 _____

5a Date building placed in service **12/17/2025**

b Check here ☐ if the date of allocation on line 1a is in calendar year 2021 or 2022 and the building is located in a qualified disaster zone (see instructions).

For Privacy Act and Paperwork Reduction Act Notice, see separate instructions. Cat. No. 63961U Form 8609 (Rev. 12-2021)

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Forms 8609: Part II – Minimum Set-Aside

Part II First-Year Certification—Completed by Building Owners with respect to the First Year of the Credit Period

7	Eligible basis of building (see instructions)	7	2,470,327
8a	Original qualified basis of the building at close of first year of credit period	8a	2,470,327

b Are you treating this building as part of a multiple building project for purposes of section 42 (see instructions)? ☒ Yes ☐ No

9a If box 6a or box 6d is checked, do you elect to reduce eligible basis under section 42(i)(2)(B)? ☐ Yes ☒ No

b For market-rate units above the average quality standards of low-income units in the building, do you elect to reduce eligible basis by disproportionate costs of non-low-income units under section 42(d)(3)(B)? ☐ Yes ☒ No

10 Check the appropriate box for each election.

Caution: Once made, the following elections are irrevocable.

a Elect to begin credit period the first year after the building is placed in service (section 42(f)(1)) ☒ Yes ☐ No

b Elect **not** to treat large partnership as taxpayer (section 42(j)(5)) ☐ Yes ☒ No

c Elect minimum set-aside requirement (section 42(g)) (see instructions):

☐ 20-50 ☒ 40-60 ☐ Average income ☐ 25-60 (N.Y.C. only)

d Elect deep rent skewed project (section 142(d)(4)(B)) (see instructions) ☐ 15-40

Under penalties of perjury, I declare that I have examined this form and accompanying attachments, and to the best of my knowledge and belief, they are true, correct, and complete.

Signature _____ Taxpayer identification number **75-0165960** Date _____

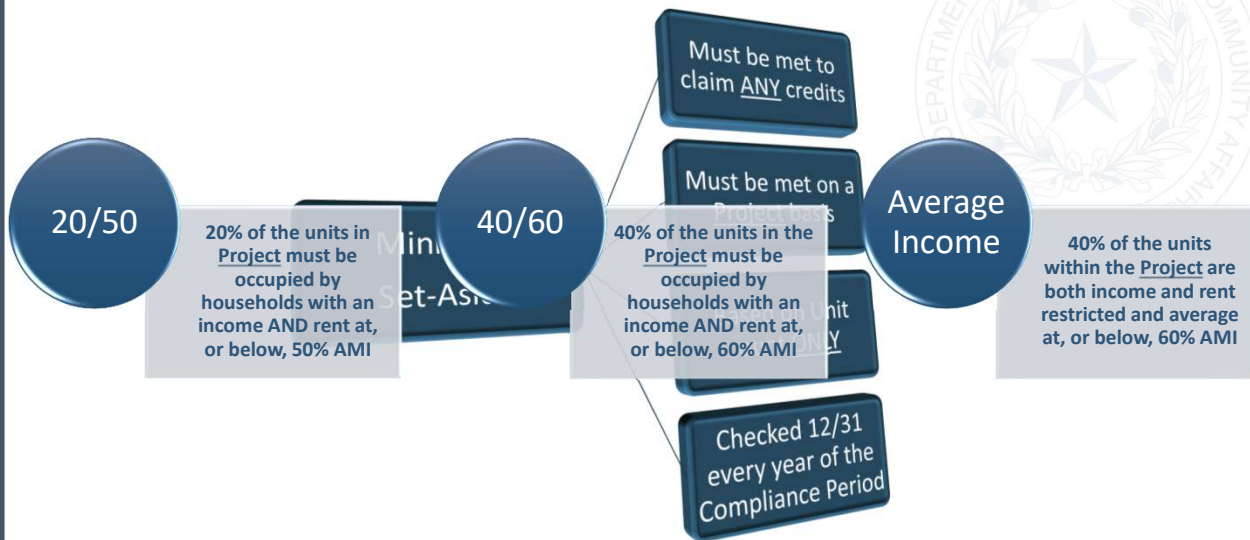
For example purposes only - not real forms Name (please type or print) _____ First year of the credit period **2026**

For Privacy Act and Paperwork Reduction Act Notice, see separate instructions. Cat. No. 63981U Form **8609** (Rev. 12-2021)

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Minimum Set-Aside



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Minimum Set-Aside: 20/50 Election

Form 8609 Elections:

8a Original Form 8609 Election: 500,000

8a Are you electing the 20/50 Set-Aside for an individual building project? ☐ Yes ☒ No

Form 8609 Elections: 20/50 Set-Aside Individual Building Project

20% of the building = 3 units (2.4 rounded up to the nearest whole unit)

Unit 301 Low-Income	Unit 302 Low-Income	Unit 303 Market Unit	Unit 304 Low-Income
Unit 201 Market Unit	Unit 202 Low-Income	Unit 203 Market Unit	Unit 204 Market Unit
Unit 101 Low-Income	Unit 102 Low-Income	Unit 103 Low-Income	Unit 104 Low-Income

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Minimum Set-Aside: 40/60 Election – Multiple Buildings

Form 8609 Elections:

8a Original Form 8609 Election: 500,000

8a Are you electing the 40/60 Set-Aside for multiple building projects? ☐ Yes ☒ No

Form 8609 Elections: 40/60 Set-Aside Multiple Building Project

40% of the project = 4 units (3.2 rounded up to the nearest whole unit)

10 Check the appropriate election. **Caution:** Once made, elections are irrevocable.

a Elect the 20/50 Set-Aside election for individual building projects.

b Elect the 40/60 Set-Aside election for multiple building projects.

c Elect the 60/40 Set-Aside election for multiple building projects.

☐ 20/50 ☒ 40/60 ☐ 60/40

Unit 101 Low-Income	Unit 102 Low-Income	Unit 101 Low-Income	Unit 102 Low-Income
Unit 103 Low-Income	Unit 104 Market	Unit 103 Low-Income	Unit 104 Low-Income

94

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Minimum Set-Aside: Average Income – Learning Point 1

$$40\% + 40\% + 50\% + 60\% + 60\% = 250/5 = 50\% \text{ average}$$

Unit 301 Low-Income 50%	Unit 302 Low-Income 60%	Unit 303 Market Unit	Unit 304 Low-Income 70%
Unit 201 Market Unit	Unit 202 Low-Income 40%	Unit 203 Market Unit	Unit 204 Market Unit
Unit 101 Low-Income 40%	Unit 102 Low-Income 60%	Unit 103 Low-Income 60%	Unit 104 Low-Income 60%

Form 8609 Elections:
Average Income Set-Aside
Individual Building Project

40% of All Units must be both rent and income restricted = 5 units (4.8 rounded up to nearest unit)

The box shows the units (Qualified Group) the Owner wishes to use to qualify for the Average Income Test (AIT). Since this average is below 60%, the set-aside requirement has been met.

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Minimum Set-Aside: Average Income - Learning Point 2

$$60\% + 60\% + 70\% + 50\% + 70\% = 310/5 = 62\% \text{ average}$$

Unit 301 Low-Income 60%	Unit 302 Low-Income 60%	Unit 303 Market Unit	Unit 304 Low-Income 70%
Unit 201 Market Unit	Unit 202 Low-Income 50%	Unit 203 Market Unit	Unit 204 Market Unit
Unit 101 Low-Income 70%	Unit 102 Low-Income 60%	Unit 103 Low-Income 60%	Unit 104 Low-Income 60%

Form 8609 Elections:
Average Income Set-Aside
Individual Building Project

40% of All Units must be both rent and income restricted = 5 units (4.8 rounded up to nearest unit)

The box shows the units (Qualified Group) the Owner wishes to use to qualify for the Average Income Test (AIT). Since this average is above 60%, the set-aside requirement has not been met.

96

Uh oh, We have noncompliance!

96

Minimum Set-Aside: Average Income - Learning Point 3

$$60\% + 60\% + 70\% + 50\% + 60\% = 300/5 = 60\% \text{ average}$$

Unit 301 Low-Income 60%	Unit 302 Low-Income 60%	Unit 303 Market Unit	Unit 304 Low-Income 70%
Unit 201 Market Unit	Unit 202 Low-Income 50%	Unit 203 Market Unit	Unit 204 Market Unit
Unit 101 Low-Income 60%	Unit 102 Low-Income 80%	Unit 103 Low-Income 80%	Unit 104 Low-Income 80%

Form 8609 Elections:
Average Income Set-Aside
Individual Building Project

We have established
Minimum Set-Aside.

It is always crucial, but
especially with Average
Income, that the designations
on the USR reported be
accurately.

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Minimum Set-Aside: Average Income - Learning Point 3 cont.

$$60\% + 60\% + 70\% + 50\% + 60\% + 80\% + 80\% + 80\% = 540/8 = 67.5\% \text{ average}$$

Unit 301 Low-Income 60%	Unit 302 Low-Income 60%	Unit 303 Market Unit	Unit 304 Low-Income 70%
Unit 201 Market Unit	Unit 202 Low-Income 50%	Unit 203 Market Unit	Unit 204 Market Unit
Unit 101 Low-Income 60%	Unit 102 Low-Income 80%	Unit 103 Low-Income 80%	Unit 104 Low-Income 80%

Form 8609 Elections:
Average Income Set-Aside
Individual Building Project

This is not a Minimum Set-Aside issue; this issue will trigger noncompliance for the most recent 80% move-in.

The Qualified Group averages at 60% AMI; however, the second test for the Project does not pass.

Uh oh, We have noncompliance!

98

98

Module 4

Rent & Income Limits, Utility Allowances, Fees & Gross Rent



99

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Income and Rent Limits

Income Limits

- Published annually by HUD
- **Project** specific
- Based on household size

Rent Limits

- Calculated from Income Limits
- **Project** specific
- Based on unit size

100

100

Income and Rent Limits: HUD Report

HUD INCOME LIMITS

Dataset/HUD Income Limits

Query Tool Documents Data

Effective May 01, 2026.

Access Individual Income Limits Areas

This system provides complete documentation of the excel formats at this link, may differ slightly from the

NOTE: Due to the Housing and Economic Recovery Act of 2008 (LHTEC) or section 142 tax exempt private equity bonds. These

The Department of Housing and Urban Development (HUD) including the Public Housing, Section 811 housing for persons with disabilities and Fair Market Rent area definitions.

Statement on FY 2026 Income Limits

FY 2024 Ceiling Methodology Changes

2026 2025 2024 2023 2022 Year

Query Tool Documents Data

Income Limits Documentation System

Area Definitions Contact Us

Every year, HUD publishes annual income limits, which are used primarily to determine the income eligibility of applicants for HUD housing assistance programs and are based on data from the American Community Survey and other sources. The income limit for federal affordable housing programs is the maximum income a household can earn to qualify or be targeted for assistance.

Search:

Search for County, State, or Metropolitan Area

Year:

2026

Select a Geography:

County

Select a State:

Texas

Select a County:

Anderson County

Prepared by the Program Parameters and Research Division, HUD.

View Countywide Calculations

<https://www.huduser.gov/portal/datasets/il.html>

101

101

Income and Rent Limits: TDHCA Income & Rent Tool 9%

Income and Rent Tool

The 2025 Housing Tax Credit limits are effective 04/01/2025. The 2025 NSP income limits are effective 06/01/2025. The Community Planning Division (CPD) of HUD released the 2025 HOME Program income limits effective after 06/01/2025. The 2023 National Housing Trust Fund income and rent limits are effective 06/01/2023.

County: ANDERSON

Financing: 9% Housing Credits

Place: Not Selected

Project PIS Date: Before 12/31/2008

Carryover/Determination Notice/Subaward Agreement date: Before 12/31/2008

For Home and NSP Only: On or Before 05/31/2025

Submit Bookmark

MTSP Median Income : 133800

Income Limits

Income	1	2	3	4	5	6	7	8
20	18740	21420	24100	26780	28200	31060	33200	35340
30	28110	32130	36150	40140	43380	46590	49800	53010
40	37480	42840	48200	53520	57840	62120	66400	70680
50	46850	53550	60250	66900	72300	77650	83000	88350
60	56220	64260	72300	80280	86760	93180	99600	106020
70	65590	74970	84350	93660	101220	108710	116200	123690
80	74960	85680	96400	107040	115680	124240	132800	141360

Rent Limits

Rent	0	1	2	3	4	5
20	468	502	602	696	776	856
30	702	753	903	1044	1164	1285
40	937	1004	1205	1392	1553	1713
50	1171	1255	1506	1740	1941	2141
60	1405	1506	1807	2088	2329	2570
65	1522	1631	1958	2262	2523	2784
70	1639	1757	2108	2436	2717	2998
80	1874	2008	2410	2784	3106	3427

Print to PDF Export to Excel

Helpful Tools

- Reasonable Accommodation and Reasonable Modification Information
- Tenant Handout: Income and Rent Limits English (PDF) Spanish (PDF)
- Income and Rent Limits in TDHCA-Supported Properties
- Archived Income and Rent Limits
- Instructions on How To Use the Department Income and Rent Tool

Housing Tax Credit, Tax Exempt Housing Trust Fund rental and program

- Income and Rent Tool
- 2024, 811 PRA Income Limits
- 2025, 811 PRA Income Limits

If you or someone you know is in need of assistance, please visit our Help for Texans Page.

Help for Texans

<https://www.tdhca.texas.gov/income-and-rent-limits>

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Income and Rent Limits: TDHCA Income & Rent Tool 4% & Exchange

County: **TRAVIS**
 Financing: **4% Housing Credits**
 Place: **Not selected**
 Project PIS Date: **On or After 05/16/2025**
 Carryover/Determination Notice/Subaward Agreement date: **05/15/2024-03/31/2025**
 For Home and NSP Only: **On or Before 05/31/2025**

Submit | Bookmark

MTSP Median Income : 133800

4% HTC

Income	1	2	3	4	5	6	7	8
20	18740	21420	24100	26760	28920	31060	33200	35340
30	28110	32130	36150	40140	43380	46590	49800	53010
40	37480	42840	48200	53520	57840	62120	66400	70680
50	46850	53550	60250	66900	72300	77650	83000	88350
60	56220	64260	72300	80280	86760	93180	99600	106020
70	65590	74970	84350	93660	101220	108710	116200	123690
80	74960	85680	96400	107040	115680	124240	132800	141360

Rent	0	1	2	3	4	5
20	468	502	602	696	776	856
30	702	753	903	1044	1164	1285
40	937	1004	1205	1392	1553	1713
50	1171	1255	1506	1740	1941	2141
60	1405	1506	1807	2088	2329	2570
70	1639	1757	2108	2436	2717	2998
80	1874	2008	2410	2784	3106	3427

Print to PDF | Export to Excel

County: **TRAVIS**
 Financing: **5% Housing Credits**
 Place: **Austin**
 Project PIS Date: **On or After 05/16/2025**
 Carryover/Determination Notice/Subaward Agreement date: **05/15/2024-03/31/2025**
 For Home and NSP Only: **On or Before 05/31/2025**

Submit | Bookmark

MTSP Median Income : 133800

Exchange

Income	1	2	3	4	5	6	7	8
20	18740	21420	24100	26760	28920	31060	33200	35340
30	28110	32130	36150	40140	43380	46590	49800	53010
40	37480	42840	48200	53520	57840	62120	66400	70680
50	46850	53550	60250	66900	72300	77650	83000	88350
60	56220	64260	72300	80280	86760	93180	99600	106020
70	65590	74970	84350	93660	101220	108710	116200	123690
80	74960	85680	96400	107040	115680	124240	132800	141360

Rent	0	1	2	3	4	5
20	468	502	602	696	776	856
30	702	753	903	1044	1164	1285
40	937	1004	1205	1392	1553	1713
50	1171	1255	1506	1740	1941	2141
60	1405	1506	1807	2088	2329	2570
65	1522	1631	1958	2262	2523	2784
70	1639	1757	2108	2436	2717	2998
80	1874	2008	2410	2784	3106	3427

Print to PDF | Export to Excel

<https://www.tdhca.texas.gov/income-and-rent-limits>

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Income and Rent Limits: Project PIS Date – Multiple Buildings

8a Original qualified basis of the building at close of first year of credit period 8a 500,000

b Are you treating this building as part of a multiple building project for purposes of section 42 (see instructions)? ☒ Yes ☐ No

Pandora Springs, LTD.
Federal Tax ID #91-189333

New Construction:

BIN	Addresses		Maximum Credit Allowable
TX-15-02101	1501 Circle S	Austin, TX 78611	\$45,000.00
TX-15-02105	1501 Circle S	Austin, TX 78611	\$60,750.00
Total Credit for the Project:			\$105,750.00

5a Date building placed in service 1/15/2020

b Check here ☐ if the date of allocation on line 1a is in calendar year 2021 or 2022 and the building is located in a qualified disaster zone (see instructions).

5a Date building placed in service 4/15/2020

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Income and Rent Limits: Learning Point 1

True or false, 9% HTC, 4% HTC and Tax Credit Exchange developments will all have the same Carryover date?

A True

B False

105

105

Income and Rent Limits: Learning Point 2

A 4% property and a 9% property in the same town/county will always have the same income and rent limits, true or false?

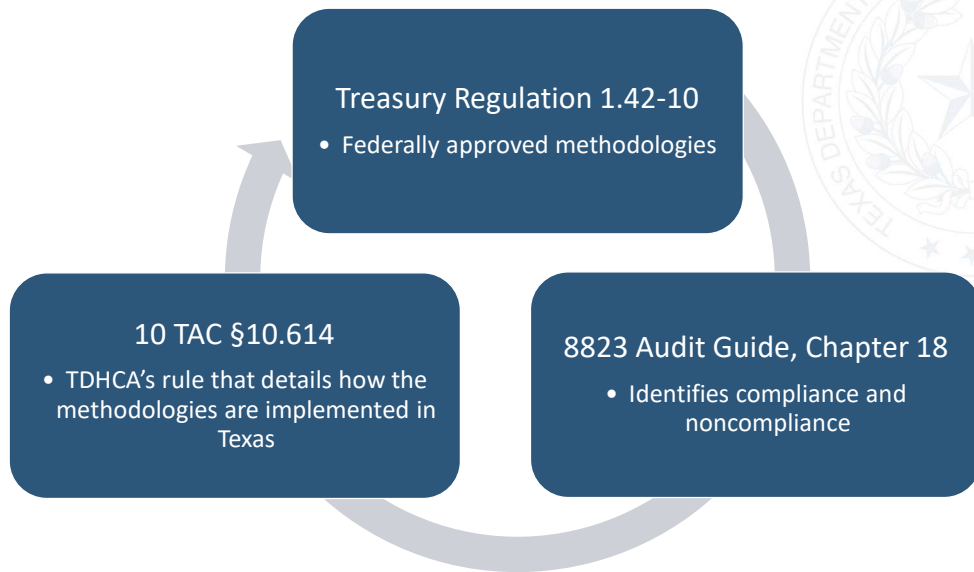
A True

B False

106

106

Utility Allowances: Regulations



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Utility Allowance: Application vs. LURA

[If tenants will be required to pay any other mandatory fees (e.g. renter's insurance) please provide an estimate, description and documentation of those as well.]

Utility	Who Pays	Energy Source	OBR	1BR	2BR	3BR	4BR	Source of Utility Allowance & Effective Date
Heating	Tenant							
Cooking	Tenant							
Other Electric	Tenant			\$ 55.97	\$ 70.88	\$ 78.69		Enercon Consumption Model
Air Conditioning	Tenant							2/11/22
Water Heater	Tenant							Approved by TDHCA
Water	Tenant			\$ 3.30	\$ 7.34	\$ 9.44		
Sewer	Tenant			\$ 19.90	\$ 21.46	\$ 23.95		
Trash	Landlord							
Flat Fee	Tenant							
Other	Tenant							
Total Paid by Tenant			\$ -	\$ 80.00	\$ 100.00	\$ 113.00	\$ -	

Once a property is underwritten with a Utility Allowance, that UA is allowed to be used until the building reaches 90% occupied for a period of 90 days, the end of the first year of the Credit Period, or the Owner requests a change from the underwritten UA.

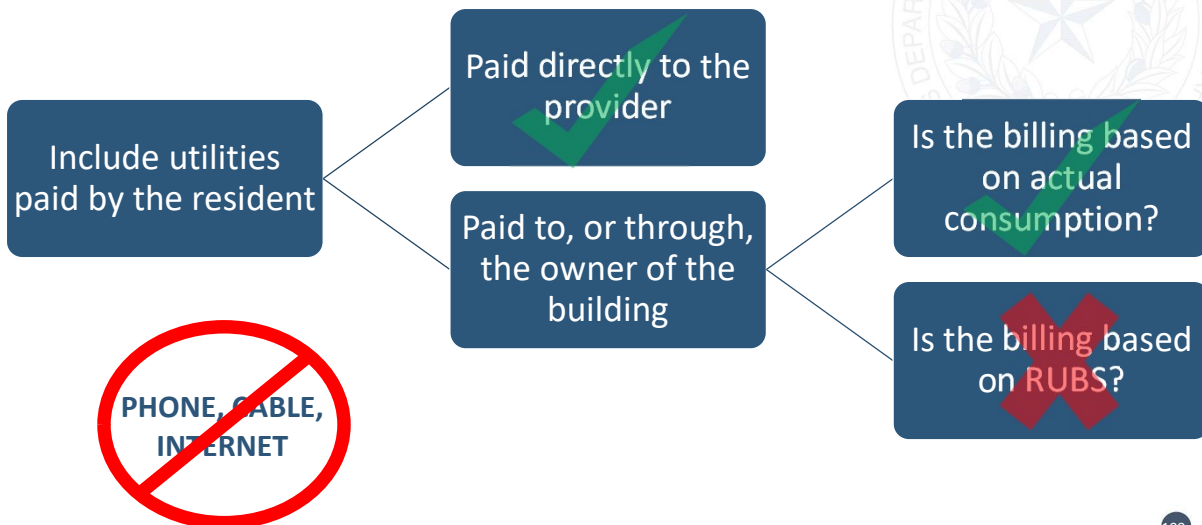
When the 1st building (BIN) hits the 90% occupied mark the Owner should submit a UA package to have it ready to implement after 90 days.

APPLICABLE PROGRAM RENT		
Gross Rent	Utility Allow	Max Net Program Rent
\$417	\$80	\$337
\$695	\$80	\$615
\$834	\$80	\$754
\$500	\$100	\$400
\$833	\$100	\$733
\$1,000	\$100	\$900
\$1,000	\$100	\$900
\$1,000	\$100	\$900
\$578	\$113	\$465
\$963	\$113	\$850
\$963	\$113	\$850
\$1,156	\$113	\$1,043
\$1,156	\$113	\$1,043

108

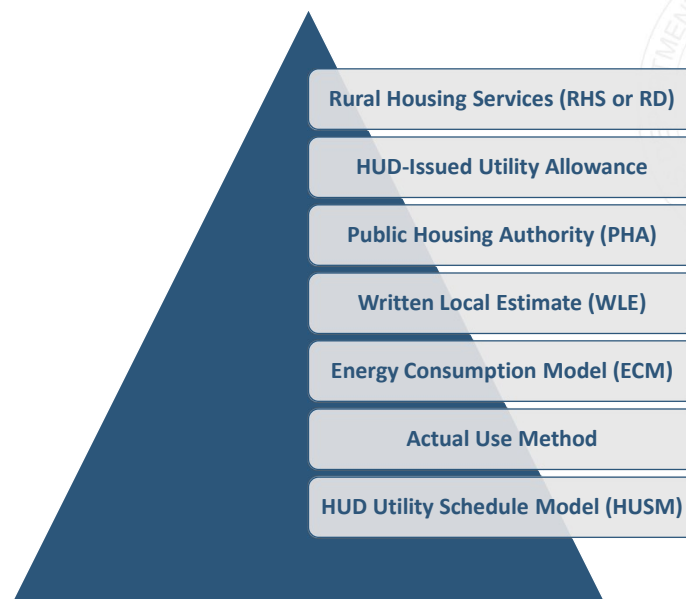
108

Utility Allowances: What's Included



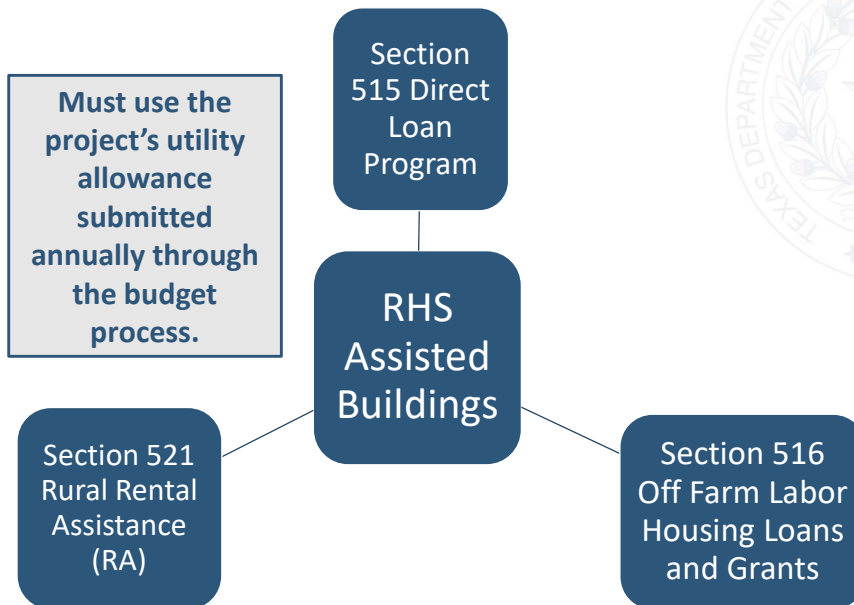
109

Utility Allowances: 7 Methodologies



110

Utility Allowances: USDA Rural Housing



111

111

Utility Allowances: USDA Rural Housing – Approval

December 15, 2024

Greetings,

We have reviewed your proposed 01/01/2025 – 12/31/2025 budget including the rent and/or utility allowance for the above referenced property. The requested proposal is acceptable. We have enclosed a copy of the approved/signed proposed budget for your records. The rent and/or utility rates will become effective January 1, 2025.

You may file an appeal regarding the rate and utility allowance change as approved. An appeal must be received in the Regional Office no later than 30 calendar days after receipt of any adverse decision. The appeal should state what appeal decision is being appealed and should include if possible a copy of the decision.

copy of

You must

utility al

USDA Rural Development

PO Box 771340

St. Louis, MO 63177

All tenants (members) are required to pay the changed amount of rent (occupancy charge) as indicated in the notice of approval.

EFFECTIVE DATE OF RENTS UTILITY ALLOWANCE: 01/01/2025											
Unit Description					Utility Types						
Type	Size	HC	Rev	Unit	Elect	Gas	Sewer	Trash	Water	Other	Total Allow
N	1	Y			101	0	0	0	0	0	101
N	2	All			124	0	0	0	0	0	124
N	1	All			101	0	0	0	0	0	101

Effective Date:
Indicated by
RHS Approval

Posting: As
required by RHS

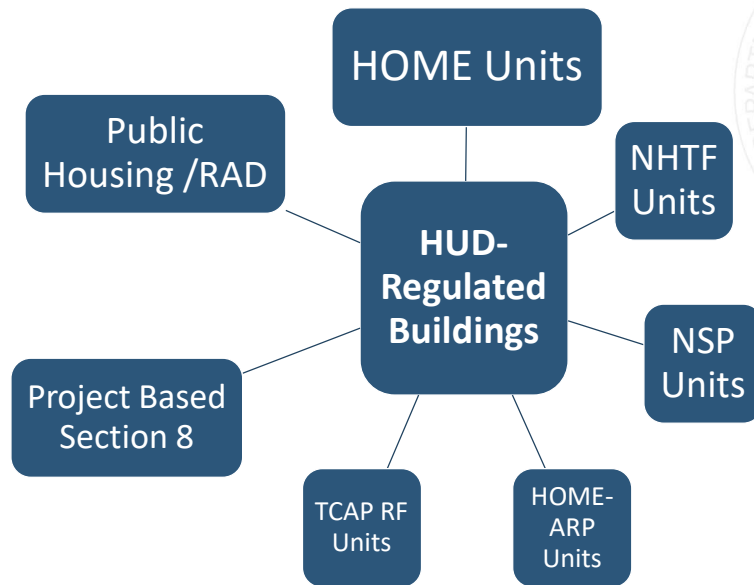
Annual Review:
As required by
RHS

Approval: From
RHS

112

112

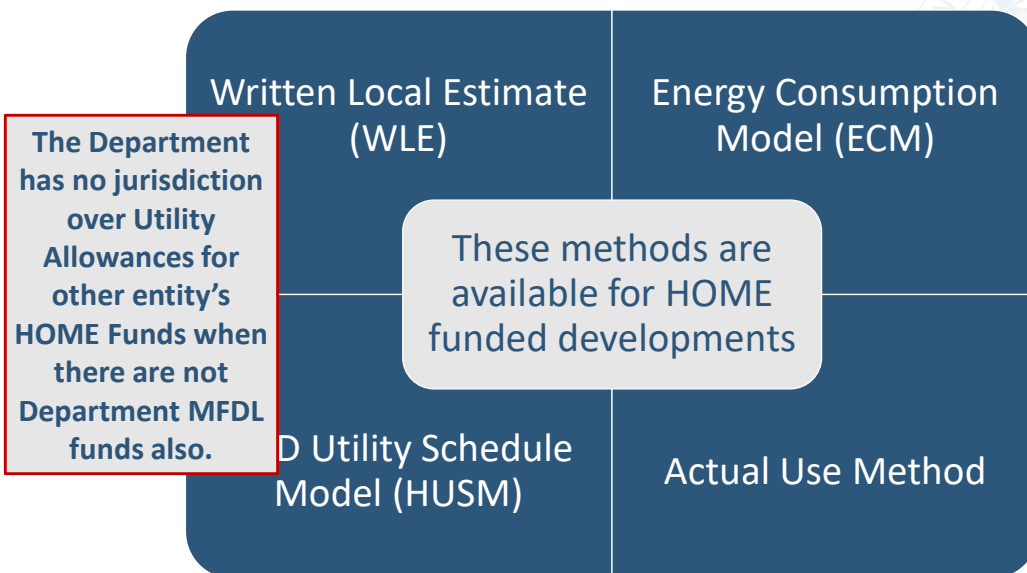
Utility Allowances: HUD-Regulated Buildings



113

113

Utility Allowances: HOME Funds from the Department



114

114

Utility Allowances: Department Issued MFDL Funds

October 8, 2025

Dear [Redacted],

The Texas Department of Housing and Community Affairs (the Department) has calculated the utility allowance for your unit based on the HUD Utility Schedule Model in accordance with 10 TAC §10.614(i)(3) and HOME Final Rule. This allowance is calculated based on the representation that the building(s) are not RHC assisted or have RHC assisted tenants, and that the Developer is responsible for the utility allowance under HUD Multifamily Notice 9-2025-4.

Please review the attached utility allowance schedule dated October 8, 2025 for errors related to characteristics of the buildings, the utilities paid by the residents, or the type of utilities present at the Development. If you find errors, please notify the Department within five (5) days of the date of this notification. If there are errors related to these items, otherwise, the attached is the only allowance approved for use and must be implemented for rent due in all programs by November 7, 2025, after the date of this notification. It is the sole responsibility of the owner to implement the allowance to ensure that the allowance is properly calculated and that the allowance is implemented in a timely manner. The Department will not be responsible for any errors or omissions in the allowance calculation or implementation. If the allowance is not implemented as required, the Department will not be responsible for any errors or omissions in the allowance calculation or implementation.

The utility allowance must be reviewed at least once a calendar year. 10 TAC §10.614(g) outlines requirements for annual review. If the owner wishes to switch the methodology used to calculate the utility allowance, prior approval from the Department is required.

If you have questions about this review, please contact Cara Polite via email at carapolite@tdhca.texas.gov.

Sincerely,

 Cara Polite
 Team Leader of Compliance Monitoring

221 East 11th Street P.O. Box 13941 Austin, Texas 78711-3941 (800) 525-0857 (512) 475-3800

February 25, 2025

Dear [Redacted],

The Texas Department of Housing and Community Affairs (Department) has received the request submitted on February 19, 2025, by [Redacted] to calculate the utility allowance using the Energy Consumption Model method described in 10TAC §10.614(i)(3)(D).

Your request is hereby granted. This approval is based on the representation that the residents are financially responsible for electric, and that the Development does not have RHC assisted buildings or RHC assisted tenants.

The Notice to the Residents was posted on February 17, 2025, which begins the 90-day notification period. Please note that a resident of the development could contact the Department with additional information during the notification period. If the information is relevant, the Department may contact the owner and request additional documentation. The following utility allowances are effective for rent due after May 27, 2025:

Energy Consumption Model	1 Bedroom	2 Bedroom
	\$55.00	\$70.00

It is the sole responsibility of the owner to implement the allowance to ensure that rents are restricted and, if applicable, all additional rent and occupancy restrictions are met. The Department will review rents during the next monitoring review and, failure to implement timely, will result in noncompliance.

Please note, the approved allowance expires December 31, 2026. The utility allowance must be reviewed at least once a calendar year. 10 TAC §10.614(g) outlines requirements for annual review. The annual review and all back-up documentation required by the method must be submitted to the Department by the deadline.

Sincerely,

 Cara Polite
 Team Leader of Compliance Monitoring

221 East 11th Street P.O. Box 13941 Austin, Texas 78711-3941 (800) 525-0857 (512) 475-3800

Effective Date: Indicated by the letter

Posting: Not required if Department calculated – 90 days if Owner requested

Annual Review: Once per calendar year

Approval: From the Department

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Utility Allowances: HOME Funds from Another PJ Part 1

HOME funds in all buildings:

September 19, 2025

Dear [Redacted],

The Texas Department of Housing and Community Affairs (Department) has received the request submitted on September 12, 2025, by [Redacted] to calculate the utility allowance using the Energy Consumption Model method described in 10 TAC §10.614(i)(3)(D).

In accordance with Treasury Regulation 31.45-20035, if neither a building nor any tenant in the building receives HUD housing assistance, and the rent and utility allowance of the building are reviewed by HUD as an annual basis (HUD-Registered building), the applicable utility allowance for all rent-restricted units in the building is the applicable HUD utility allowance. The utility allowance is calculated on a building by building basis and, as every building in the development contains at least one HOME unit, the buildings at Austin Capital Park are considered to be HUD-registered and the only allowable utility allowance for all rent-restricted units is the allowance prescribed under the HOME Program of the City of Austin.

It is the sole responsibility of the owner to implement a properly calculated utility allowance to ensure that rents are restricted and, if applicable, all additional rent and occupancy restrictions are met. The Department will review rents during the next monitoring review and, failure to properly calculate the allowance, will result in noncompliance.

Please be advised that the utility allowance must be reviewed at least once a calendar year. The review must take into account any changes to the building, including energy conservation measures that affect energy consumption and changes in utility rates. 10 TAC §10.614(g) outlines the requirements for an annual review.

If you have questions about this review, please contact Cara Polite at (512) 475-3822 or via email: carapolite@tdhca.texas.gov.

Sincerely,

 Cara Polite
 Team Leader of Compliance Monitoring

221 East 11th Street P.O. Box 13941 Austin, Texas 78711-3941 (800) 525-0857 (512) 475-3800

From: [Redacted]
To: [Redacted]
Cc: [Redacted]
Subject: Utility Allowance
Date: Monday, October 27, 2025 10:39:12 AM
Attachments: [HomePJ2025 Request approval ECM \[Redacted\]](#)

CAUTION: This email originated from outside of the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.

The City of Killeen, as the Participating Jurisdiction (PJ), approves the attached ECM Utility Allowance for [Redacted]. The ECM shall be updated annually, each September, to ensure compliance with HOME rent restrictions.

Executive Director of Community Development
 City of Killeen
 Phone: (754) [Redacted]
www.killeentexas.gov

 Dedicated Service – Every Day for Everyone!

Effective Date: Indicated by HOME PJ

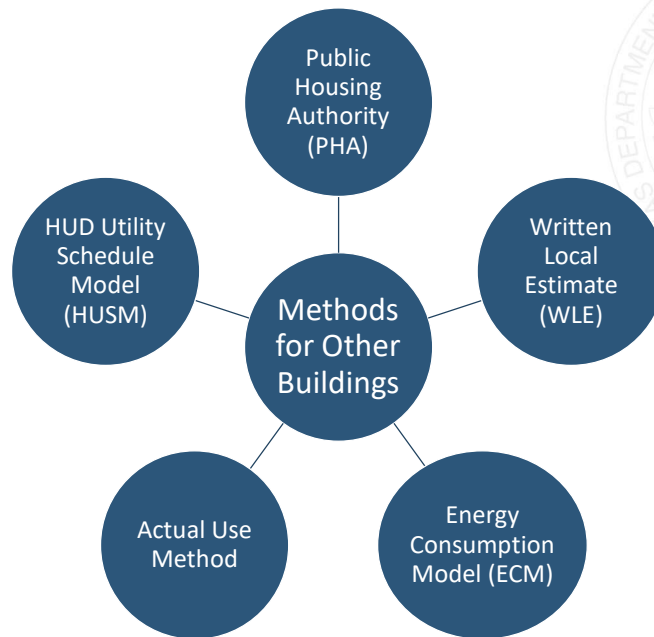
Posting: As required by HOME PJ

Annual Review: As required by HOME PJ

Approval: From HOME PJ

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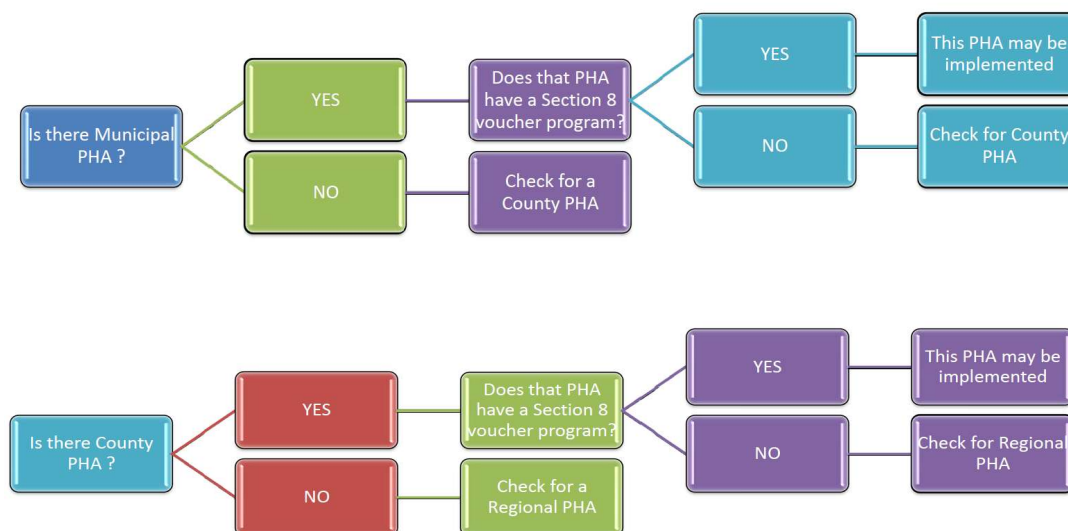
Utility Allowances: Other Buildings



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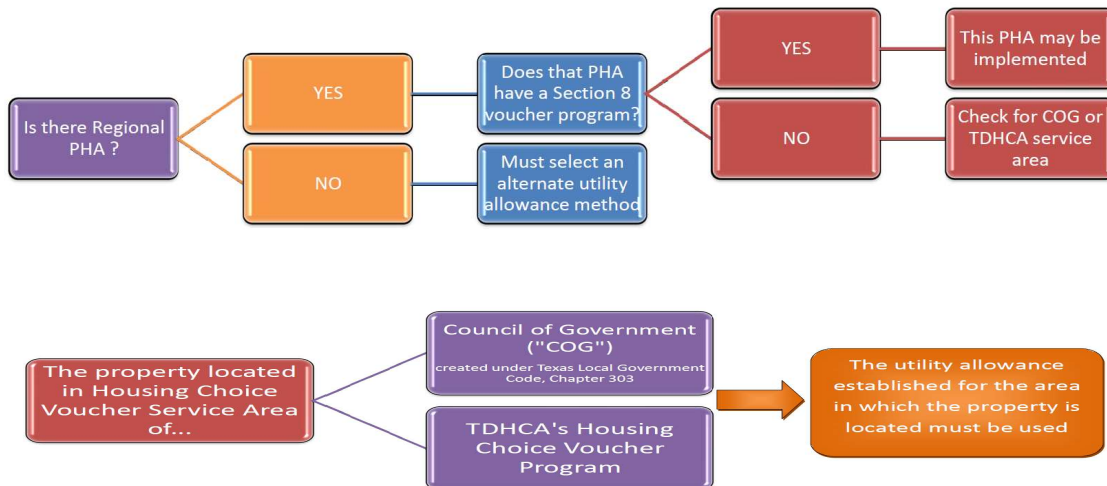
Utility Allowances: PHA Methodology – City and County



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Utility Allowances: PHA Methodology – Regional, COG or TDHCA



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Utility Allowances: PHA Methodology – City versus County

Allowance for Tenant-Furnished Utilities and Other Services

U.S. Department of Housing and Urban Development
Office of Public and Indian Housing

OMB Approval No. 2577-0089

Effective Date: 1/1/2025

Locality/PHA: HOUSTON, TX METROPOLITAN AREA

UNIT TYPE: APARTMENTS (5 OR MORE UNITS PER BUILDING)

Utility or Service	0 BR	1 BR	2 BR	3 BR	4 BR	5 BR	6 BR	7 BR	8 BR
Heating									
a. Natural Gas	\$8	\$9	\$9	\$10	\$11	\$12	\$12	\$13	\$14
b. Bottled Gas									
c. Electric	\$12	\$14	\$16	\$19	\$23	\$24	\$26	\$28	\$30
d. Coal/Other									

City of Houston

Utility or Service	0 BR	1 BR	2 BR	3 BR	4 BR	5 BR	6 BR	7 BR	8 BR
Water	\$36	\$37	\$40	\$40	\$41	\$43	\$44	\$46	\$48
Sewer	\$33	\$35	\$37	\$38	\$40	\$41	\$43	\$44	\$46
Trash Collection									
Range/Microwave (if tenant supplies)	\$11	\$11	\$11	\$11	\$11	\$11	\$11	\$11	\$11
Refrigerator (if tenant supplies)	\$12	\$12	\$12	\$12	\$12	\$12	\$12	\$12	\$12
Other - Monthly Electric Fee	\$13	\$13	\$13	\$13	\$13	\$13	\$13	\$13	\$13
Other - Monthly Gas Fee	\$12	\$12	\$12	\$12	\$12	\$12	\$12	\$12	\$12

Annual Family Allowance - May be used by the family to complete allowance while searching for a unit.

Head of Household Name: _____

Unit Address: _____

Number of Bedrooms: _____

Previous versions are obsolete.

Page 1 of 1

Form HUD-52667(12/97) ref. Handbook 7420.2

Utility Allowance Schedule

U.S. Department of Housing and Urban Development
Office of Public and Indian Housing

OMB Approval No. 2577-0089 exp. 04/30/2026

The following allowances are used to determine the total cost of tenant-furnished utilities and appliances.

Locality/PHA: Harris County Housing Authority-TX441

UNIT TYPE: Apartments (5 or more) / Low-Rise

Date (mm/dd/yyyy): 04/01/2025

Utility or Service	0 BR	1 BR	2 BR	3 BR	4 BR	5 BR
Heating						
Natural Gas	\$7.00	\$9.00	\$9.00	\$10.00	\$11.00	\$11.00
Bottled Gas						
Electric	\$11.00	\$13.00	\$16.00	\$18.00	\$21.00	\$24.00
Electric - Heat Pump	\$10.00	\$11.00	\$13.00	\$15.00	\$17.00	\$18.00
Fuel Oil						
Other						
Cooking						
Natural Gas	\$2.00	\$2.00	\$3.00	\$4.00	\$5.00	\$6.00

Harris County

Utility or Service	0 BR	1 BR	2 BR	3 BR	4 BR	5 BR
Bottled Gas						
Electric	\$15.00	\$18.00	\$22.00	\$27.00	\$32.00	\$37.00
Electric - Heat Pump						
Fuel Oil						
Water	\$18.00	\$18.00	\$48.00	\$75.00	\$95.00	\$114.00
Sewer	\$43.00	\$46.00	\$67.00	\$88.00	\$109.00	\$130.00
Trash Collection	N/A	N/A	N/A	N/A	N/A	N/A
Other - specify	\$23.00	\$23.00	\$23.00	\$23.00	\$23.00	\$23.00
Range/Microwave	\$11.00	\$11.00	\$11.00	\$11.00	\$11.00	\$11.00
Refrigerator	\$12.00	\$12.00	\$12.00	\$12.00	\$12.00	\$12.00

Annual Family Allowance - May be used by the family to complete allowance while searching for a unit.

Head of Household Name: _____

Unit Address: _____

Number of Bedrooms: _____

Previous versions are obsolete.

Page 1 of 1

Form HUD-52667 (04/2023)

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Utility Allowances: PHA Method – Different Building Types

Utility Allowance Schedule

U.S. Department of Housing and Urban Development

Office of Public and Indian Housing

OMB Approval No. 2577-0169 (exp. 04/30/2026)

See Public Reporting and Instructions on back.

The following allowances are used to determine the total cost of tenant-furnished utilities and appliances.

Locality/PHA Housing Authority of the City of Austin, TX	Unit Type: Multi-Family -(Elevator)	Date (mm/dd/yyyy) 06/01/2025
Utility of Service	Fuel Type	0 BR1 BR2 BR3 BR4 BR5 BR
Heating	Natural Gas	\$16.00\$19.00\$21.00\$23.00\$25.00\$27.00
	Bottle Gas	

Utility Allowance Schedule

U.S. Department of Housing and Urban Development

Office of Public and Indian Housing

OMB Approval No. 2577-0169 (exp. 04/30/2026)

See Public Reporting and Instructions on back.

The following allowances are used to determine the total cost of tenant-furnished utilities and appliances.

Locality/PHA Housing Authority of the City of Austin, TX	Unit Type: Semi-Detached/Duplex	Date (mm/dd/yyyy) 06/01/2025
Utility of Service	Fuel Type	0 BR1 BR2 BR3 BR4 BR5 BR
Heating	Natural Gas	\$23.00\$27.00\$29.00\$31.00\$33.00\$36.00
	Bottle Gas	

Utility Allowance Schedule

U.S. Department of Housing and Urban Development

Office of Public and Indian Housing

OMB Approval No. 2577-0169 (exp. 04/30/2026)

See Public Reporting and Instructions on back.

The following allowances are used to determine the total cost of tenant-furnished utilities and appliances.

Locality/PHA Housing Authority of the City of Austin, TX	Unit Type: Single-Family (Detached House)	Date (mm/dd/yyyy) 06/01/2025
Utility of Service	Fuel Type	0 BR1 BR2 BR3 BR4 BR5 BR
Heating	Natural Gas	\$24.00\$28.00\$31.00\$33.00\$36.00\$39.00
	Bottle Gas	

Utility Allowance Schedule

U.S. Department of Housing and Urban Development

Office of Public and Indian Housing

OMB Approval No. 2577-0169 (exp. 04/30/2026)

See Public Reporting and Instructions on back.

The following allowances are used to determine the total cost of tenant-furnished utilities and appliances.

Locality/PHA Housing Authority of the City of Austin, TX	Unit Type: Multi-Family-Energy Efficient	Date (mm/dd/yyyy) 06/01/2025
Utility of Service	Fuel Type	0 BR1 BR2 BR3 BR4 BR5 BR
Heating	Natural Gas	\$13.00\$16.00\$17.00\$19.00\$20.00\$23.00
	Bottle Gas	
	Electric	\$8.00\$9.00\$11.00\$13.00\$15.00\$17.00
	Electric Heat Pump	
	Fuel Oil	

Utility Allowance Schedule

U.S. Department of Housing and Urban Development

Office of Public and Indian Housing

OMB Approval No. 2577-0169 (exp. 04/30/2026)

See Public Reporting and Instructions on back.

The following allowances are used to determine the total cost of tenant-furnished utilities and appliances.

Locality/PHA Housing Authority of the City of Austin, TX	Unit Type: Row House/Townhouse	Date (mm/dd/yyyy) 06/01/2025
Utility of Service	Fuel Type	0 BR1 BR2 BR3 BR4 BR5 BR
Heating	Natural Gas	\$23.00\$27.00\$29.00\$31.00\$33.00\$36.00

<https://www.hacanet.org/landlords/>

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Utility Allowances: PHA Schedule

Allowance for Tenant-Furnished Utilities and Other Services		U.S. Department of Housing and Urban Development Office of Public and Indian Housing		OMB Approval No. 2577-0169 (exp. 04/30/2024)				
See Public Reporting Statement and Instructions on back								
DALLAS HOUSING AUTHORITY		APT / CONDO / TOWNHOUSE		Date (mm/dd/yyyy) 01/01/2025				
Utility or Service	Monthly Dollar Allowances							
		0BR	1BR	2BR	3BR	4BR	5BR	
Heating	a. Natural Gas	\$40	+	\$43	\$45	\$47	\$49	\$52
	b. Bottle Gas	-	-	-	-	-	-	-
	c. Oil / Electric	\$21	\$24	\$28	\$32	\$37	\$41	\$45
Cooking	a. Natural Gas	\$4	\$4	\$6	\$8	\$10	\$12	\$14
	b. Bottle Gas	-	-	-	-	-	-	-
	c. Oil / Electric	\$7	\$9	\$13	\$17	\$21	\$24	\$28
Other Electric	d. Coal/Other	-	-	-	-	-	-	-
		\$28	\$33	\$46	\$59	\$72	\$85	\$98
	Air Conditioning	\$23	\$27	\$36	\$45	\$53	\$63	\$73
Water Heating	a. Natural Gas	\$8	\$9	\$13	\$17	\$22	\$26	\$30
	b. Bottle Gas	-	-	-	-	-	-	-
	c. Oil / Electric	\$17	\$20	\$26	\$33	\$36	\$41	\$47
Water	d. Coal/Other	-	-	-	-	-	-	-
		\$25	\$28	\$32	\$110	\$180	\$250	\$320
	Sewer	\$40	\$47	\$74	\$135	\$196	\$257	\$318
Trash Collection		\$38	\$38	\$38	\$38	\$38	\$38	\$38
	Range (if tenant supplies)	\$15	\$15	\$15	\$15	\$15	\$15	\$15
	Refrigerator (if tenant supplies)	\$12	\$12	\$12	\$12	\$12	\$12	\$12
Other - Microwave (if tenant supplies)								
Actual Family Allowances To be used by the family to complete allowance. Complete below for the actual unit rented.								Utility or Service
Name of Family							Heating	Per Month Cost
							Cooking	
							Other Electric	
							Air Conditioning	
							Water Heating	
							Water	
							Sewer	
Address of Unit							Trash Collection	
							Range/Microwave	
							Refrigerator	
							Other	
Number of Bedrooms							Total	
Previous address are obsolete		Page 1 of 1		Form HUD-2047-01-10 Rev. 04/2014		Form HUD-2047-01-10 Rev. 04/2014		

Effective Date:
Within 90 days

Posting: Not
Required

Annual Review:
When PHA
publishes

Approval: Not
required

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Utility Allowances: HUD Utility Schedule Model

TEXAS DEPARTMENT OF HOUSING AND COMMUNITY AFFAIRS
www.tdhca.texas.gov

Greg Abbott
Governor

October 2, 2025

RE: [REDACTED]
Dear [REDACTED]:

The Texas Department of Housing and Community Affairs (Department) has received the request submitted on September 29, 2025, for [REDACTED] to calculate utility allowance using the HUD Utility Schedule Model method described in 10 TAC 10.614(c). Your request is approved based on the following representations:

1. That the building is not HUD-Regulated;
2. That the building(s) are not RSH assisted or have RSH assisted tenants;
3. That the residents are financially responsible for electric and that the utility is not paid through the owner of the building based on an allocation formula or RUBS; and,
4. That the only building type is Single Family Attached (Townhouse).

Please note that, in accordance with Treasury Regulation §1.42-10, the utility allowance for units occupied by Section 8 voucher holders remains the applicable Public Housing Authority allowance established from where the resident receives the assistance.

The Notice to the Residents was posted on September 29, 2025, which begins the 90-day notice period. Please note that a resident of the development could contact the Department with additional information during the notification period. If the information is relevant, the Department may contact the owner and request additional documentation. Otherwise, the attached utility allowance is effective for rent due after December 27, 2025.

Please see attached utility allowance schedule. This is the only allowance approved for use. It is the sole responsibility of the owner to implement the allowance to ensure that rents are restricted and, if applicable, all additional rent and occupancy restrictions are met. The Department will review rents during the next monitoring review and, failure to implement timely, will result in noncompliance.

221 East 11th Street P.O. Box 13941 Austin, Texas 78711-3941 (800) 525-0857 (512) 475-3800

Allowances for Tenant-Furnished Utilities and Other Services

U.S. Department of Housing and Urban Development
Office of Public and Indian Housing

Utility or Service	Green Discount	Single Family Attached Monthly Dollar Allowances			
		0 BR	1 BR	2 BR	3 BR
Space Heating					
Natural Gas					
Bottled Gas					
Electric Resistance					
Electric Heat Pump					
Fuel Oil					
Cooking					
Natural Gas					
Bottled Gas					
Electric					
Other - specify					
Other Electric					
Air Conditioning					
Water Heating					
Natural Gas					
Bottled Gas					
Electric					
Fuel Oil					
Water					
Sewer					
Trash Collection					
Range/Microwave					
Refrigerator					
Other - specify					
Total					
Total Allowance (Rounded Up)					

Effective Date: 90 days from the "Form Date"

Posting: Same day as the "Form Date" and date submitted to TDHCA

Annual Review: Once per calendar year

Approval: From TDHCA

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Utility Allowances: Actual Use Method

Unit types are defined in this order: Square Footage, Bedroom Size, Number of Bathrooms

Unit Numbers	Bedrooms	Bathrooms
105	1	1
107	1	1
204	1	1
305	1	1
306	1	1

Total Usage	Cost
4542	
5819	
10719	
2714	
7549	

TEXAS DEPARTMENT OF HOUSING AND COMMUNITY AFFAIRS
www.tdhca.texas.gov

September 22, 2025

RE: [REDACTED]
Dear Mark [REDACTED]:

The Texas Department of Housing and Community Affairs (Department) has received the request submitted on August 22, 2025, and September 5, 2025 to calculate the utility allowance using the Actual Use Method as described in 10 TAC §10.614(c)(3)(G).

Your request is hereby granted. This approval is based on the following representations: (1) that the residents are financially responsible for electricity, water, and sewer; and that the utilities are not paid to or through the owner of the building based on an allocation formula or RUBS; and (2) that the buildings are not Rural Housing Services (RHS) buildings.

In accordance with 10 TAC §10.614(f)(3), receipt of approval from the Department will begin the ninety (90) day period after which the new utility allowance must be used to compute gross rent. Upon receipt of this approval, Notice to the Residents must be posted in common area of the leasing office of the development, the posting submitted must be redone and dated with today's date. Please note that a resident of the development could contact the Department with additional information during the ninety (90) day notification period. If the information is relevant, the Department may contact the owner and request additional documentation. **The following allowances are effective for rent due after December 21, 2025:**

Actual Use - Electric	Actual Use - Water/Sewer
1 Bedroom \$94.00	\$18.00 (water) / \$12.00 (sewer)
2 Bedroom \$108.00	\$19.00 (water) / \$12.00 (sewer)

221 East 11th Street P.O. Box 13941 Austin, Texas 78711-3941 (800) 525-0857 (512) 475-3800

Effective Date: Date the allowance is approved by the Department

Posting: Date approval is received from TDHCA

Annual Review: Once per calendar year, must be submitted by 8/1

Approval: From TDHCA

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Utility Allowances: Annual Review

• Requirements for Annual Review

- USDA/Rural Development and HUD Project Based Funding Utility Allowances
 - The owner must demonstrate that the utility allowance has been reviewed annually and in accordance with USDA/RD and HUD regulations
- PHA Method
 - Owners are responsible for periodically determining if the applicable PHA released an updated schedule to ensure timely implementation. When a new allowance is made available by the PHA, it can be implemented immediately, but must be implemented for rent due 90 days after the effective date
- Written Local Estimate (WLE), HUD Utility Model Schedule (HUSM) and Energy Consumption Model (ECM)
 - Owners must update the allowance once a calendar year. The update and all back-up documentation MUST be submitted to the Department **no later than October 1st** of each year
- Actual Use Method
 - Owners must update once a calendar year. The update and all back-up documentation MUST be submitted **no later than August 1st** of each year
- **A utility allowance is considered implemented once the Unit Status Report (USR) is updated and rents are restricted.**

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Utility Allowances: Annual Review Not Submitted

Except for MFDL developments, if an Owner fails to submit for annual review during the calendar year, the Development's Utility Allowance will default to the applicable PHA allowance. If the Development is in an area that does not have a PHA, the Development fails to have a properly calculated Utility Allowance.

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Utility Allowances: How to Handle Changes

An Owner may not change methodologies or the utilities that a resident is financially responsible for without prior written Department approval.

- The Department will review all requests, except for the “Actual Use” methodology which is 45 days, within 90 days of the receipt of the request
- **If the owner fails to post the notice to the residents AND simultaneously submit the request to the Department by the beginning of the 90-day period, the approval or denial will be delayed for up to 90 days after the Department notification**

*** Once approval to start or stop charging for a utility is received, owners must implement the change in utilities charged at the time of each household's lease renewal, and no sooner. ***

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Utility Allowances: Combining Methodologies

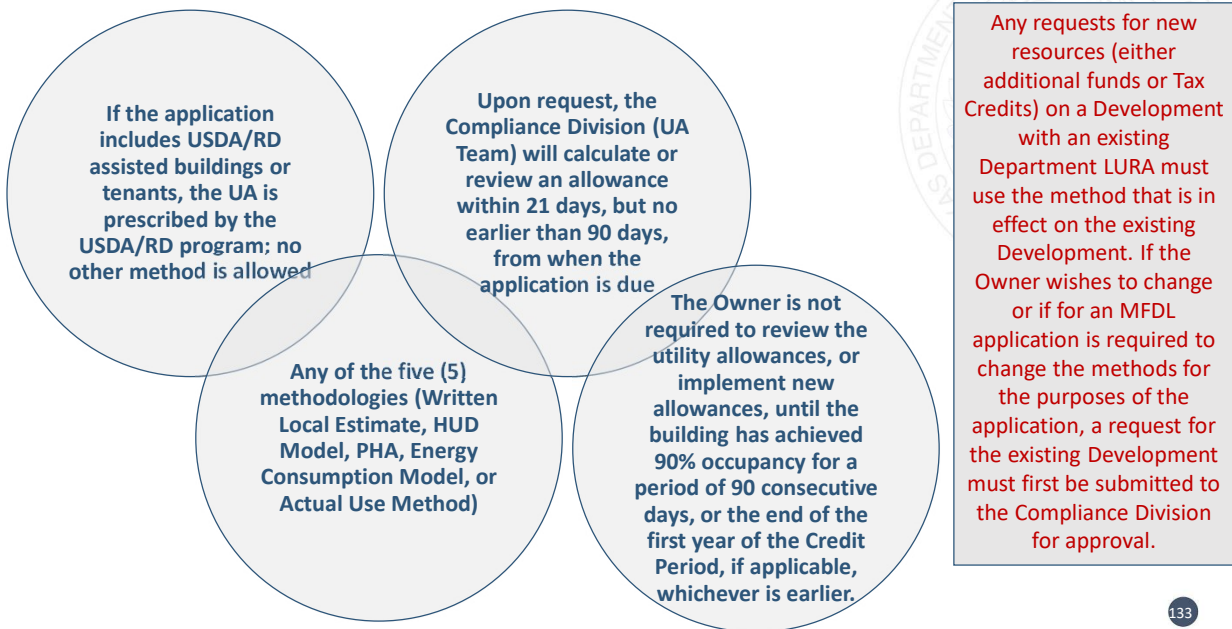
- **In general, owners may combine any methodology described in §10.614 for each utility service type paid directly by the resident and not by or through the owner of the building**
 - Example: If residents are responsible for electricity and gas, an owner may use the appropriate PHA allowance to determine the gas portion of the allowance and use the HUD Model to determine the electric portion of the allowance
- **USDA/RD and HUD-Regulated buildings (including those HUD-Regulated by MFDL funds) are not allowed to combine methodologies**

Be careful... different methods have different annual review requirements and effective dates.

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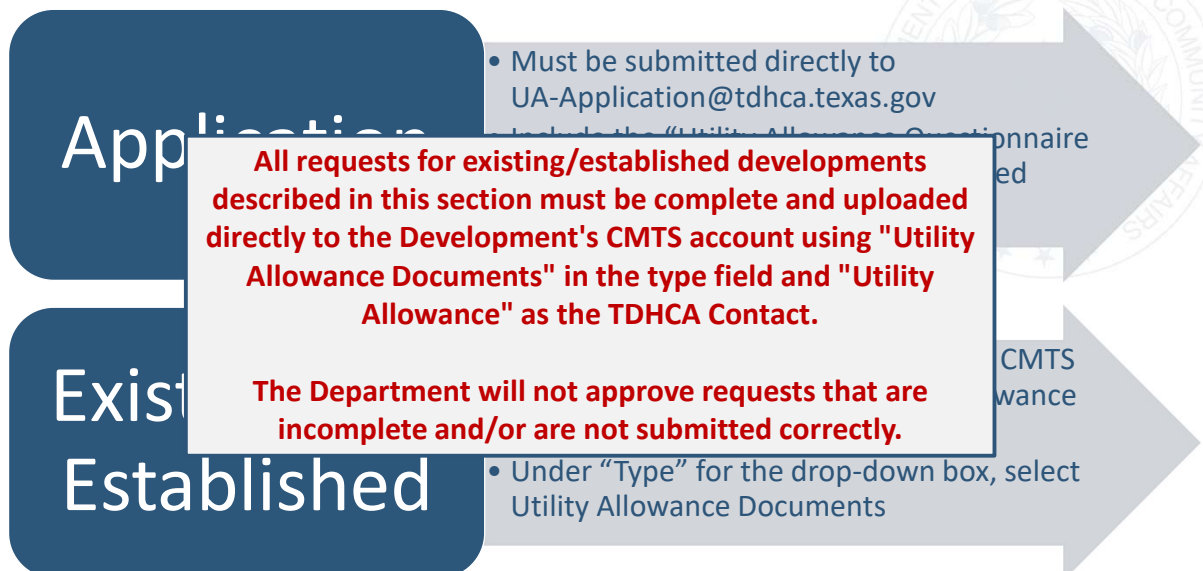
132

Utility Allowances: At Application



133

Utility Allowances: How to Submit



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Utility Allowances: Learning Point 1

Tax Credit Developments can use any of the 7 methodologies to calculate the utility allowance?

A True

B False

135

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Utility Allowances: Learning Point 2

A Housing Choice Voucher (Section 8) household in the building makes the entire building HUD-regulated, true or false?

A True

B False

136

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Utility Allowances: Learning Point 3

What utility allowance do I use if I have both USDA/RD assisted buildings and HUD-regulated buildings?

- ☒ A USDA/RD Approval Letter
- ☐ B HUD Rent Schedule
- ☐ C Whatever assistance the unit receives
- ☐ D None of the above
- ☐ E I don't know

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Utility Allowances: Learning Point 4

What date should my HUD issued Utility Allowance be updated on the Unit Status Report?

- ☐ A At household renewal
- ☒ B On the HUD Rent Schedule effective date
- ☐ C Whatever date the owner chooses
- ☐ D None of the above
- ☐ E Any of the above

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Utility Allowances: Learning Point 5

A household that has a Section 8 Voucher, what is the Utility Allowance for that unit on a Tax Credit property?

A

The approved Utility Allowance methodology for the development

B

The approved Utility Allowance from the Public Housing Authority that issued the voucher

C

The most applicable PHA for the Development

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Utility Allowances: Learning Point 6

When the UA goes into effect, does it affect households on the effective date of the UA or at household recertification?

A

On the utility allowance effective date, the USR should be updated with the current UA and any rent adjustments made

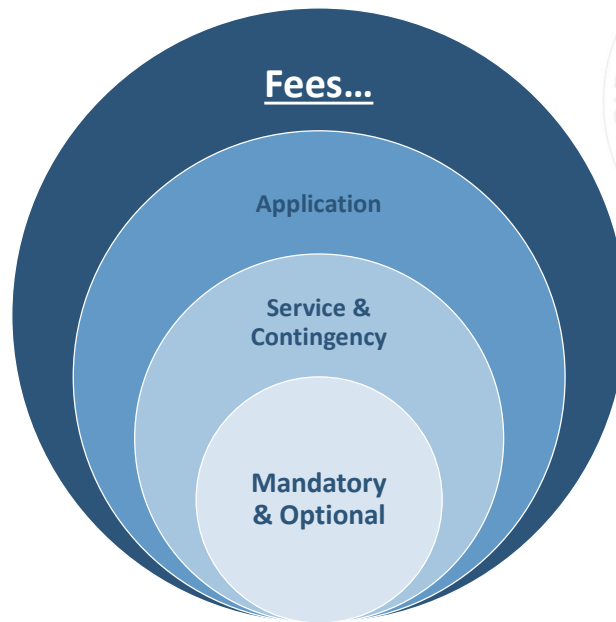
B

At recertification the USR should be updated at that time with the current UA and any rent adjustments made

140

140

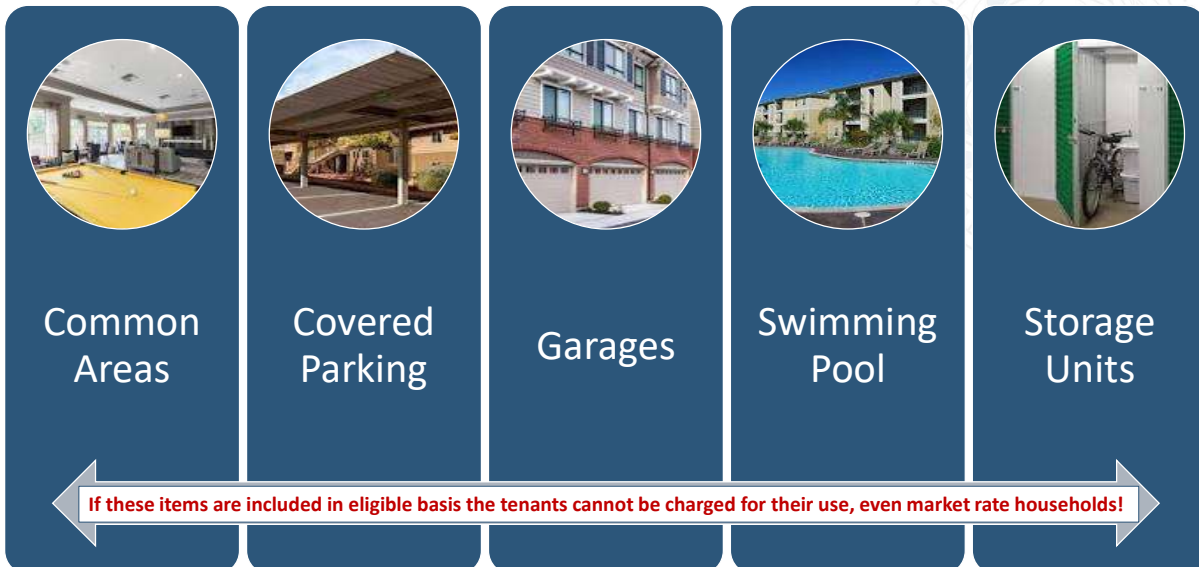
Fees



141

141

Fees: Included in Eligible Basis



142

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Fees: Application Fees

NO deposit or fee may be charged for a household to be placed on a waiting list.

Application fees are supported based on how the property is charged

Flat fee per month regardless of how many applications are processed

Cost per individual application processed

Per household admin fee as outlined in 10 TAC §10.622(c)(1)

Application processing is limited to the actual out-of-pocket cost to the owner for checking household's credit history and landlord references

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Fees: Application Fees – Flat Fee

Access Fees	Qty	Item Charge	Net Charge	S&H	Tax	Ext Charge
RealPage Certified Documents						
Monthly Fees; Unit Pricing; 144 Unit(s); Period 10/01/2025 to 10/31/2025	144.00	0.3000	43.20	0.00	2.85	46.05
1.00 Qty(s); 144 Unit(s); total = \$43.2000						
Charged at \$0.3000 per Unit						
LeasingDesk Screening Enterprise						
Monthly Fees; Unit Pricing; 122 Unit(s); Period 10/01/2025 to 10/31/2025	122.00	1.9600	239.12	0.00	19.73	258.85
144 Unit(s) is adjusted to 122 Qty. based on PPU of 85%						
Charged at \$1.9600 per Unit						
RealPage Lease Management System						
Monthly Fees; Unit Pricing; 144 Unit(s); Period 10/01/2025 to 10/31/2025	144.00	0.4300	61.92	0.00	4.09	66.01
1.00 Qty(s); 144 Unit(s); total = \$66.0100						
Charged at \$0.4300 per Unit						
OneSite Rents v3.0						
Monthly Fees; Unit Pricing; 144 Unit(s); Period 10/01/2025 to 10/31/2025	144.00	0.4300	61.92	0.00	4.09	66.01
1.00 Qty(s); 144 Unit(s); total = \$66.0100						
Charged at \$0.4300 per Unit						
Core Property Management						
Monthly Fees; Unit Pricing; 144 Unit(s); Period 10/01/2025 to 10/31/2025	144.00	0.4300	61.92	0.00	4.09	66.01
1.00 Qty(s); 144 Unit(s); total = \$66.0100						
Charged at \$0.4300 per Unit						
LOFT Living Esser						
Monthly Fees; Unit Pricing; 144 Unit(s); Period 10/01/2025 to 10/31/2025	144.00	0.4300	61.92	0.00	4.09	66.01
1.00 Qty(s); 144 Unit(s); total = \$66.0100						
Charged at \$0.4300 per Unit						
ODE - Collections						
Monthly Fees; Unit Pricing; 144 Unit(s); Period 10/01/2025 to 10/31/2025	144.00	0.4300	61.92	0.00	4.09	66.01
1.00 Qty(s); 144 Unit(s); total = \$66.0100						
Charged at \$0.4300 per Unit						

RESIDENT ACTIVITY

10/01/2024 through 09/30/2025

Page 8 of 8
120.080.324

111 move-ins + 106 cancelled/denied = **217 total**
 \$258.85 monthly x 12 months = **\$3,106.20 annual expense**
 \$3,106.20 per year ÷ annual apps 217 = **\$14.31 per applicant**
\$5.65 Admin Fee per Household per §10.622

Initial Application Fee \$19.96, each thereafter \$14.31

Leasing Consultant	Deposits On Hand	Ledger Balance
Kimberly	0.00	0.00
Kimberly	0.00	0.00
Kimberly	0.00	0.00
Kimberly	0.00	0.00
Connie	0.00	0.00
Connie	0.00	0.00
Connie	0.00	0.00

Trevonisha Former applicant 36-3804 12/19/2024 Poor Rental History

Totals = Move-Ins: 111 Cancelled/Denied: 106

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Fees: Application Fees – Individual Fee

Example 1:

REALPAGE Internal Use *LeasingDesk Resident Screening*
Outperform

January 5, 2024

**Application fee is \$15.35 each
 \$5.65 Admin Fee per Household
 per \$10.622**

**Initial Application Fee \$21.00,
 each thereafter \$15.35**

RealPage Screening Product	Charge
Screening AI Enterprise	\$15.35*
LeasingDesk Screening Business Credit Report	\$40.00*
Total Price excluding taxes where applicable*	

Very truly yours,
 [Redacted]
 [Redacted]
 Billing Analyst, LeasingDesk Screening

REALPAGE

Example 2:

REALPAGE **INVOICE**

Invoice No.	Account No.	Ref. No.	Invoice Date	Page No.
[Redacted]	[Redacted]	[Redacted]	10/16/2025	2 of 2

Access Fees	Qty	Item Charge	Net Charge	S&H	Tax	Ext Charge
RealPage Payments						
RealPage Talent Management in Accounting						
LOFT Loyalty						
Monthly Fee: Unit Pricing: 60 Units; Period 11/01/2025 to 11/30/2025	60.00	0.0000	0.00	0.00	0.00	0.00
1.00 Qty(x) 60 Units; Total = \$0.0000						
Charged at flat price of \$0.0000 per Unit						
Total			269.39	0.00	22.22	291.61

Transaction Fees	Qty	Item Charge	Net Charge	S&H	Tax	Ext Charge
Screening AI Enterprise	4.00	18.8200	75.28	0.00	6.21	81.49
08/04/2025 - AppID 30188						
08/04/2025 - AppID 30189						
08/18/2025 - AppID 30190						
09/17/2025 - AppID 30191						
LeasingDesk Screening Identity Verification	4.00	4.0900	16.36	0.00	1.35	17.71
08/04/2025 - AppID 30188						
08/04/2025 - AppID 30189						
08/18/2025 - AppID 30190						
09/17/2025 - AppID 30191						
Total			\$1.64	0.00	7.56	\$9.20

**\$99.20 total ÷ 4 total applications =
 \$24.80 each
 \$5.65 Admin Fee per Household per \$10.622
 Initial Application Fee \$30.45, each thereafter
 \$24.80**

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Fees: Allowable Fees

Contingency Fees

- Late Rent Fee
- Re-letting Fee
- Fee to Repair Damages

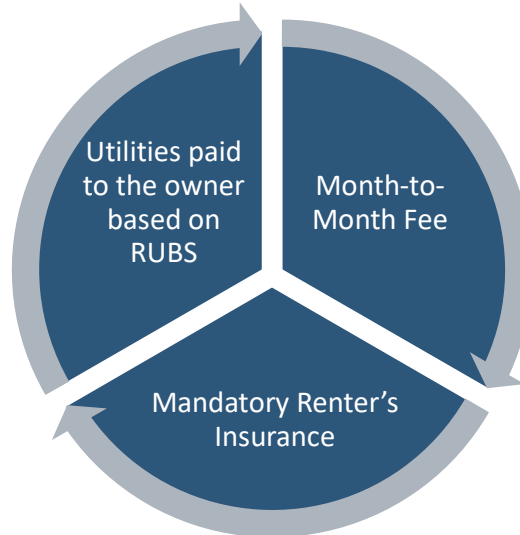
Provisions of Service

- Sure Deposit
- Meals
- Hair Salon

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Fees: Mandatory Fees

Mandatory Fees: Fees as a Condition of Occupancy



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Disallowed Fees

- Admin fees for submetered water and sewer billing for Housing Tax Credit households and households receiving Section 8 Vouchers
- Charges for copies of paperwork for the low-income unit
- Fees to use the clubhouse/amenities
- Fees for preparing a unit for occupancy
- Fees for assistance with application and tenancy paperwork
- Assistance animal fees and deposits
- Fees or Deposits to be placed on the waitlist
- Make-ready costs that are not beyond normal wear and tear
- Fees for third party verification methods (i.e. the Work Number)
- Fees to pay rent online when there is not a free option
- Section 811 PRA does not allow for any type of fee

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Fees: Learning Point 1

Can a fee be charged for amenities after the Development has completed the Federal Compliance Period?

A

Yes, after the first 15 years, TDHCA and the IRS no longer monitor fees for amenities

B

No, if the cost of the amenity was included in the Eligible Basis, the property may never charge a fee for it

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Fees: Learning Point 2

Can an owner impose 'visitor parking fees' since visitors are not Tax Credit tenants?

A

No, the parking lot was included in eligible basis and cannot be charged for, even to guests

B

Yes, operating a property is expensive and an owner must find avenues for ancillary income

150

150

Gross Rent

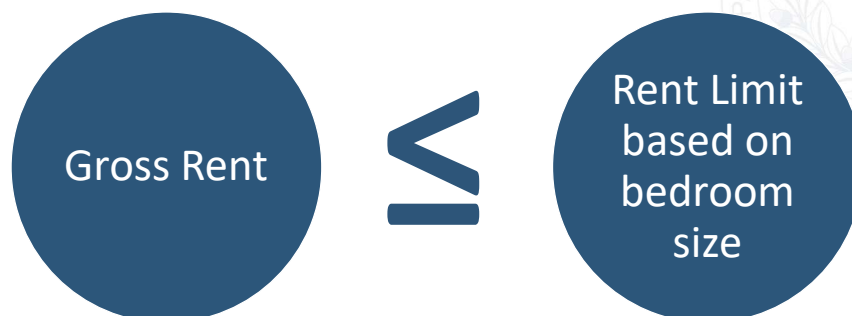
Calculating Gross Rent:



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Gross Rent and the Rent Limit



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Gross Rent: Prohibition – Once in 12-Month Period

Per 10 TAC §10.622(k); Owners are not permitted to increase the household portion of rent more than once during a 12-month period, even if there are increases in rent limits or decreases in utility allowances, unless the Unit or household is governed by a federal housing program that requires such changes or the household transfers to a Unit with additional Bedrooms. If it is determined that the Development increases rent more than once in a 12-month period, the Department will require the Owner to refund or credit the affected household. The Owner must obtain in writing, from the household, the election to receive a full refund check or to have the entire overpaid amount credited to their household account. In the absence of a tenant election, a full refund check must be presented to the household.

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Gross Rent: Prohibition – \$75 increase, or More

Per 10 TAC §10.622(l); If an Owner is increasing a household's rent \$75 or more per month, the Owner is required to provide the household a 75-day written notice of such increase, unless the Unit or household is governed by a federal housing program that allows for such a change. If an Owner increases the household's rent \$75 or more without providing a 75-day notice, any amounts in excess of \$75 per month must be refunded or credited to the affected household(s). The Owner must obtain in writing, from the household, the election to receive a full refund check or to have the entire overpaid amount credited to their household account. In absence of a tenant election, a full refund check must be presented to the household.

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Gross Rent: Prohibition – No Fee to Pay Rent

Per 10 TAC §10.622(m); Owners must provide an option to pay rent in a manner that does not involve additional out of pocket costs to the household.

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Gross Rent: Testing Example 1

Building #: 05

UNIT #	MOVE IN DATE	MOVE OUT DATE	LAST NAME	ANNUAL INCOME	TENANT PAID RENT	UTILITY ALLOW.	HOUSING ASSIST. PAYMENT	# BRs	TIC DATE	RE CERT	HH SIZE	UNIT QUALIFICATIONS	811 Unit	MEETS SPECIAL NEEDS REQ.
0511	07/03/2025			57600	1450	327		4	07/03/2025	N	4	Incom e Rent LIHTC: 50 BOND: 60 LIHTC: 50 BOND: 50	N	No
0512	10/26/2023			52575	1500	327		4	10/26/2025	Y	7	Incom e Rent LIHTC: 50 BOND: 60 LIHTC: 50 BOND: 50	N	
0513	06/06/2025			44320	1199	287		3	06/06/2025	N	4	Incom e Rent LIHTC: 50 BOND: 60 LIHTC: 50 BOND: 50	N	No
0514	12/23/2024			29505	1200	287		3	12/23/2024	N	4	Incom e Rent LIHTC: 60 BOND: 60 LIHTC: 60 BOND: 50	N	
0521	02/16/2024			66068	1351	287		3	02/16/2025	Y	5	Incom e Rent LIHTC: 60 BOND: 60 LIHTC: 60 BOND: 50	N	Yes
0522	04/23/2025			35275	1591	287		3	04/23/2025	N	4	Incom e Rent LIHTC: 60 BOND: 60 LIHTC: 60 BOND: 50	N	
0523	01/02/2018			43521	1351	287		3	01/02/2025	Y	4	Incom e Rent LIHTC: 60 BOND: 60 LIHTC: 60 BOND: 50	N	
0524	04/03/2025			72585	1351	287		3	04/03/2025	N	4	Incom e Rent LIHTC: 60 BOND: 60 LIHTC: 60 BOND: 50	N	

Rent Limits

Rent	0	1	2	3	4	5
20	468	502	602	696	796	856
30	702	753	903	1044	1164	1285
40	937	1004	1205	1392	1553	1714
50	1171	1255	1506	1740	1941	2142
60	1405	1506	1807	2088	2329	2570
65	1522	1631	1958	2202	2523	2796
70	1639	1757	2108	2436	2717	2990
80	1874	2008	2410	2784	3106	3427

\$1,351

\$287

\$0

\$1,638

\$1,638

\$2,088

156

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Gross Rent: Testing Example 1 with BOND

Building #: 05

UNIT #	MOVE IN DATE	MOVE OUT DATE	LAST NAME	ANNUAL INCOME	TENANT PAID RENT	UTILITY ALLOW.	HOUSING ASSIST. PAYMENT	# BRs	TIC DATE	RE CERT	HH SIZE	UNIT QUALIFICATIONS	811 Unit	MEETS SPECIAL NEEDS REQ.
0511	07/03/2025			57609	1450	327		4	07/03/2025	N	4	Incom e Rent LIHTC: 50 BOND: 60 LIHTC: 50 BOND: 50	N	No
0512	10/26/2023			52575	1500	327		4	10/26/2025	Y	7	Incom e Rent LIHTC: 50 BOND: 60 LIHTC: 50 BOND: 50	N	
0513	06/06/2025			44320	1199	287		3	06/06/2025	N	4	Incom e Rent LIHTC: 50 BOND: 60 LIHTC: 50 BOND: 50	N	No
0514	12/23/2024			29505	1200	287		3	12/23/2024	N	4	Incom e Rent LIHTC: 50 BOND: 60 LIHTC: 50 BOND: 50	N	
0521	02/16/2024			66068	1351	287		3	02/16/2025	Y	5	Incom e Rent LIHTC: 60 BOND: 50 LIHTC: 60 BOND: 50	N	Yes
0522	05/28/2025			35677	1500	287		3	05/28/2025	N	4	Incom e Rent LIHTC: 50 BOND: 60 LIHTC: 50 BOND: 50	N	
0523	01/02/2018			43521	1351	287		3	01/02/2025	Y	4	Incom e Rent LIHTC: 60 BOND: 60 LIHTC: 60 BOND: 50	N	
0524	04/03/2025			72585	1351	287		3	04/03/2025	N	4	Incom e Rent LIHTC: 60 BOND: 60 LIHTC: 60 BOND: 50	N	

Rent Limits

Rent	0	1	2	3	4	5
20	468	502	602	696	856	1164
30	702	753	903	1044	1164	1285
40	937	1004	1205	1392	1553	1714
50	1171	1255	1506	1740	1941	2142
60	1405	1506	1807	2088	2329	2570
65	1522	1631	1958	2262	2523	2784
70	1639	1757	2108	2436	2717	2998
80	1874	2008	2410	2784	3106	3427

\$1,351

\$287

\$0

\$1,638

\$1,638

\$1,740

157

157

Gross Rent: Testing Example 2

Building #: 06

UNIT #	MOVE IN DATE	MOVE OUT DATE	LAST NAME	ANNUAL INCOME	TENANT PAID RENT	UTILITY ALLOW.	HOUSING ASSIST. PAYMENT	# BRs	TIC DATE	RE CERT	HH SIZE	UNIT QUALIFICATIONS	811 Unit	MEETS SPECIAL NEEDS REQ.
0611	04/01/2016			22835	1351	287		3	04/01/2025	Y	4	Incom e Rent LIHTC: 50 BOND: 60 LIHTC: 50 BOND: 50	N	
0612	06/24/2024			64951	1851	287		3	06/24/2025	Y	3	Incom e Rent LIHTC: 60 BOND: 60 LIHTC: 60 BOND: 50	N	
0621	01/21/2025			38871	1801	287		3	01/21/2025	N	5	Incom e Rent LIHTC: 60 BOND: 60 LIHTC: 60 BOND: 50	N	Yes
0622	09/08/2023													

Uh oh, We have noncompliance!

Rent Limits

Rent	0	1	2	3	4	5
20	468	502	602	696	856	1164
30	702	753	903	1044	1164	1285
40	937	1004	1205	1392	1553	1714
50	1171	1255	1506	1740	1941	2142
60	1405	1506	1807	2088	2329	2570
65	1522	1631	1958	2262	2523	2784
70	1639	1757	2108	2436	2717	2998
80	1874	2008	2410	2784	3106	3427

\$1,851

\$287

\$0

\$2,138

\$2,138

\$2,088

158

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Gross Rent: Testing Example 3

Building #: 06

UNIT #	MOVE IN DATE	MOVE OUT DATE	LAST NAME	ANNUAL INCOME	TENANT PAID RENT	UTILITY ALLOW.	HOUSING ASSIST. PAYMENT	# BRs	TIC DATE	RE CERT	HH SIZE	UNIT QUALIFICATIONS	811 Unit	MEETS SPECIAL NEEDS REQ.
0611	04/01/2016													
0612	06/24/2024													
0621	01/21/2025			38871	1801	287		3	01/21/2025	N	5	Income Rent LIHTC: 60 LIHTC: 60	N	Yes
0622	09/08/2023			49036	1351	287		3	09/08/2025	Y	1	Income Rent LIHTC: 60 LIHTC: 60	N	

Uh oh, We have noncompliance!

Rent Limits						
Rent	0	1	2	3	4	5
20	468	502	602	696	856	1164
30	702	753	903	1044	1164	1285
40	937	1004	1205	1392	1553	1713
50	1171	1255	1506	1740	1941	2141
60	1405	1506	1807	2088	2329	2570
65	1522	1631	1958	2262	2523	2784
70	1639	1757	2108	2436	2717	2998
80	1874	2008	2410	2784	3106	3427

$\$1,801 + \$287 + \$20 = \$2,108$
 $\$2,108 > \$2,088$

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Gross Rent: Testing Example 4 – Average Income

Building #: 4

UNIT #	MOVE IN DATE	MOVE OUT DATE	LAST NAME	ANNUAL INCOME	TENANT PAID RENT	UTILITY ALLOW.	HOUSING ASSIST. PAYMENT	# BRs	TIC DATE	RE CERT	HH SIZE	UNIT QUALIFICATIONS	811 Unit	MEETS SPECIAL NEEDS REQ.
2585	09/01/2022	08/21/2025		25135.2	601	81		873	1	09/01/2025	Y	1 Income Rent LIHTC: 60 LIHTC: 60	N	
2586	02/14/2025			29353.2	975	81		1	02/14/2025	N	1 Income Rent LIHTC: 50 LIHTC: 50	N	No	
2587	08/18/2022	03/31/2025		97094.14	1525	81		1	08/18/2025	Y	1 Income Rent LIHTC: Mkt LIHTC: Mkt	N		
2588	01/24/2023			13378.8	271	106	1140	2	01/24/2025	Y	1 Income Rent LIHTC: 60 LIHTC: 60	N	No	
2589	09/19/2025	08/31/2025		20764.8	590	71		0	09/19/2025	N	1 Income Rent LIHTC: 30 LIHTC: 30	N		
2591	09/01/2022			46078.92	1904	106		2	09/01/2024	Y	1 Income Rent LIHTC: 80 LIHTC: 80	N	No	

Rent Limits						
Rent	0	1	2	3	4	5
20	468	502	602	696	777	856
30	702	753	903	1044	1164	1285
40	937	1004	1205	1392	1553	1713
50	1171	1255	1506	1740	1941	2141
60	1405	1506	1807	2088	2329	2570
65	1522	1631	1958	2262	2523	2784
70	1639	1757	2108	2436	2717	2998
80	1874	2008	2410	2784	3106	3427

$\$975 + \$81 + \$0 = \$1,056$
 $\$1,056 < \$1,255$

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Gross Rent: Testing Example 5 – Average Income

Building #: 4

UNIT #	MOVE IN DATE	MOVE OUT DATE	LAST NAME	ANNUAL INCOME	TENANT PAID RENT	UTILITY ALLOW.	HOUSING ASSIST. PAYMENT	# BRs	TIC DATE	RE CERT	HH SIZE	UNIT QUALIFICATIONS	811 Unit	MEETS SPECIAL NEEDS REQ.
2585	09/01/2022	08/21/2025		25135.2	601	81	873	1	09/01/2025	Y	1	Incom e Rent LIHTC: 60	N	
2586	02/14/2025			29353.2	975	81		1	02/14/2025	N	1	Incom e Rent LIHTC: 50	N	No
2587	08/18/2022	03/31/2025												
2588	01/24/2023													
2589	09/19/2025	08/31/2025		20764.8	590	71		0	09/19/2025	N	1	Rent Incom e Rent LIHTC: 30	N	
2591	09/01/2022			46078.92	1904	106		2	09/01/2024	Y	1	Rent Incom e Rent LIHTC: 80	N	No

Uh oh, We have noncompliance!

Rent Limits						
Rent	0	1	2	3	4	
20	468	502	602	696	771	
30	702	753	903	1044	1164	1285
40	937	1004	1205	1392	1553	1713
50	1171	1255	1506	1740	1941	2141
60	1405	1506	1807	2088	2329	2570
65	1522	1631	1958	2262	2523	2784
70	1639	1757	2108	2436	2717	2998
80	1874	2008	2410	2784	3106	3427

\$1,904

\$106

\$0

\$2,010

\$2,010

\$2,008

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Gross Rent: How to Correct

In accordance with 10 TAC §10.622(a):

- If it is determined that an HTC Development, during the Compliance Period, collected rent more than the rent limit established by the minimum set-aside, the Owner must correct the violation by **reducing** the rent charged.
- The Department will report the violation as corrected on **January 1st** of the year following the violation.
- The refunding of overcharged rent does not avoid the disallowance of the credit by the IRS.

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Additional Rent & Occupancy: Testing Example

Building #: 05

UNIT #	MOVE IN DATE	MOVE OUT DATE	LAST NAME	ANNUAL INCOME	TENANT PAID RENT	UTILITY ALLOW.	HOUSING ASSIST. PAYMENT	# BRs	TIC DATE	RE CERT	HH SIZE	UNIT QUALIFICATIONS	811 Unit	MEETS SPECIAL NEEDS REQ.
0511	07/03/2025			57600	1450	327		3	07/03/2025	N	4	Income Rent LIHTC: 50 LIHTC: 50	N	No
0512	10/26/2023			52575	1500	327		4	10/26/2025	Y	7	Income Rent LIHTC: 50 LIHTC: 50	N	
0513	06/06/2025			44320	1199	287		3	06/06/2025	N	4	Income Rent LIHTC: 50 LIHTC: 50	N	No
0514	12/23/2024													

Uh oh, We have noncompliance!

Rent Limits					
Rent	0	1	2	3	4
20	468	502	602	696	850
30	702	753	903	1044	1285
40	937	1004	1205	1392	1553
50	1171	1255	1506	1740	1941
60	1405	1506	1807	2068	2329
65	1522	1631	1958	2262	2523
70	1639	1757	2108	2436	2717
80	1874	2008	2410	2784	3106

$\$1,450 + \$327 + \$0 = \$1,777$
 $\$1,777 > \$1,740$

163

Additional Rent & Occupancy: Testing Example; How to Correct

In accordance with 10 TAC §10.622(b):

- **Refund or credit**, the excess amount collected to the affected household. The owner must obtain in writing, from the household, the election to receive a full refund check or to have the entire overpaid amount credited to their household account. In the absence of a tenant election, a full refund check must be presented to the household within thirty days.

- The noncompliance will be considered corrected if the overcharged rent was refunded/credited to the household. The overcharged rent plus the utility allowance is equal to or less than the amount paid by the household.

164

Gross Rent: Learning Point 1

Where in the gross rent calculation does the housing assistance belong?

☐ A Tenant Paid Portion of Rent

☐ B Mandatory Fee

☐ C Utility Allowance

☒ D Not included

165

165

Gross Rent: Learning Point 2

Where in the gross rent calculation does the Pet Rent belong?

☐ A Tenant Paid Portion of Rent

☐ B Mandatory Fee

☐ C Utility Allowance

☒ D Not included

166

166

Gross Rent: Learning Point 3

Where in the gross rent calculation does the mandatory renter's insurance belong?

- ☐ A Tenant Paid Portion of Rent
- ☒ B Mandatory Fee
- ☐ C Utility Allowance
- ☐ D Not included

167

167

Gross Rent: Learning Point 4

If an owner is required to adjust rent for a gross rent issue of noncompliance during the compliance period, can they give a refund to the tenant to correct the noncompliance, true or false?

- ☐ A True
- ☒ B False

168

168

Module 5

Maintaining Compliance



169

169

Compliance: Written Policies and Procedures

Owner initiated review and TDHCA approval does not guarantee future compliance.

To request a review, the owner must email fair.housing@tdhca.texas.gov to initiate the process.

Maintain current and prior versions of the Tenant Selection Criteria.

Periodically
by TDHCA Fair
Housing staff

As a result of
complaints

Owner
initiated
review for
approval

Written
Policies and
Procedures
review
process

170

170

Eligibility: 5 Basic Steps

- 1 Screening through the application process
- 2 Determine the household composition
- 3 Document income & assets
- 4 Annualize income
- 5 Complete Income Certification

171

171

Eligibility: Section 8 Verification

TEXAS DEPARTMENT OF HOUSING AND COMMUNITY AFFAIRS
HOUSING ASSISTANCE PROGRAMS DIVISION

(The form is to be completed by the Public Housing Authority.)

To: _____ has applied for residency/is a resident of: _____
(Applicant/Resident Name) (Property Name)

Housing: _____ a TDHCA Affordable Housing Program property. In the case of a tenant receiving housing assistance payments under HUD's Section 8 Existing Housing Choice Program, regulations allow that if the PHA provides a statement to the building owner declaring that the tenant's income does not exceed the applicable limit, then the owner is not required to further verify the tenant's income.

Address: _____
City, State: _____

Number of Household Members: _____ ☐ Move-In ☐ Recertification

Permission by: _____
(Signature of Applicant/Resident) (Date)

Please complete the section below and return this form in the enclosed self-addressed, stamped envelope. Thank you in advance for your prompt attention.

Sincerely,

THE FOLLOWING TO BE COMPLETED BY THE PUBLIC HOUSING AUTHORITY:

Based on the last income certification/recertification effective on _____, the household consists of _____ members whose combined gross annual income before any adjustments is \$_____.
(Date) (# of members) (Gross Annual Income)

(Signature) _____ (Date) _____ (Phone #) _____
(Printed Name) _____ (Title) _____

The Income Verification for Households with Section 8 Certificates may be used.

This form may not be used if the verifying Housing Authority has any ownership, management, consulting agreement, or any involvement in the property operations.

172

172

Eligibility: Students

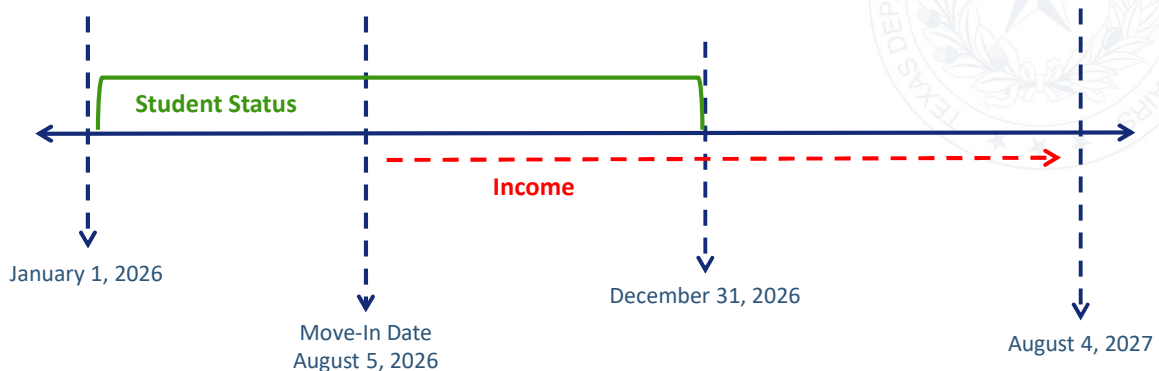
- All household members must be screened for student status:
 - Kindergarten through 12th grade
 - Higher Education
- Full-Time (FT) Status
 - As defined by the educational institution
 - 5 calendar months, months enrolled do not have to be consecutive



173

173

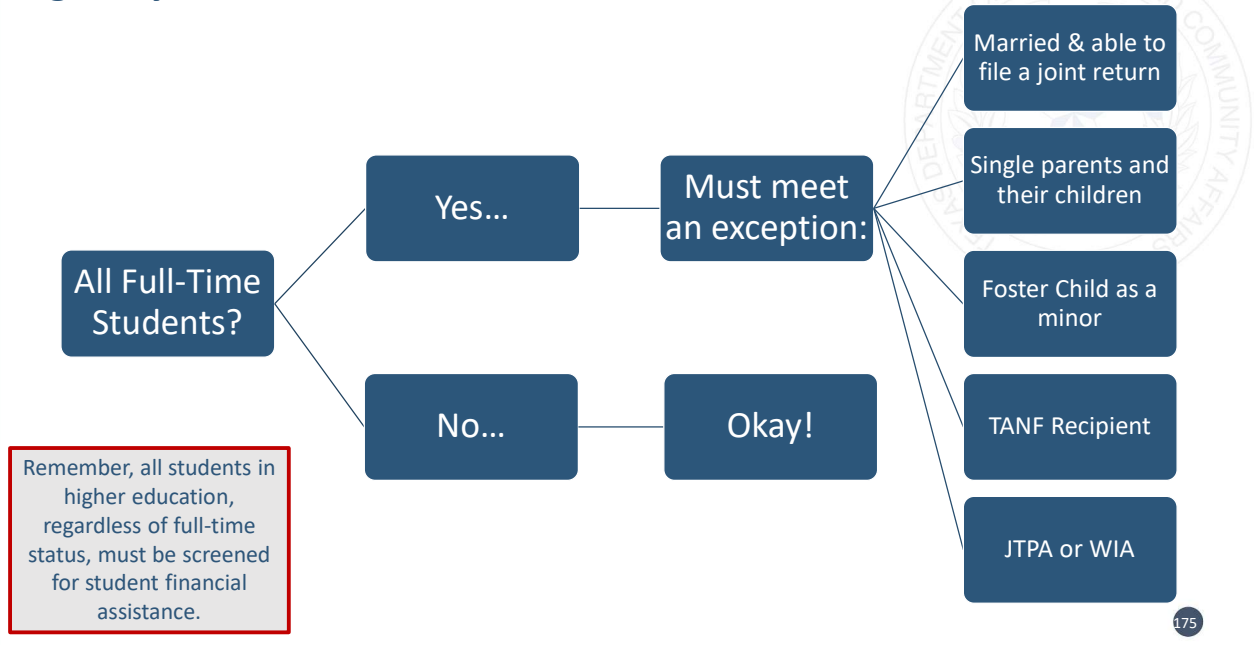
Student Status Screening vs. Income Screening



174

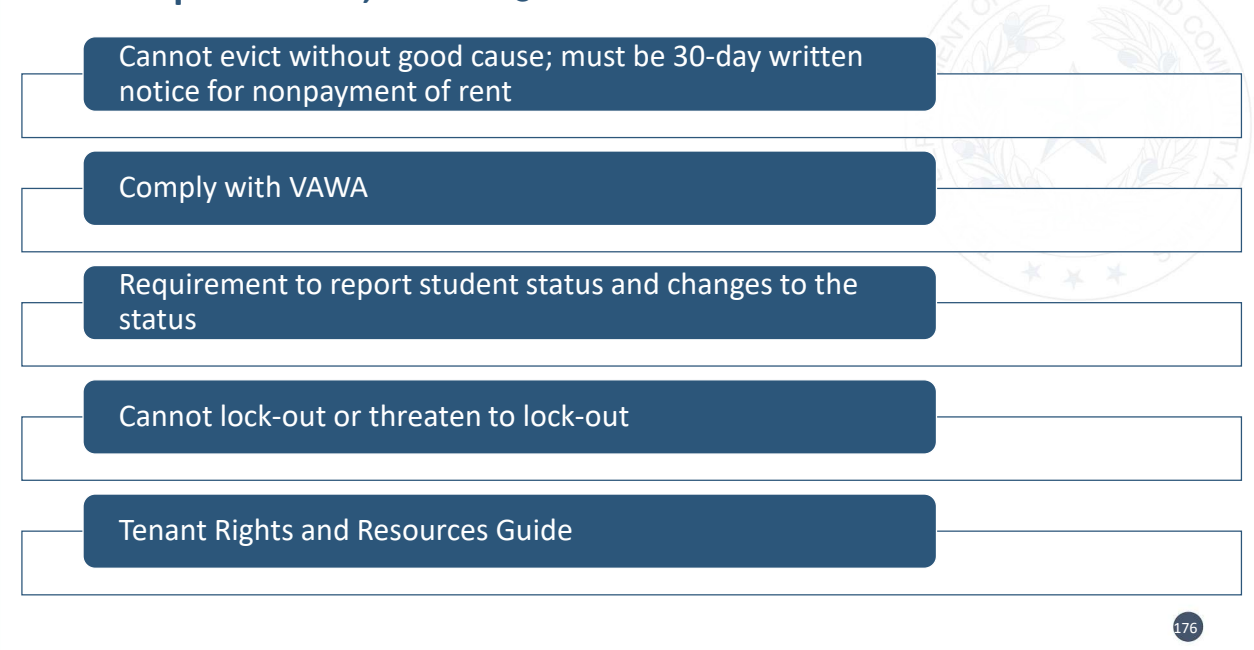
174

Eligibility: Student Households



175

Lease Requirements; 10 TAC §10.613



176

Annual Data Collection vs. Annual Income Certification

Annual Data Collection

- 100% Low-Income **Projects**
- Must complete Annual Data Collection by anniversary of original move-in to **project**
- Can be executed within 120 days BEFORE the due/effective date

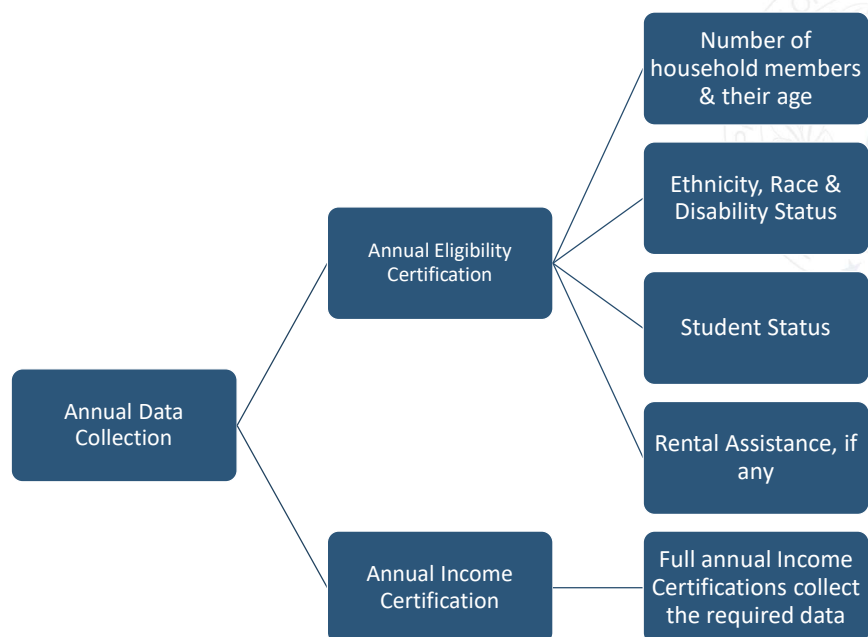
Annual Income Certification

- Same process as Initial Certification
- Use current household information and income limits
- Due by the anniversary of the household's original move-in date or initial certification date
- Can begin 120 days BEFORE the due/effective date

177

177

Annual Data Collection vs. Annual Income Certification

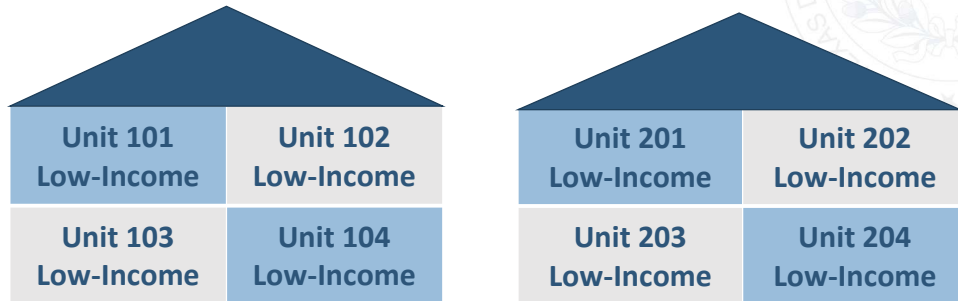


178

178

Project Elections and Annual Requirements: 100% Low-Income

All households must complete annual data collection, regardless of project election.

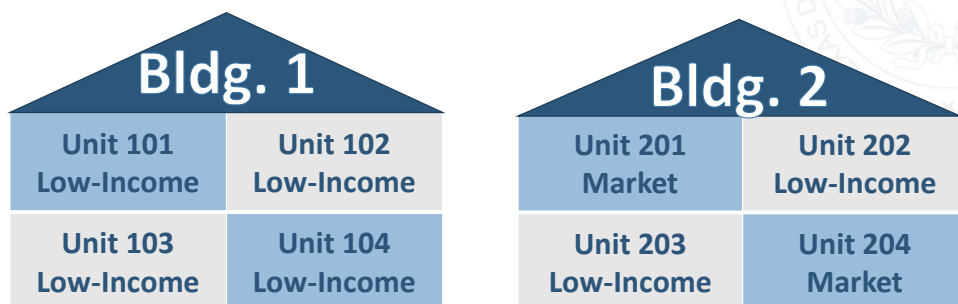


179

179

Project Elections and Annual Requirements: Mixed Income

All households must complete annual Income Certification, the both buildings are in the same project.



If each building is an individual project, then Building 1 can do Annual Data Collection and Building 2 must do full annual Income Certifications

180

180

Available Unit Rule (AUR)

When a household goes Over-Income (OI)

- Keep Rent Restricted
- Lease the next unit of smaller/comparable size to low-income household
- The above items must continue until the **Applicable Fraction** is restored in the building

Going over the designation does not make a household OI

The Available Unit Rule (AUR) is a building rule.

140% Threshold

60% AMI and below

140% of 60% AMI

70% AMI

140% of 70% AMI

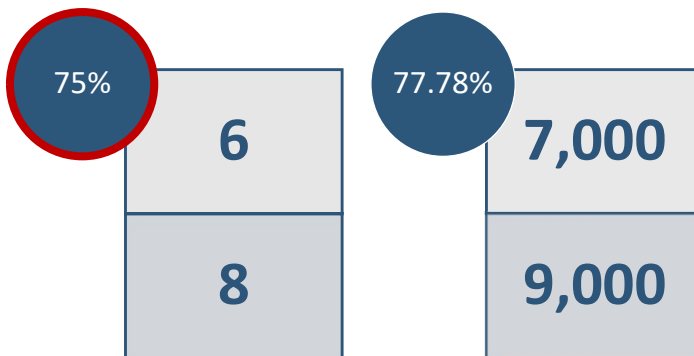
80% AMI

140% of 80% AMI

181

181

Next Available Unit Rule: Building 5



ADDENDUM F TO DECLARATION – MINIMUM APPLICABLE FRACTION BY BUILDING

BUILDING NUMBER	BUILDING IDENTIFICATION NUMBER (BIN)	MINIMUM APPLICABLE FRACTION
1.	TX-22-05301	79.07%
2.	TX-22-05302	83.33%
3.	TX-22-05303	62.67%
4.	TX-22-05304	79.19%
5.	TX-22-05305	75.00%

4-Bedroom units are 1,500 sq. feet and 3-Bedroom units are 1,000 sq. feet

Building BIN #	Building #	UNIT #	MOVE IN DATE	MOVE OUT DATE	LAST NAME	ANNUAL INCOME	TENANT PAID RENT	UTILITY ALLOW.	# BRs	HH SIZE	UNIT QUALIFICATIONS
TX0020604	5	511	07/03/2025		Abba	\$ 57,600.00	\$ 1,450.00	\$ 327.00	4	4	Income LIHTC: 50 Rent LIHTC: 50
TX0020604	5	512	10/26/2023		Beatie	\$ 52,575.00	\$ 1,500.00	\$ 327.00	4	7	Income LIHTC: 50 Rent LIHTC: 50
TX0020604	5	513	06/06/2025		Stone	\$ 44,320.00	\$ 1,199.00	\$ 287.00	3	4	Income LIHTC: 50 Rent LIHTC: 50
TX0020604	5	514	12/23/2024		Santana	\$ 29,505.00	\$ 1,200.00	\$ 287.00	3	4	Income LIHTC: 60 Rent LIHTC: 60
TX0020604	5	521	02/16/2024		Beach	\$ 66,068.00	\$ 1,351.00	\$ 287.00	3	5	Income LIHTC: 60 Rent LIHTC: 60
TX0020604	5	522	03/29/2025		Creedence	\$ 55,295.00	\$ 1,351.00	\$ 287.00	3	4	Income LIHTC: 60 Rent LIHTC: 60
TX0020604	5	523	01/02/2018		Byrd	\$ 43,521.00	\$ 1,351.00	\$ 287.00	3	4	Income LIHTC: Market Rent LIHTC: Market
TX0020604	5	524	04/03/2025		Bread	\$ 72,585.00	\$ 1,351.00	\$ 287.00	3	4	Income LIHTC: Market Rent LIHTC: Market

182

182

Next Available Unit Rule: Building 5 with an Over Income Unit

62.5%

5

8

66.67%

6,000

9,000

ADDENDUM F TO DECLARATION – MINIMUM APPLICABLE FRACTION BY BUILDING

Uh oh, We have noncompliance!

4	TX-22-05304	79.19%
5	TX-22-05305	75.00%

4-Bedroom units are 1,500 sq. feet and 3-Bedroom units are 1,000 sq. feet

Building BIN #	Building #	UNIT #	MOVE IN DATE	MOVE OUT DATE	LAST NAME	ANNUAL INCOME	TENANT PAID RENT	UTILITY # BRs	TIC DATE	UNIT QUALIFICATIONS	
TX0020604	5	511	07/03/2025		Abba	\$57,600.00	\$ 1,450.00	\$327.00	4	07/03/2025	Income LIHTC: 50 Rent LIHTC: 50
TX0020604	5	512	10/26/2023		Beattie	\$52,575.00	\$ 1,500.00	\$327.00	4	10/26/2025	Income LIHTC: 50 Rent LIHTC: 50
TX0020604	5	513	06/06/2025		Stone	\$44,320.00	\$ 1,199.00	\$287.00	3	06/06/2025	Income LIHTC: 50 Rent LIHTC: 50
TX0020604	5	514	12/23/2024		Santana	\$29,505.00	\$ 1,200.00	\$287.00	3	12/23/2024	Income LIHTC: 60 Rent LIHTC: 60
TX0020604	5	521	02/16/2024		Beach	\$66,068.00	\$ 1,351.00	\$287.00	3	02/16/2025	Income LIHTC: 01 Rent LIHTC: 01
TX0020604	5	522	03/29/2025		Creedence	\$55,295.00	\$ 1,351.00	\$287.00	3	03/29/2025	Income LIHTC: 60 Rent LIHTC: 60
TX0020604	5	523	01/02/2018		Byrd	\$43,521.00	\$ 1,351.00	\$287.00	3	01/02/2025	Income LIHTC: Market Rent LIHTC: Market
TX0020604	5	524	04/03/2025		Bread	\$72,585.00	\$ 1,351.00	\$287.00	3	04/03/2025	Income LIHTC: Market Rent LIHTC: Market

183

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Next Available Unit Rule: Building 5 with an Over Income Unit

75%

6

8

77.78%

7,000

9,000

ADDENDUM F TO DECLARATION – MINIMUM APPLICABLE FRACTION BY BUILDING

We have corrected the noncompliance!

4	TX-22-05304	79.19%
5	TX-22-05305	75.00%

4-Bedroom units are 1,500 sq. feet and 3-Bedroom units are 1,000 sq. feet

Building BIN #	Building #	UNIT #	MOVE IN DATE	MOVE OUT DATE	LAST NAME	ANNUAL INCOME	TENANT PAID RENT	UTILITY ALLOW.	# BRs	TIC DATE	UNIT QUALIFICATIONS
TX0020604	5	511	07/03/2025		Abba	\$57,600.00	\$ 1,450.00	\$327.00	4	07/03/2025	Income LIHTC: 50 Rent LIHTC: 50
TX0020604	5	512	10/26/2023		Beatie	\$52,575.00	\$ 1,500.00	\$327.00	4	10/26/2025	Income LIHTC: 50 Rent LIHTC: 50
TX0020604	5	513	06/06/2025		Stone	\$44,320.00	\$ 1,199.00	\$287.00	3	06/06/2025	Income LIHTC: 50 Rent LIHTC: 50
TX0020604	5	514	12/23/2024		Santana	\$29,505.00	\$ 1,200.00	\$287.00	3	12/23/2024	Income LIHTC: 60 Rent LIHTC: 60
TX0020604	5	521	02/16/2024		Beach	\$66,068.00	\$ 1,351.00	\$287.00	3	02/16/2025	Income LIHTC: Market Rent LIHTC: Market
TX0020604	5	522	03/29/2025		Creedence	\$55,295.00	\$ 1,351.00	\$287.00	3	03/29/2025	Income LIHTC: 60 Rent LIHTC: 60
TX0020604	5	523	12/1/2025		Garfunkel	\$19,632.00	\$ 1,351.00	\$287.00	3	12/1/2025	Income LIHTC: 60 Rent LIHTC: 60
TX0020604	5	524	04/03/2025		Bread	\$72,585.00	\$ 1,351.00	\$287.00	3	04/03/2025	Income LIHTC: Market Rent LIHTC: Market

184

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Available Unit Rule: Average Income – Learning Point

$$50 + 60 + 70 + 40 + 40 + 60 + 60 + 60 = 440/8 = 55\% \text{ average}$$

Unit 301 Low-Income 50%	Unit 302 Low-Income 60%	Unit 303 Market Unit	Unit 304 Market Unit
Unit 201 Market Unit	Unit 202 Low-Income 40%	Unit 203 Market Unit	Unit 204 Low-Income 70%
Unit 101 Low-Income 40%	Unit 102 Low-Income 60%	Unit 103 Low-Income 60%	Unit 104 Low-Income 60%

All units in this building are the same size. The Applicable Fraction is based on the unit count.

185

185

Household Additions

- The addition of new member(s) to an existing low-income household requires
- Screen the new household member: Income, Assets & Student Status

→

Verify Reported Information

→

Add to the EXISTING Income Certification

→

New household member signs the EXISTING Income Certification on the date they move-in
- of the new member is taken into consideration with the income of the existing household for purposes of the Available Unit Rule under IRC §42(g)(2)(D).

186

186

Transfers: 100% Low-Income Multiple Building Projects

- Households may transfer to any unit in a 100% low-income multiple building project and retain their program designation.
 - The project election will be done on line 8(b) of Form 8609 for each BIN.
- The household does not need to be and **should not be certified** at the time of transfer.
 - The original certification which qualified the household for the program/project remains the applicable certification.
 - The original household qualifying documentation must be maintained in the new unit file.
- The move-in date remains the date the household was first designated under the program.
 - Annual certification requirements should be done within 120 days of the anniversary of the original move-in.
- The Unit Status Report (USR) should retain the original move-in date and qualifying income from the time of move-in.**

187

187

Transfers: 100% Low-Income Multiple Building Projects

These two buildings are one project.

Can the household in unit 411
transfer to unit 122?

Yes!

411 Vacant 30%	412 60%	413 50%	414 30%	421 60%	422 50%	423 50%	424 60%
311 50%	312 50%	313 40%	314 60%	321 30%	322 40%	323 60%	324 60%
211 60%	212 40%	213 50%	214 60%	221 50%	222 50%	223 60%	224 60%
111 60%	112 60%	113 30%	114 50%	121 60%	122 60%	123 40%	124 50%

188

188

Transfers: Mixed Income Multiple Building Projects

- Low-income households retain their program designation when they transfer to any unit in a multiple building project if at the last annual certification their income was less than 140% of area median income level set by the minimum set aside.



189

189

Transfers: Over Income Households

- A current household with an income exceeding 140% of the applicable limit is considered Over Income (OI).
- These households may transfer within the building but **may not transfer** to a unit outside of the building/BIN in which the household became OI.
 - The household may not transfer within a multiple building project, they must remain in the building/BIN where they certified as OI.
- When the household transfers within the building the statuses will swap, the newly occupied unit will continue to be considered OI (since the designation follows the household) and the newly vacated unit will have the status from the swapped unit.
- Over Income households impact the Next Available Unit Rule, which is a building rule.

190

190

Transfers of an OI Household

The two buildings are one project.

Can the household in unit 31 transfer to unit 51?

No!

31 OI	32 60%	33 50%	61 60%	62 60%	63 Market
21 60%	22 60%	23 Market	51 50% Vacant	52 Market	53 60%
11 60%	12 50%	13 Market Vacant	41 50%	42 Market Vacant	43 60%

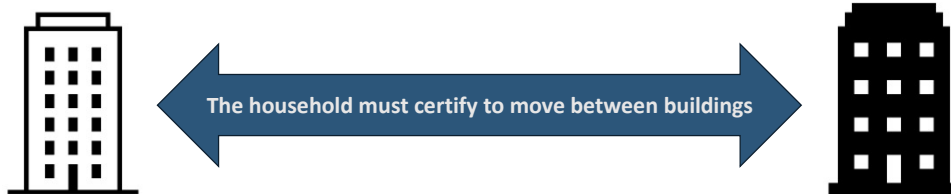
Since the household in unit 31 is over income (OI) they cannot move out of their building. The Next Available Unit Rule must be maintained on a building basis.

191

191

Transfers: Individual Building Projects

- Each building/BIN is its own project (100% low-income and mixed income projects)
- Developments that made the 20/50 or 40/60 election: at the time of move-in to the new project, the household must be certified and have a current annual income less than the income limit established by the minimum set aside the Owner selected.
- Developments that elected the Average Income Test (AIT) under IRC §42(g): the household must be certified and their current designation averaged together with the designations of the other households in the project must be equal to or less than the percentage represented at the time of application.



192

192

Transfers within the Same Building/BIN

A household may transfer to a new unit within the same BIN. The unit designations will swap status.

501 Market	502 60%	503 Market	504 Market	505 60%
401 60%	402 60%	403 60%	404 60%	405 60%
301 Vacant 60%	302 Vacant Market	303 60%	304 60%	305 60%
201 60%	202 60%	203 Market	204 60%	205 60%

Can the household in unit 301 transfer to unit 503?

Yes!

Since the transfer is within the same building the households can move and the unit designations swap.

The applicable fraction, if based on square footage, must be maintained when households move within the building.

193

193

Transfers: Mixed Income Multiple Building Projects

These two buildings are one project.

Can the household in unit 31 transfer to unit 51?

No!

31 Market	32 60%	33 50%	61 60%	62 60%	63 Market
21 60%	22 60%	23 Market	51 50% Vacant	52 Market	53 60%
11 60%	12 50%	13 Market Vacant	41 50%	42 Market Vacant	43 60%

Each building has an applicable fraction of 66.67% based on the unit count. Moving the market household in unit 31 over to the other building into a low-income unit would affect the applicable fraction.

194

194

Transfers: Mixed Income Multiple Building Projects

These two buildings are one project.

Can the household in unit 21 transfer to unit 51?

Yes!

Building 1			Building 2		
31 Market	32 60%	33 50%	61 60%	62 60%	63 Market
21 Vacant 50%	22 60%	23 Market	51 60%	52 Market	53 60%
11 60%	12 50%	13 Market Vacant	41 50%	42 Market Vacant	43 60%

Each building has an applicable fraction of 66.67% based on the unit count. Since both units are designated as low-income the transfer will not impact the applicable fraction.

195

195

Transfers: Multiple Building Project; Average Income

These two buildings one project.

Can the household in unit 31 transfer to unit 51?

Yes!

Building 1			Building 2		
54.44% Average			53.38% Average		
31 Vacant 50%	32 60%	33 50%	61 60%	62 60%	63 20%
21 60%	22 60%	23 20%	51 30%	52 80%	53 60%
11 60%	12 50%	13 80% Vacant	41 50%	42 80% Vacant	43 60%

Moving the 30% household in unit 31 over to the other building into unit 51 would not affect the average. The building average must remain under the 60% average.

196

196

Transfers: Individual Building Projects; Average Income

These two buildings are individual projects.

Can the household in unit 21 move to unit 51?

Yes!

55% Average			58.33% Average		
31 Market	32 60%	33 50%	61 60%	62 60%	63 Market
21 Vacant 50%	22 60%	23 Market	51 60%	52 Market	53 60%
11 60%	12 50%	13 Market Vacant	41 50%	42 Market Vacant	43 60%

Moving the 50% household in unit 21 over to the other building into unit 51 would not affect the average. The building average must remain under the 60% average.

If the household in 21 is still eligible, they could certify and then move.

197

197

Compliance: Learning Point 1

Nicole, age 33, is applying for a unit with her son Vince, age 8. She is attending community college full-time to finish her degree. She is divorced; per the court order her ex-husband is allowed to claim Vince on his tax return. Does the applicant household meet the student status requirements?

- A No, Nicole does not claim her son on her taxes
- B Yes, Nicole is a single parent & her child is claimed by a parent on their tax return**
- C Yes, Nicole attends community college and this is exempt
- D Yes, Nicole is over the age of 23 so her student status is irrelevant

198

198

Compliance: Learning Point 2

Charles and Mike, both age 23, are applying for an HTC apartment in April. Charles is working on his Master's Degree and Mike has confirmed that he will graduate in May. The university has confirmed the full-time status for each applicant. Does the applicant household meet the student status?

- ☐ A Yes, Charles is working on his Master's, which is an exception
- ☐ B Yes, Mike is graduating a month after they move-in
- ☒ C No, Charles and Mike are both FT students and no exceptions are met
- ☐ D No, But they can re-apply in June, after Mike graduates and be okay

199

199

Compliance: Learning Point 3

Amy, age 40, is a part-time student at an online college. She has been attending part-time for the last 2 years. She is applying for an apartment. Does Amy qualify as eligible under the student status requirements?

- ☒ A Yes, Amy is only part-time
- ☐ B Yes, Amy is an independent student
- ☐ C No, Amy does not meet an exception
- ☐ D No, she might decide to be full-time, we cannot take that chance

Amy's student status should be verified each semester to make sure that she continues to meet this allowance.

200

200

Compliance: Learning Point 4

Ana and her daughter Kim moved into the development on March 12, 2025. On August 19, 2025, Ana requested to add a household member to her unit. Her partner Cho will be moving in, is this permissible?

- A** This is allowable, complete the eligibility process for Cho, update the most current Income Certification and the Unit Status Report
- B** This is not allowable, Ana has only occupied the unit for five months
- C** A new household member may only be added during the annual recertification process

201

201

Compliance: Learning Point 5

Lisa and her son Will moved into the development on December 12, 2025. On January 19, 2026, Lisa requested to add a household member to their unit. Her adult daughter, Katie, will be moving in, is this permissible?

- A** This is allowable, complete the eligibility process for Katie, update the most current Income Certification and the Unit Status Report
- B** This is not allowable; Lisa has only occupied the unit for a month
- C** A new household member may only be added during the annual recertification process

202

202

Compliance: Learning Point 6

When a household transfers within a multiple building project, the Unit Status Report should be updated to the date the household moves into the new unit.
True or False?

T

True, the household moved into the unit on that date

F

False, the household move-in date should be the original qualifying date for the project

203

203

Module 6

Acquisition & Rehabilitation
and "Post 15"



204

204

Acquisition and Rehabilitation

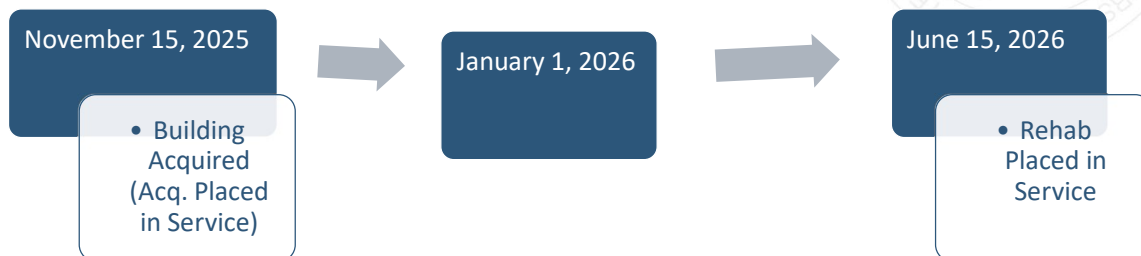


205

205

Acquisition and Rehabilitation: Timeline

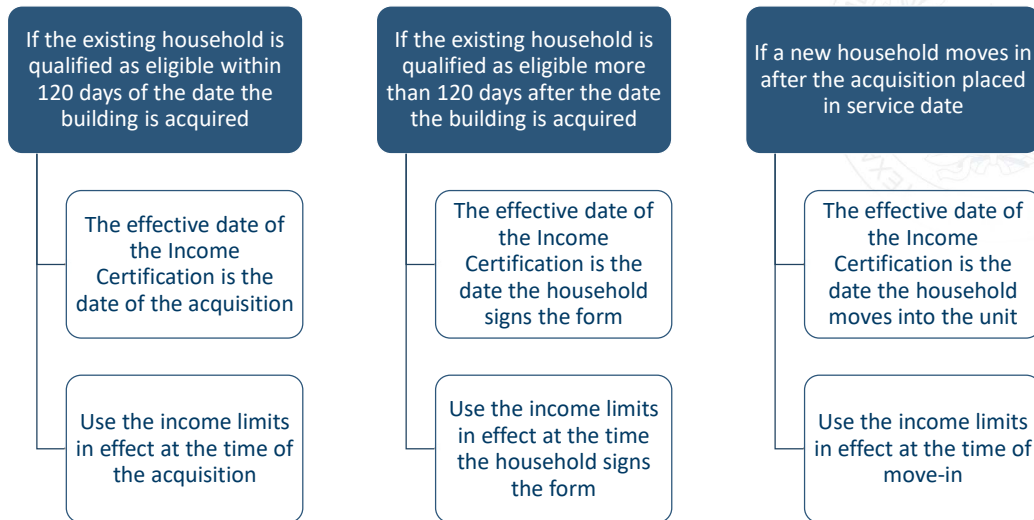
2026 is the first year of the credit period for both the Acquisition and the Rehab.



206

206

Acquisition and Rehabilitation: Certifications



207

207

Acquisition and Rehabilitation: Learning Point 1

What is the effective date of the Income Certification if the household is qualified on December 5th?

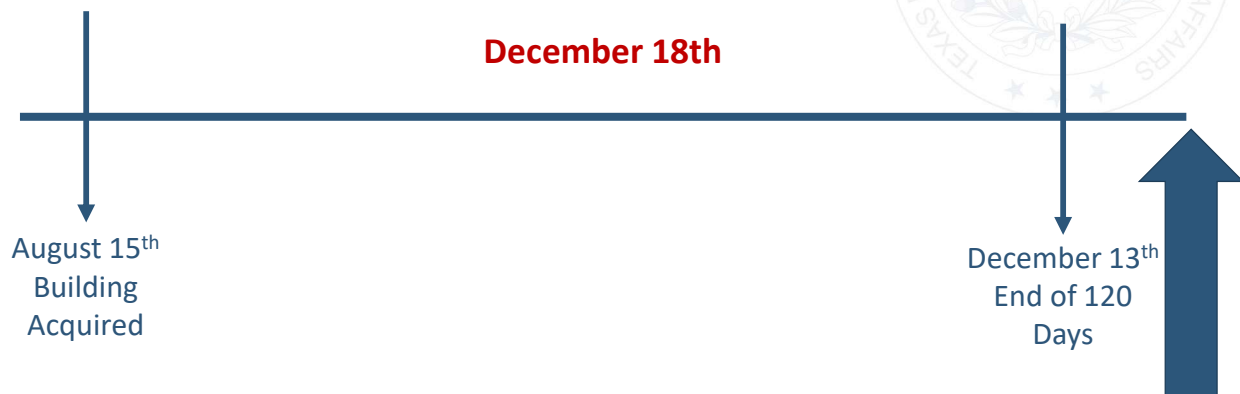


208

208

Acquisition and Rehabilitation: Learning Point 2

What is the effective date of the Income Certification if the household is qualified on December 18th?



209

209

Acquisition and Rehabilitation: The Credit Period

There is no requirement to qualify existing households as eligible within 120 days of the date of Acquisition, but all households must be qualified as eligible by the beginning of the first year of the credit period; this includes those that were tenants at the time of acquisition along with any new move-ins.

210

210

Acquisition and Rehabilitation: Certification Dates

Building Acquired: November 12, 2024

Credit Period began: January 1, 2026

**120 days from November 12, 2024
Is March 12, 2025**

**If an existing household
is NOT income eligible
at the time of
Acquisition and at the
first year of the credit
period, the unit is not
eligible for credits until
it is occupied with an
eligible household**

Unit 301 Low-Income Vacant Move-In: April 1, 2025	Unit 302 Low-Income Occupied Certified: January 27, 2025	Unit 303 Low-Income Occupied Certified: July 25, 2025
Unit 201 Market Occupied	Unit 202 Low-Income Occupied Certified: December 10, 2024	Unit 203 Low-Income Occupied Certified: November 11, 2025
Unit 101 Low-Income Vacant Move-In: January 18, 2026	Unit 102 Low-Income Occupied Certified: October 4, 2025	Unit 103 Low-Income Occupied Certified: March 20, 2025

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Acquisition and Rehabilitation: Recertification Dates

Building Acquired: November 12, 2024

Credit Period began: January 1, 2026

120 days from November 12, 2024 is March 12, 2025

**One year later at the
recertification process:**

100% Low-Income Project:
Annual Data Collection by
anniversary date

Mixed Income Project: Income
Certification Must be completed
on ineligible household to
establish possible eligibility or
convert to Market status when
allowed

Unit 301 Low-Income Vacant Move-In: April 1, 2025 Annual: April 1, 2026	Unit 302 Low-Income Occupied Certified: January 27, 2025 Annual: November 12, 2025	Unit 303 Low-Income Occupied Certified: July 25, 2025 Annual: July 25, 2026
Unit 201 Market Vacant Low-Income household to move-in February 1, 2026	Unit 202 Low-Income Occupied Certified: December 10, 2024 Annual: November 12, 2026	Unit 203 Low-Income Occupied Certified: November 11, 2025 Annual: November 11, 2026
Unit 101 Low-Income Vacant Move-In: January 18, 2026 Annual: January 18, 2027	Unit 102 Low-Income Occupied Certified: October 4, 2025 Annual: October 4, 2026	Unit 103 Ineligible Low-Income Occupied – Convert to Market when 201 moves in

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Acquisition and Rehabilitation: Form 8609

The image shows two copies of Form 8609, "Low-Income Housing Credit Allocation and Certification". The forms are from the Department of the Treasury, Internal Revenue Service, and are dated 12-10-2021. The forms are for a building located at 1501 Circle S, Austin, TX 78711.

Form 8609 (Left):

- Part I: Allocation**
 - 5a** Date building placed in service: 9/23/2021
 - 6** Check the boxes that describe the allocation for the building (check those that apply):
 - ☐ a Newly constructed and federally subsidized
 - ☐ b Newly constructed and not federally subsidized
 - ☒ c Existing building
- Part II: First-Year Certification**
 - 5a** Date building placed in service: 2/28/2023
 - 6** Check the boxes that describe the allocation for the building (check those that apply):
 - ☐ a Newly constructed and federally subsidized
 - ☐ b Newly constructed and not federally subsidized
 - ☒ c Existing building
 - ☒ d Sec. 42(e) rehabilitation expenditures federally subsidized
 - ☐ e Sec. 42(e) rehabilitation expenditures not federally subsidized

Form 8609 (Right):

- Part I: Allocation**
 - 5a** Date building placed in service: 9/23/2021
 - 6** Check the boxes that describe the allocation for the building (check those that apply):
 - ☐ a Newly constructed and federally subsidized
 - ☐ b Newly constructed and not federally subsidized
 - ☒ c Existing building
- Part II: First-Year Certification**
 - 5a** Date building placed in service: 2/28/2023
 - 6** Check the boxes that describe the allocation for the building (check those that apply):
 - ☐ a Newly constructed and federally subsidized
 - ☐ b Newly constructed and not federally subsidized
 - ☒ c Existing building
 - ☒ d Sec. 42(e) rehabilitation expenditures federally subsidized
 - ☐ e Sec. 42(e) rehabilitation expenditures not federally subsidized

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Acquisition and Rehabilitation: Income Limits

The image shows two copies of Form 8609, "Low-Income Housing Credit Allocation and Certification". The forms are from the Department of the Treasury, Internal Revenue Service, and are dated 12-10-2021. The forms are for a building located at 1501 Circle S, Austin, TX 78711.

Form 8609 (Left):

- Part I: Allocation**
 - 5a** Date building placed in service: 9/23/2021
 - 6** Check the boxes that describe the allocation for the building (check those that apply):
 - ☐ a Newly constructed and federally subsidized
 - ☐ b Newly constructed and not federally subsidized
 - ☒ c Existing building
- Part II: First-Year Certification**
 - 5a** Date building placed in service: 2/28/2023
 - 6** Check the boxes that describe the allocation for the building (check those that apply):
 - ☐ a Newly constructed and federally subsidized
 - ☐ b Newly constructed and not federally subsidized
 - ☒ c Existing building
 - ☒ d Sec. 42(e) rehabilitation expenditures federally subsidized
 - ☐ e Sec. 42(e) rehabilitation expenditures not federally subsidized

Form 8609 (Right):

- Part I: Allocation**
 - 5a** Date building placed in service: 9/23/2021
 - 6** Check the boxes that describe the allocation for the building (check those that apply):
 - ☐ a Newly constructed and federally subsidized
 - ☐ b Newly constructed and not federally subsidized
 - ☒ c Existing building
- Part II: First-Year Certification**
 - 5a** Date building placed in service: 2/28/2023
 - 6** Check the boxes that describe the allocation for the building (check those that apply):
 - ☐ a Newly constructed and federally subsidized
 - ☐ b Newly constructed and not federally subsidized
 - ☒ c Existing building
 - ☒ d Sec. 42(e) rehabilitation expenditures federally subsidized
 - ☐ e Sec. 42(e) rehabilitation expenditures not federally subsidized

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Acquisition and Rehabilitation: Rent Limits

TEXAS DEPARTMENT OF HOUSING AND COMMUNITY AFFAIRS HOUSING TAX CREDIT PROGRAM DETERMINATION NOTICE

This Determination Notice (the "Notice") in connection with a conditional award of Housing Tax Credits associated with a Certificate of Reservation and/or Carryforward Designation Certificate from the 2020 Private Activity Bond Calling is made and entered into by and between the TEXAS DEPARTMENT OF HOUSING AND COMMUNITY AFFAIRS, a public and official agency of the State of Texas, (the "Department"), and Pandora Springs, LP, (the "Development Owner"), herein collectively referred to as the "Parties." This Notice does not constitute an allocation as defined by Section 42 of the Internal Revenue Code.

RECITALS

WHEREAS, the Development Owner has, by making an application for and accepting this Determination Notice and taking steps to provide for the issuance of related tax exempt bonds, undertaken and agreed to carry out the new construction, rehabilitation, and/or reconstruction of the Development as more fully described in application TDHCA number 20462 (the "Application") approved by the Governing Board of the Department on NOVEMBER 5, 2020 and in accordance with all representations made in the Application, Chapter 2305 of the Texas Government Code ("Chapter 2305"), Title 10 of the Texas Administrative Code, Chapter 1, Chapter 2, Chapter 10, Chapter 12 (applicable only if TDHCA is the issuer) (all collectively referred to as "the Rules") and Chapter 11 Qualified Allocation Plan ("QAP"), Section 42 of the Internal Revenue Code ("Code") and all applicable Internal Revenue Service ("IRS") notices and revenue rulings, all applicable Treasury Regulations and Decisions, as may be amended from time to time, and Chapter 1372 of the Texas Government Code, All laws, rules, and requirements referenced in this recital paragraph as collectively referred to herein as the "Legal Authorities";

WHEREAS, the Department has reviewed the Application, and the Governing Board of the Department approved the issuance of this Determination Notice for Housing Tax Credits in accordance with the Legal Authorities;

NOW, THEREFORE, for and in consideration of the promises herein made, and the mutual benefits derived and to be derived, the Parties hereto agree and by execution hereof are bound to the mutual obligations and to the performance and accomplishment of the tasks that are the substance of this Notice, and which may be more thoroughly set forth in the Application and a Land Use Restriction Agreement ("LURA") which will be entered into and recorded upon completion of the Development, its having been placed in service as contemplated in Section 42 of the Code, and it having completed cost certification.

2020 HTC Determination Notice		15052 Pandora Springs Apartments
TERMS		
Development	Pandora Springs APARTMENTS	
Development Type	NEW CONSTRUCTION	
Development Owner	Pandora Springs, LP	
Development Address	502 Circle 5 DRIVE Austin, Travis COUNTY, TX 78701	
Bond Issuer ("Issuer")	Travis COUNTY HOUSING FINANCE CORPORATION	

Effective Date of Determination Notice

April 16, 2021

Expiration Date of Determination Notice

May 16, 2021

Contact Address	221 East 11th St.
City, State, ZIP	Austin, TX 78721
Contact Phone/Email	(512) 475-3800 ahammond@pandora.com
Effective Date of Determination Notice	April 16, 2021
Expiration Date of Determination Notice	May 16, 2021

* The BIR numbers noted should be used in any future correspondence with the Department.

CONDITIONS

The Development may be eligible to claim Housing Tax Credits with respect to all or a portion of its qualified basis if, among other standards, the Development satisfies the requirements for an allocation of Housing Tax Credits under the Rules and QAP, as applicable. The Department is the sole housing credit agency for the State of Texas and has adopted the Rules and QAP, as amended in the Texas Administrative Code Title 10 Chapters 10 and 11. The Department has determined that the Development, as described in the Application, would satisfy the requirements of all applicable subchapters and sections of the Rules and QAP for an allocation of Housing Tax Credits. This does not preclude the possibility that the manner in which one or more aspects of the Development may be carried out may raise issues of compliance which will need to be addressed at the time, including but not limited to, the possibility of requested amendments, administrative deficiencies, or material deficiencies, which may be subject to rights of appeal as provided for in the Rules and QAP.

Page 2 of 8

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Acquisition & Rehabilitation with Previous Tax Credit Allocation

(Rev. 2 January 1999)

Use Form 8609 to allocate credit for the first year of credit period only. The building owner must use Form 8609 to allocate credit for the first year of credit period only. The building owner must use Form 8609 to allocate credit for the first year of credit period only.

Part I Allocation of Credit - Completed by Housing Credit Agency Only

A. Address of building (do not use P.O. box)

101 Glens Dr. (1 of 17)
Georgetown, TX 78644

B. Name and address of housing credit agency
Texas Department of Housing & Community Affairs
P.O. Box 13951
Austin, TX 78711-3951

C. Name, address, and EIN of building owner receiving allocation
Hammond Inc
480 Post Oak
Houston, TX 77056

D. Employee identification number of agency
TX-95-000101

E. Building identification number (BIN)
TX-95-000101

1a Date of allocation 12 / 15 / 95

2 Maximum applicable credit percent allowable 2

3a Maximum qualified basis 600,243.00

3b Check here ☐ If the eligible basis used in the computation of line 3a was increased under the high-cost area provisions of section 42(b)(5)(C). Enter the percentage by which the eligible basis was increased (see instructions) 1.80%

4 Percentage of the aggregate basis financed by tax-exempt bonds 4

5 Date building placed in service 12 / 31 / 95

6 Check the box that describes the allocation for the building (check all that apply):

a ☐ Newly constructed and federally subsidized b ☐ Newly constructed and not federally subsidized c ☐ Existing building

d ☐ Sec. 42(e) rehabilitation expenditures federally subsidized e ☐ Sec. 42(f) rehabilitation expenditures not federally subsidized

Under penalties of perjury, I declare that I have examined this form and accompanying attachments, and to the best of my knowledge and belief, the information is true, correct, and complete.

Signature of authorized official _____ Date 12/6/96

By _____ Dir. of Housing Programs

Part II First-Year Certification - Completed by Building Owner for First Year of Credit Period Only

7a Date building placed in service 12/31/95

7b Eligible basis of building (see instructions) 600,243.00

8a Original qualified basis of the building at close of first year of credit period 600,243.00

8b Are you treating this building as part of a multiple building project? ☐ Yes ☒ No

9a If box 8a or 8b is checked, do you elect to reduce eligible basis under section 42(b)(5)? ☐ Yes ☒ No

9b Do you elect to reduce eligible basis by disproportionate cost of non-low-income units in the building, do you elect to reduce eligible basis by disproportionate costs of non-low-income units under section 42(b)(5)? ☐ Yes ☒ No

10 Check the appropriate box for each election:

a Elect to begin credit period the first year after the building is placed in service (section 42(b)(1)) ☐ Yes ☒ No

b Elect not to treat large partnership as taxpayer (section 42(b)(5)) ☐ Yes ☒ No

c Elect minimum set-aside requirement (section 42(g)) (see instructions):

i 20-60 ☐ 40-60 ☐ Average income ☐ 25-60 (N.Y.C. only) ☐ 15-40 ☐ 15-40

d Elect deep rent skewed project (section 142(b)(6)(B)) (see instructions) ☐ Yes ☒ No

Under penalties of perjury, I declare that I have examined this form and accompanying attachments, and to the best of my knowledge and belief, they are true, correct, and complete.

Signature _____ Date _____

Name (please type or print) _____ Title (please type or print) _____

For Private Act and Paperwork Reduction Act Notices, see separate instructions. OIA No. 830812 Form 8609 (Rev. 10-2007)

8609 Low-Income Housing Credit Allocation and Certification

OMB No. 1545-0048

Go to www.irs.gov/Form8609 for instructions and the latest information.

Part I Allocation of Credit - Completed by Housing Credit Agency Only

A. Address of building (do not use P.O. box)

Pandora Springs Apartments
15052 Circle 5
Austin, TX 78701

B. Name and address of housing credit agency
TDHCA
221 East 11th Street
Austin, TX 78701

C. Name, address, and EIN of building owner receiving allocation
Pandora Springs, LP
15052 Circle 5
Austin, TX 78701

D. Employee identification number of agency
TX-95-03303

E. Building identification number (BIN)
TX-95-03303

1a Date of allocation 12 / 15 / 95

2 Maximum applicable credit percentage allowable (see instructions) 2

3a Maximum qualified basis 600,243.00

3b Check here ☐ If the eligible basis used in the computation of line 3a was increased under the high-cost area provisions of section 42(b)(5)(C). Enter the percentage by which the eligible basis was increased (see instructions) 1.80%

4 Percentage of the aggregate basis financed by tax-exempt bonds 4

5 Date building placed in service 12/31/95

6 Check the box that describes the allocation for the building (check those that apply):

a ☐ Newly constructed and federally subsidized b ☐ Newly constructed and not federally subsidized c ☐ Existing building

d ☐ Sec. 42(e) rehabilitation expenditures federally subsidized e ☐ Sec. 42(f) rehabilitation expenditures not federally subsidized

f Allocation subject to nonprofit set-aside under sec. 42(b)(6) ☐ Yes ☒ No

Under penalties of perjury, I declare that I have examined this form and accompanying attachments, and to the best of my knowledge and belief, the information is true, correct, and complete.

Signature of authorized official _____ Date _____

Name (please type or print) _____ Title (please type or print) _____

Part II First-Year Certification - Completed by Building Owners with respect to the First Year of the Credit Period

7 Eligible basis of building (see instructions) 600,243.00

8a Original qualified basis of the building at close of first year of credit period 600,243.00

8b Are you treating this building as part of a multiple building project for purposes of section 42 (see instructions)? ☐ Yes ☒ No

9a If box 8a or 8b is checked, do you elect to reduce eligible basis under section 42(b)(5)? ☐ Yes ☒ No

9b For rental units with the following standards of low-income units in the building, do you elect to reduce eligible basis by disproportionate costs of non-low-income units under section 42(b)(5)? ☐ Yes ☒ No

10 Check the appropriate box for each election:

a Elect to begin credit period the first year after the building is placed in service (section 42(b)(1)) ☐ Yes ☒ No

b Elect not to treat large partnership as taxpayer (section 42(b)(5)) ☐ Yes ☒ No

c Elect minimum set-aside requirement (section 42(g)) (see instructions):

i 20-60 ☐ 40-60 ☐ Average income ☐ 25-60 (N.Y.C. only) ☐ 15-40 ☐ 15-40

d Elect deep rent skewed project (section 142(b)(6)(B)) (see instructions) ☐ Yes ☒ No

Under penalties of perjury, I declare that I have examined this form and accompanying attachments, and to the best of my knowledge and belief, they are true, correct, and complete.

Signature _____ Date _____

Name (please type or print) _____ Title (please type or print) _____

For Private Act and Paperwork Reduction Act Notices, see separate instructions. OIA No. 830812 Form 8609 (Rev. 10-2007)

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Re-Syndication of Tax Credits: Learning Point

Award Date: November 1, 2025

No, the development was under an HTC Land Use Restriction Agreement and the households were qualified as eligible at the time of occupancy. However, units 102 and 103 need to be screened for current student status.

Do units 103 and 102 need to be certified as eligible?

Unit 101 Low-Income Vacant	Unit 102 Low-Income Occupied Moved in May 21, 2017
Unit 103 Low-Income Occupied Moved in July 3, 2021	Unit 104 Low-Income Occupied Moved in December 5, 2025

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Re-Syndication: Learning Point continued

Award Date: November 1, 2025

All annual recertification requirements apply and are due by the anniversary date of the original move-in date to the project.

Unit 101 Low-Income Occupied Moving in February 6, 2026 Recertification will be due February 6, 2027	Unit 102 Low-Income Occupied Moved in May 21, 2017 Recertification May 21, 2025
Unit 103 Low-Income Occupied Moved in July 3, 2021 Recertification July 3, 2025	Unit 104 Low-Income Occupied Moved in December 5, 2025 Recertification will be due December 5, 2026

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Acquisition and Rehabilitation: Notes on Re-Syndication

Written Policies addressing credit, criminal history and occupancy standards cannot be applied retroactively

Existing HTC developments with a Land Use Restriction Agreement that require payment of a compliance monitoring fee that receive a second allocation of credit, will pay only one fee; the fee required by the original Land Use Restriction Agreement will be disregarded. For HTC Developments, the fee will be collected, retroactively if applicable, beginning with the first year of the credit period. This began with the 2020 QAP, it is not applied retroactively

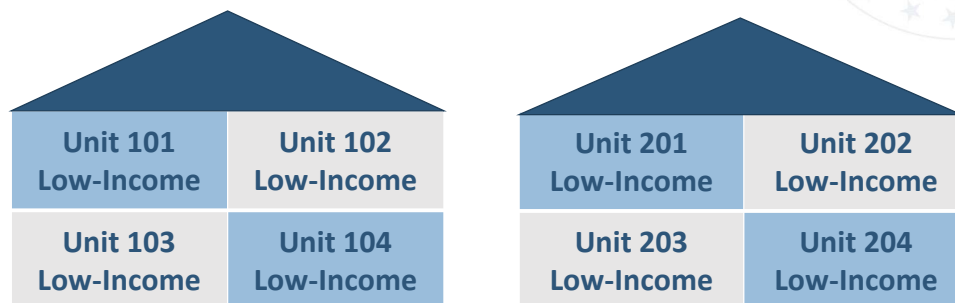
If the rehab combines Housing Tax Credits with any other Federal funds be sure to review the Uniform Relocation Act (URA) to ensure compliance

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Acquisition/Rehabilitation or Re-Syndication: Transfers

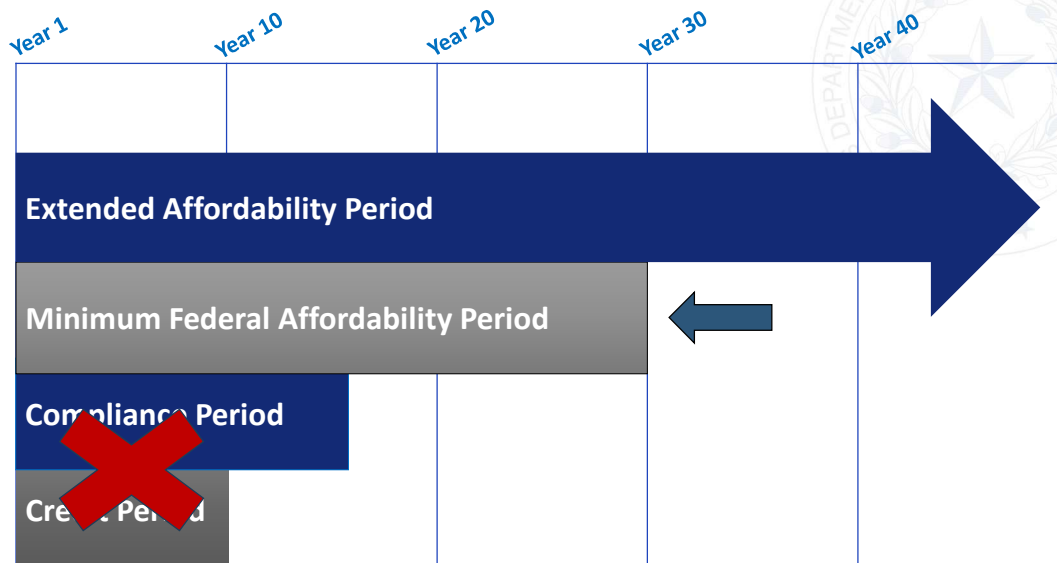
- Transfers between projects prior to Forms 8609 line 8b election are not allowable
- Households must be moved out of one project and moved into the new project and must income qualify



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The End of the Federal Compliance Period



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Post-15: Monitoring Requirements

Post-15: File Monitoring

- Frequency and depth based on risk assessment

Post-15: Physical Inspection

- Every 3 years

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Post-15: Monitoring Requirements continued

Continue to Monitor For:

- All Reporting Requirements (§10.607) and Lease Requirements (§10.613)
- Income qualified households – Exempt/Employee Units
- Rent & Fee restrictions (including additional rent and occupancy restrictions)
- Total number of required low-income units (property wide)
- Annual Data Collection (once a calendar year)
- All affirmative marketing requirements will remain in place.
- Marketing to veterans, if required, will continue to be a requirement.
- Rent and Occupancy Restrictions will continue to be required and monitored.
- LURA requirements through full term or extended compliance period.
- Compliance monitoring fees will continue to be submitted to the Department annually in the amount stated in the LURA.

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Post-15: Changes to Monitoring Requirements

No Longer Monitoring For:

- Documentation of Student Status ****Restrictions Apply****
- Applicable Fraction by building
- Application fees
- 8609 elections
- Ratio Utility Billing Systems (RUBS) are now part of the UA calculation
- Annual Income Recertification

All provisions allowed for under 10 TAC §10.623 will no longer apply and the property will be expected to comply with all aspects of Section 42 with the award of new credits.

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Post-15: LURA Requirements

LONGER EXTENDED USE PERIOD

In accordance with the Code, each Development is required to maintain its affordability for a 15-year Compliance Period and, subject to certain exceptions, an additional 15-year period. Development Owner indicates below that the Development will extend the affordability period beyond the 30 years required in the Code as follows:

LONGER EXTENDED USE PERIOD

In accordance with the Code, each Development is required to maintain its affordability for a 15-year Compliance Period and, subject to certain exceptions, an additional 15-year period. Development Owner indicates below that the Development will extend the affordability period beyond the 30 years required in the Code as follows:

Add 5 years affordability resulting in an Extended Use Period total affordability period of 35 years

☒ Longer Compliance Period and Extended Use Period

The Compliance Period shall be a period of 25 consecutive taxable years and the Extended Use Period shall be a period of 40 consecutive taxable years, each commencing with the first year of the Credit Period.

☒ Longer Compliance Period and Extended Use Period

The Compliance Period shall be a period of 15 consecutive taxable years and the Extended Use Period shall be a period of 40 consecutive taxable years, each commencing with the first year of the Credit Period.

If the LURA does not include this or the "box" is not checked, the development does not have an extended period.

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Post-15: LURA Requirements

☒ Longer Compliance Period and Extended Use Period

The Compliance Period shall be a period of 25 consecutive taxable years and the Extended Use Period shall be a period of 40 consecutive taxable years, each commencing with the first year of the Credit Period.

☒ Material Participation by Qualified Nonprofit Organization

Throughout the Compliance Period, a "qualified nonprofit organization" within the meaning of Section 42(h)(5)(C) of the Code shall control the operation of the Project. At the time this Declaration is filed, the organization shall so materially participate (within the meaning of Section 42(h)(5)(C) of the Code) in the operation of the Project is Operation Relief Center. The Project Owner is a qualified nonprofit organization with a different qualified provider.

HISTORICALLY UNDERUTILIZED BUSINESSES (HUB)

Throughout the Compliance Period, unless otherwise permitted by the Department, the HUB shall hold some combination of ownership interest in the General Partner, cash flow from operations, and developer fee which taken together equal at least 80 percent and no less than 5 percent of the total ownership interest in the Development and operation of the Development throughout the Compliance Period. The Development Owner must obtain prior approval from the Department if the HUB which holds such interest in the General Partner is not a qualified provider.

☒ Supportive Services

Throughout the Compliance Period, unless otherwise permitted by the Department, the Project Owner has contracted for the provision of the following special supportive services that would not otherwise be available to Tenants: Onsite availability of services such as financial planning assistance and courses; health screening services; health and nutrition courses; Utility Assistance; GED information; energy conservation training; Head Start; and family planning. At the time this Declaration is filed, the organization(s) providing these services is Community Action Agency San Patricio County, Inc. The Project Owner shall notify the Department (i) of any change in the status or role of such organization with respect to the Project and (ii) if such organization is proposed to be replaced by a different qualified provider.

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Post-15: LURA Requirements – Elderly Projects

ELDERLY DEVELOPMENT (10 TAC §11.1(d)(47) OF THE 2023 QAP)

This Development receives federal funding that has a requirement for a preference or limitation for elderly persons or households, but must accept qualified households with children. Throughout the Term, unless otherwise permitted by the Department in an amendment to this Declaration, this Development must operate as an Elderly Development as defined by the household definition and age restrictions imposed by the source of its federal assistance:

This Development meets the requirements of the Housing for Older Persons Act ("HOPA") under the Fair Housing Act (42 U.S.C. §3601, as amended). Throughout the term, unless otherwise permitted by the Department in an amendment to this Declaration, this Development must be a Development which:

- As determined by the HUD Secretary, is specifically designed and operated to assist elderly persons as defined in and provided under any Federal, State, or local government programs; or
- Is intended for, and solely occupied by persons 62 years of age or older; or
- Is intended and operated for occupancy by at least one person 55 years of age or older per unit, where at least 80% of the total housing units are occupied by at least one person who is 55 years of age or older; and adheres to policies and procedures which demonstrate an intent by the owner and manager to provide housing for persons 55 years of age or older.

Qualified Elderly Projects (2000 and later)

Throughout the Compliance Period, unless otherwise permitted by the Department, this project must conform to the Federal Fair Housing Act and must be a project which:

- (i) is intended for, and solely occupied by Persons 62 years of age or older; or
- (ii) is intended and operated for occupancy by at least one person 55 years of age or older per unit, where at least 80% of the total housing units are occupied by at least one person who is 55 years of age or older; and adheres to policies and procedures which demonstrate an intent by the owner and manager to provide housing for persons 55 years of age or older.

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Post-15: Annual Requirements

Once a calendar year, Owners must continue to collect and maintain current data on each household that includes the number of household members, age, ethnicity, race, disability status, student status, rental amounts and rental assistance (if any). This information can be collected on the Department's Annual Eligibility Certification (AEC) form or the Income Certification form or HUD Income Certification form or USDA Income Certification form.

There are other program requirements when the property is layered. All program requirement must be met, not just the Tax Credit requirements.

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Post-15: Changes to Monitoring

- The student restrictions found in §42(i)(3)(D) of the Code are no longer monitored in the same way
 - An income-qualified household consisting entirely of full-time students may occupy a low-income unit; however, the development may not market to students
 - The development may not lease more than 15% of the total number of units to student households
- All households, regardless of income level or 8609 elections, will be allowed to transfer between buildings; however, the units will still “swap” status and the move-in date will remain the original move-in date to the development
- The Department will not monitor the development’s application fee after the Federal Compliance Period is over
 - The development should still maintain a reasonable application fee
- **Please remember, all student household members should be screened for student related income, i.e. financial aid**

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Post-15: Mixed Income Developments

Mixed income developments are not required to conduct annual income recertification:

- Owners must continue to collect and report data on each household that includes the number of household members, age, ethnicity, race, disability status, student status, rental amounts and rental assistance (if any)
- This information can be collected on the Department's Annual Eligibility Certification form or the Income Certification form or HUD Income Certification form or Rural Housing Certification form
- If the property is layered with another program that requires annual income certifications the property must comply with the additional program requirements

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Post-15: Monitoring Rules

Unless specifically noted in §10.623, all requirements of the 10 TAC, Chapter 10, Subchapter F, the LURA and §42 of the Code remain in effect for the Extended Use Period. These Post-15 Monitoring Rules apply only to the HTC Developments administered by the Department.

Participation in other programs administered by the Department may require additional monitoring to ensure compliance with the requirements of those programs.

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Post-15: Maintaining Compliance

It is important to maintain compliance after the Compliance Period, even though issues of noncompliance are no longer reported to the IRS on Forms 8823. Issues of noncompliance, which are not corrected in the Corrective Action period are looked at during a Previous Participation Review and could be relevant with the new Enforcement/Debarment rule.

Additionally, if the Development is awarded Acquisition/Rehab or Re-syndication funds, it will be expected to comply with the new award and the existing LURA.

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Post-15: Notification Requirements at End of Term

Per 10 TAC §10.607(j), within six (6) months but at least 90 days prior to the end of the Affordability Period and/or the end of the Land Use Restriction Term, the Owner **MUST** provide written notice to the current tenants and applicants. The Notice must contain the following: proposed new rents, any rehabilitation plans and information on how to access the Department's Vacancy Clearinghouse to locate other affordable housing options. Owners should ensure that there is a procedure in place to notify the tenants as required.

If the Development Owner has been approved for new funding, through the Department, and/or awarded new credits such notice is not required.

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Acquisition and Rehab : Learning Point

The Acquisition date for the development is July 1, 2024. The first year of the Credit Period began January 1, 2025. The property's previous HTC LURA term expired on December 31, 2023. Which of these statements is true, more than one may apply?

- ☐ A Households do not need to be certified since they were previously eligible under an HTC LURA.
- ☒ B All households must be Income Certified by the start of the first year of the credit period.
- ☐ C All households must be Income Certified by June 30, 2024.
- ☒ D All households may be Income Certified within 120 days of July 1, 2024.

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Post-15: Learning Point

The Wilson household moved into the development on September 15, 2025. The development has market units in every building and completed the Federal Compliance Period on December 31, 2025. When and what type of recertification is due for the Wilson household in 2026?

- A Full recertification is due by the anniversary date of September 15, 2026, since the development has market units
- B Annual Data Collection due by the household anniversary date of September 15, 2026
- C Annual Data Collection due once a calendar year and must be completed by December 31, 2026**
- D Full recertification is due once a calendar year and must be completed by December 31, 2026

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Module 7

Compliance Monitoring



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Reporting Requirements: 10 TAC §10.607

Annual Owner's Compliance Report (AOCR)

- 3 Parts and the Annual Owner Financial Certification
- **Due April 30th** for the previous calendar year
- 1st report is due the second year after an award

Periodic Unit Status Reports (USR)

- Due on the 10th day of January, April, July and October
- 1st report is due after leasing commences

Monitoring Reviews

- Due date is identified in the notification of the review

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Notices to the Department: 10 TAC §10.609

Updating CMTS:

- Within 10 days of a change in the contact information (including contact persons, physical addresses, mailing addresses, email addresses, phone numbers, and/or the name of the property as know by the public) for the Ownership entity, management company, and/or Development the Department's CMTS must be updated.
- Separate contact information must be provided for Ownership entity, management company, and on-site manager at the Development. A single contact may be used for the owner and management if they are the same entity.
- Failure to comply is an issue of noncompliance.

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Notification of Monitoring Review: On-Site

Dear Steven Clark:

On January 26, 2023 at approximately 12:30 pm, monitor(s) will be visiting the above referenced development to conduct an onsite 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 onsite 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 January 10, 2023. 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-onsite documentation as required."**

1. Completed electronically through the CMTS:
 - a. Monitor Review Questionnaire
 - b. Unit Status Report (USR) reporting occupancy as of December 31, 2022

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 submenu, 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

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Notification of Monitoring Review: Desk

Dear Mr. Clark:

To satisfy the monitoring review requirements of the Housing Tax Credit (HTC) program, the Texas Department of Housing and Community Affairs (Department) will be conducting a desk monitoring review of Pandora Springs on January 26, 2023. A notification of files selected for review will be uploaded on January 25, 2023. In accordance with IRS Regulation §1.42-5, the Department cannot give advance notice of the files being selected for review. **Therefore, once the unit list has been attached in the Compliance Monitoring and Tracking System (CMTS), resident files must be uploaded within twenty four (24) hours.** The Department will be reviewing 18 files. If the Development feels like they cannot successfully upload 18 files within that time frame, contact Cara Pollei prior to January 25, 2023.

The following items must be submitted to the attention of Cara Pollei no later than January 10, 2023. Please upload all requested items to the Electronic Document Attachment system through the property'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-onsite documentation as required."**

1. Completed electronically through the Compliance Monitoring and Tracking System (CMTS)
 - a. Monitor Review Questionnaire
 - b. Unit Status Report (USR) reporting occupancy as of December 31, 2022

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 Department's home page, select "Support and Services" tab, then select "Compliance." From the submenu, select "Online Reporting."

If you have any questions regarding this review, please contact Cara Pollei toll-free in Texas at (800) 643-8204, directly at (512) 475-3821 or by email at cara.pollei@tdhca.state.tx.us.

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Electronic Files

All required records must be made available and accessible for a monitoring review, physical inspection, and whenever requested by the Department. The Department permits electronic records. Digital signatures of both property management and household are acceptable. Developments should have policies in place that allow the household to choose between electronic or hard copy documents. It is the responsibility of the Development Owner to maintain policies and procedures that mitigate fraud, waste, and abuse on an ongoing basis.

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Monitoring Review: CMTS Reporting

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 the Department, please click the link below to login to the system.

[Login to CMTS](#)

CMTS User Guidelines

To ensure that information is properly entered into CMTS, please

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

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

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

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

<https://www.tdhca.texas.gov/compliance-monitoring-tracking-system>

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Monitoring Review: CMTS Reporting on the Unit Status Report (USR)

From: [TDHCA](#)
To: [Cara Pollei](#)
Subject: TDHCA Compliance Notice: action required on unit designations
Date: Tuesday, August 18, 2026 9:19:23 AM

The Texas Department of Housing and Community Affairs (TDHCA) is requesting that property owners review their development's unit designations in the Compliance Monitoring and Tracking System (CMTS). The unit designations should only reflect funding administered by TDHCA.

For example, if a development has Low Income Housing Tax Credit (LIHTC) funding plus municipal HOME funding, CMTS should show the LIHTC designation only, not the municipality's HOME funding.

Please complete the necessary updates by October 10, 2026, which is also the due date for Quarterly Vacancy Reports.

Questions can be directed to Amy Hammond, Manager of Compliance Monitoring, at amy.hammond@tdhca.texas.gov.

All TDHCA program designations must be reflected on the USR, programs from other entities should be reflected on the USR. If a property has Tax Credits and HOME, both would be listed on the USR for the applicable units.

Another CMTS enhancement which will impact all users. CMTS will require a 2-point authentication and validation process. All users will need to have access to the email tied to their login information.

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Monitor Review Questionnaire: Where is it?

The screenshot shows the CMTS Property Reporting System interface. At the top, a navigation bar includes links for TDHCA Systems, Compliance Monitoring, Intranet Home, Oracle PeopleSoft S..., PHA Contact Repo..., HOME Final Rule, HOME Files - HUD E..., Texas Department..., and Compliance - Utility. Below this is a table titled "Monitor Review Questionnaire". The table has columns for Report Type, Due Date, Questionnaire, Submitted Date, Submit, and Print. The data rows show various "Entrance Interview Questionnaire" entries with due dates ranging from 07/06/2009 to 03/30/2021. A red circle highlights the "Start, Edit or View before submission" link in the "Submitted Date" column for the entry with due date 07/06/2009. Below the "Monitor Review Questionnaire" table is a section for the "Utility Allowance Review Questionnaire", which is currently empty. At the bottom of the page, there is a link for "Quarterly Owners Financial Certification".

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

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Monitoring Review: CMTS Attachment System

When documentation is uploaded into CMTS by the Department, only the email addresses associated with the property, ownership entity and management company entity will be notified by email.

If the company/group would like more than one person notified of uploads into CMTS it is the company/group's responsibility to setup an email address that would allow more persons to be notified. Note: only one email address may be entered for each of these.

For example, instead of the management entity being john.doe@propertymgmt.com there could be an email address that allows emails to multiple persons, like compliance@propertymgmt.com. You should work with your IT staff to set this up. The Department does not offer this resource.

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Monitoring Review: Utility Allowance Submission

Utility Allowance Schedule
U.S. Department of Housing and Urban Development
Office of Public and Indian Housing
OMB Approved No. 2577-0169
See Public Reporting and Instructions on back.

The following allowances are used to determine the total cost of tenant-furnished utilities and appliances.

Date (mm/dd/yyyy): **Effective: 6-1-2025**

Locality: **Housing Authority of the City of Austin, TX**
Unit Type: **Multi-Family (Apartment)**

Utility or Service	0 BR	1 BR	2 BR	3 BR	4 BR	5 BR
Heating						
a. Natural Gas	\$16.00	\$19.00	\$21.00	\$23.00	\$25.00	\$27.00
b. Bottle Gas/Propane	\$7.00	\$9.00	\$11.00	\$13.00	\$15.00	\$17.00
c. Electric						
d. Oil						
Cooking						
a. Natural Gas	\$4.00	\$4.00	\$7.00	\$8.00	\$11.00	\$12.00
b. Bottle Gas/Propane						
c. Electric	\$4.00	\$4.00	\$7.00	\$8.00	\$10.00	\$12.00
Other Electric & Cooling (Includes Monthly Charge)						
a. Natural Gas	\$24.00	\$27.00	\$34.00	\$40.00	\$47.00	\$53.00
b. Bottle Gas/Propane	\$15.00	\$16.00	\$19.00	\$24.00	\$29.00	\$35.00
c. Electric	\$12.00	\$14.00	\$19.00	\$24.00	\$29.00	\$35.00
Air Conditioning						
a. Natural Gas	\$8.00	\$9.00	\$13.00	\$17.00	\$21.00	\$25.00
b. Bottle Gas/Propane	\$9.00	\$10.00	\$13.00	\$16.00	\$19.00	\$22.00
c. Electric						
d. Oil						
Water, Sewer, Trash Collection						
Water	\$27.00	\$38.00	\$45.00	\$52.00	\$59.00	\$66.00
Sewer	\$15.00	\$16.00	\$18.00	\$19.00	\$21.00	\$22.00
Trash Collection	\$30.00	\$30.00	\$30.00	\$32.00	\$32.00	\$37.00
Tenant-supplied Appliances						
Range/Microwave - Tenant-supplied	\$11.00	\$11.00	\$11.00	\$11.00	\$11.00	\$11.00
Refrigerator - Tenant-supplied	\$12.00	\$12.00	\$12.00	\$12.00	\$12.00	\$12.00
Other-specified Monthly Charges						
Natural Gas Charge \$22.61	\$23.00	\$23.00	\$23.00	\$23.00	\$23.00	\$23.00
Actual Family Allowances						
To be used by the family to compute allowance. Complete below for the actual						
Name of Family						
Address of Unit						
Number of Bedrooms						

Utility Allowance Schedule
U.S. Department of Housing and Urban Development
Office of Public and Indian Housing
OMB Approved No. 2577-0169
See Public Reporting and Instructions on back.

The following allowances are used to determine the total cost of tenant-furnished utilities and appliances.

Date (mm/dd/yyyy): **Effective: 6-1-2025**

Locality: **Housing Authority of the City of Austin, TX**
Unit Type: **Multi-Family (Apartment)**

Utility or Service	0 BR	1 BR	2 BR	3 BR	4 BR	5 BR
Heating						
Natural Gas	\$14.00	\$16.00	\$19.00	\$20.00	\$22.00	\$22.00
Bottle Gas						
Electric	\$9.00	\$10.00	\$12.00	\$15.00	\$17.00	\$19.00
Fuel Oil						
Cooking						
Natural Gas	\$4.00	\$4.00	\$6.00	\$7.00	\$9.00	\$11.00
Bottle Gas						
Electric	\$4.00	\$5.00	\$5.00	\$10.00	\$12.00	\$14.00
Other Electric (Includes Monthly Charge)						
Natural Gas	\$30.00	\$33.00	\$41.00	\$49.00	\$57.00	\$65.00
Bottle Gas	\$14.00	\$16.00	\$21.00	\$26.00	\$34.00	\$42.00
Electric	\$7.00	\$8.00	\$12.00	\$15.00	\$19.00	\$22.00
Water Heating						
Natural Gas	\$10.00	\$12.00	\$15.00	\$18.00	\$22.00	\$25.00
Bottle Gas						
Electric	\$10.00	\$12.00	\$15.00	\$18.00	\$22.00	\$25.00
Fuel Oil						
Water						
Natural Gas	\$38.00	\$39.00	\$46.00	\$54.00	\$61.00	\$69.00
Bottle Gas	\$77.00	\$79.00	\$93.00	\$107.00	\$121.00	\$135.00
Electric	\$32.00	\$32.00	\$32.00	\$33.00	\$33.00	\$35.00
Other-specified: Natural Gas Charge \$25.52						
Range/Microwave	\$26.00	\$26.00	\$26.00	\$26.00	\$26.00	\$26.00
Refrigerator	\$11.00	\$11.00	\$11.00	\$11.00	\$11.00	\$11.00
Refrigerator	\$12.00	\$12.00	\$12.00	\$12.00	\$12.00	\$12.00
Actual Family Allowances						
To be used by the family to compute allowance while searching for a						
Name of Household						
Unit Address						
Number of Bedrooms						

Utility Allowance Schedule
U.S. Department of Housing and Urban Development
Office of Public and Indian Housing
OMB Approved No. 2577-0169
See Public Reporting and Instructions on back.

The following allowances are used to determine the total cost of tenant-furnished utilities and appliances.

Date (mm/dd/yyyy): **Effective: 6-1-2025**

Locality: **Housing Authority of the City of Austin, TX**
Unit Type: **Multi-Family - (Apartment)**

Utility or Service	0 BR	1 BR	2 BR	3 BR	4 BR	5 BR
Heating						
Natural Gas	\$16.00	\$19.00	\$21.00	\$23.00	\$25.00	\$27.00
Bottle Gas						
Electric	\$9.00	\$11.00	\$13.00	\$16.00	\$18.00	\$21.00
Fuel Oil						
Cooking						
Natural Gas	\$4.00	\$4.00	\$7.00	\$8.00	\$11.00	\$12.00
Bottle Gas						
Electric	\$5.00	\$6.00	\$8.00	\$11.00	\$13.00	\$16.00
Other Electric (Includes Monthly Charge)						
Natural Gas	\$33.00	\$37.00	\$45.00	\$53.00	\$62.00	\$71.00
Bottle Gas	\$15.00	\$17.00	\$24.00	\$30.00	\$37.00	\$44.00
Electric	\$15.00	\$17.00	\$24.00	\$30.00	\$37.00	\$44.00
Water Heating						
Natural Gas	\$8.00	\$9.00	\$13.00	\$17.00	\$21.00	\$25.00
Bottle Gas						
Electric	\$11.00	\$13.00	\$16.00	\$20.00	\$23.00	\$27.00
Fuel Oil						
Water						
Natural Gas	\$40.00	\$41.00	\$49.00	\$57.00	\$65.00	\$73.00
Bottle Gas	\$86.00	\$87.00	\$104.00	\$120.00	\$136.00	\$152.00
Electric	\$34.00	\$34.00	\$34.00	\$36.00	\$36.00	\$42.00
Other-specified: Natural Gas Charge \$28.35						
Range/Microwave	\$26.00	\$26.00	\$26.00	\$26.00	\$26.00	\$26.00
Refrigerator	\$11.00	\$11.00	\$11.00	\$11.00	\$11.00	\$11.00
Refrigerator	\$12.00	\$12.00	\$12.00	\$12.00	\$12.00	\$12.00
Actual Family Allowances						
To be used by the family to compute allowance while searching for a						
Name of Household						
Unit Address						
Number of Bedrooms						

The Nelrod Company 11/2022 Update adapted from form HUD-52667 (7/2019) The Nelrod Company 11/2024 Update adapted from form HUD-52667 (04/2023) The Nelrod Company 11/2024 Update adapted from form HUD-52667 (04/2023)

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Monitoring Review: Forms 8609 and Certificates of Occupancy

8609 Low-Income Housing Credit Allocation and Certification

Form 8609 (Rev. November 2021)
Go to www.treasury.gov/Form8609 for instructions and the latest information.

Allocation of Credit

Part I (See instructions for Part I) **Part II** (See instructions for Part II)

A Name of building (see instructions) **B** Name and address of housing credit agency

Pandora Springs Apartments Total Buildings 7
1501 Circle S, Building 1 of 7
Austin, TX 78711
3712
City, address, and lot or building parcel number

C Date of issuance of building credit allocation **D** Building certification number (see instructions)

10/24/2021
78-10-07001

1a Date of allocation **1b** Maximum housing credit dollar amount allowable

10/24/2021 \$5,000

2 Maximum applicable credit percentage allowable (see instructions)

2 9.00%

3a Maximum qualified basis **3b** Maximum qualified basis

100,000 100,000

4 Check box ☐ If the eligible basis used in the computation of the 3a was increased under the high-cost area provisions of section 4202(b)(5). Enter the percentage to which the eligible basis was increased (see instructions)

4 0.00%

5a Percentage of the aggregate basis financed by tax-exempt bonds, if any, under (a) **5b** Percentage of the aggregate basis financed by tax-exempt bonds, if any, under (b)

5a 0.00% 5b 0.00%

6a Date building placed in service **6b** Check box ☐ If the date of allocation on line 1a is in calendar year 2021 or 2022 and the building is located in a qualified disaster zone (see instructions)

6a 10/24/2021 6b ☐

7 Check the boxes that describe the allocation for the building (mark those that apply):
a ☐ Newly constructed and federally subsidized b ☐ Newly constructed and not federally subsidized c ☐ Existing building
d ☐ Sec. 4202 rehabilitation expenditures federally subsidized e ☐ Sec. 4202 rehabilitation expenditures not federally subsidized
f ☐ Allocation subject to nonprofit set-aside under sec. 4202(b)(5)

Signature of Authorized Housing Credit Agency Official—Completed by Housing Credit Agency Only
Under penalties of perjury, I declare that the allocation made is in compliance with the requirements of section 42 of the Internal Revenue Code, and that the information on this form and the allocation is true, correct, and complete.

[Signature] pretend Department employee 3/23/2021

Part II First-Year Certification—Completed by Building Owners with respect to the First Year of the Credit Period
Under penalties of perjury, I declare that the information on this form and the allocation is true, correct, and complete.

1a Original qualified basis of the building at close of first year of credit period **1b** Original qualified basis of the building at close of first year of credit period

1a 100,000 1b 100,000

2 Are you treating this building as part of a multiple building project for purposes of section 42 (see instructions)? **2a** Yes ☐ No ☐

3 If box 2a or box 2b is checked, do you elect to reduce eligible basis under section 4202(b)(5)? **3a** Yes ☐ No ☐

4 For market-rate units above the average quality standards of low-income units in the building, do you elect to reduce eligible basis by disproportionate costs of non-low-income units under section 4202(b)(5)? **4a** Yes ☐ No ☐

5 Check the appropriate box for each election:
5a Election to treat large partnership as taxpayer (section 4202(b)(5)) **5b** Election to treat large partnership as taxpayer (section 4202(b)(5))

5a ☐ 25-50 ☐ 40-60 ☐ 60-80 ☐ 80-100 ☐ 25-50 (N.Y.C. only) ☐ 15-40

6 Under penalties of perjury, I declare that I have examined this form and accompanying attachments, and to the best of my knowledge and belief, they are true, correct, and complete.

[Signature] 74-261052 2/15/2021
pretend name - FAKE PROPERTY
74-261052 2/15/2021
First year of the credit period

For Privacy Act and Paperwork Reduction Act Notice, see separate instructions. Cat. No. 53891U Form 8609 (Rev. 11-20-21)

City of Austin, Texas

Certificate of Occupancy

Issued to:

Name of Business: Pandora Springs
Address: 1501 Circle S, Austin TX 78711
Tenant Name: Steven Clark

To be used as for: Multi-family apartment community;

The above property/structure/tenant space has been inspected for conformance with the City of Austin's building codes and zoning ordinance and is found to be compliant. No change in the occupancy, occupancy or use may occur unless a new Certificate of Occupancy is obtained. The issuance of this Certificate of Occupancy may not be construed as an approval of violation of the ordinances of the pretend City of Austin.

Date of Issuance: 10/24/2021

Special Conditions:
None (This is a pretend CO)

Digitally signed by
Cara Polle, Pretend Official
Date: 2023.11.11
12:35:24 -0500

This must be displayed in a conspicuous place on the premises and may not be removed without permission from the Building Official.

If you have received Temporary Certificates of Occupancy those must be submitted also. This will "drive" the Placed-in-Service Date.

This is an important date for special needs and CoC requirements.

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Monitoring Review: Application Fees

INVOICE						
Invoice No.	Account No.	Ref. No.	Invoice Date	Page No.		
10/16/2025			10/16/2025	2 of 2		
Access Fees	Qty	Item Charge	Net Charge	S&H	Tax	Ext. Charge
RealPage Platform						
RealPage Tenant Management in Accounting (SaaS)						
LOFT Leasing						
Monthly Fee, Unit Pricing: \$5 (Units): Period 11/01/2025 to 11/01/2025	80.00	0.0000	0.00	0.00	0.00	0.00
1.00 (Units): Total = \$0.0000						
Charged at flat price of \$0.0000 per Unit						
			Total	599.36	0.00	22.22
						201.81
Transaction Fees	Qty	Item Charge	Net Charge	S&H	Tax	Ext. Charge
Screening AI Enterprise	4.00	18.8200	75.28	0.00	0.21	\$1.49
08/04/2025 - App'd 30/10/25						
08/04/2025 - App'd 30/10/25						
08/08/2025 - App'd 30/10/25						
08/17/2025 - App'd 30/10/25						
LeasingDesk Screening Identity Verification	4.00	4.0000	16.36	0.00	1.35	17.71
08/04/2025 - App'd 30/10/25						
08/04/2025 - App'd 30/10/25						
08/08/2025 - App'd 30/10/25						
08/17/2025 - App'd 30/10/25						
			Total	\$1.94	0.00	7.98
						\$9.23

This letter is to confirm the current pricing for All Properties managed by [REDACTED] located within the state of Texas. With respect to these properties, the pricing for the Screening AI Enterprise and LeasingDesk Screening Business Credit products is based on a fee of \$15.35 and \$40.00 per applicant. This pricing is pursuant to the Addendum to Master Agreement, signed and dated 06/01/2020. Note: Invoices are reconciled periodically, and individual invoices may not represent all charges.

RealPage Screening Product	Item Charge
Screening AI Enterprise	\$15.35*
LeasingDesk Screening Business Credit Report	\$40.00*
Total Price excluding taxes where applicable*	


REALPAGE

PO Box 842899 Dallas TX 75284-2899

RESIDENT ACTIVITY

10/01/2024 through 09/30/2025

[REDACTED]
 [REDACTED] [REDACTED]
 [REDACTED] MO

|||||00

If the development is billed a lump sum monthly, it is also necessary to include the above and a statement of how the application fee was calculated.

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Monitoring Review: Material Participation

Qualified Non Profit Participation

Hammond Housing Community Services is the non-profit member of the general partner.

Pandora Management Group is responsible for directing the operation of the property.

The Non-Profit staff meets monthly with the management company staff about the property operation and issues. Regarding specific issues, the Non-Profit staff meet with whom ever is necessary, i.e. attorneys, accountants, consultants, government personnel, residents, management personnel, etc.

The Non-Profit reviews the budgets, management plans (including staffing, operating procedures, hours of operation, etc), site visits, financial reviews and audit reviews.

As part of the Non-Profit's oversight of the management company, the management company's operation, the property and the property's operation, Hammond Housing Community Services is actively involved in the operation of the property.

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Monitoring Review: Supportive Services

If the LURA requires Supportive Service:

- Documentation evidencing compliance with all Supportive Service requirements in the Land Use Restriction Agreement (LURA).
 - For example: sign-in-sheets, notices, calendars, schedule of planned/upcoming services, invoices, contracts and ledgers, and the provider's tax-exempt status, if applicable.
- **Upload into CMTS evidence of two current consecutive services for each service provided (example: monthly = 2 months, quarterly =2 quarters, weekly = 2 weeks' worth, weekday = 2 weeks' worth).**
- The development may also submit an outline showing the planned services in addition to the back-up for services already held.

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Desk Review: Files Requested

Dear Mr. Clark:

In regards to the Desk Monitoring Review required for the above referenced device, the following files have been selected for review:

8 15 22 30 37

Pandora Springs

The deadline for submission is January 26, 2023 at 10:00 am. Failure to submit the requested documentation will result in noncompliance. If you have any further questions, please contact Cara Pollei toll-free in Texas at (800) 643-8204, directly at (512) 475-3011 or by email at cara.pollei@tdhca.state.tx.us.

of the posted Guide.

1. Current
2. Lease
3. Tenancy
4. Title
5. Initial
6. Initial
7. Initial
8. Initial
9. Any
10. Annual
11. Rent

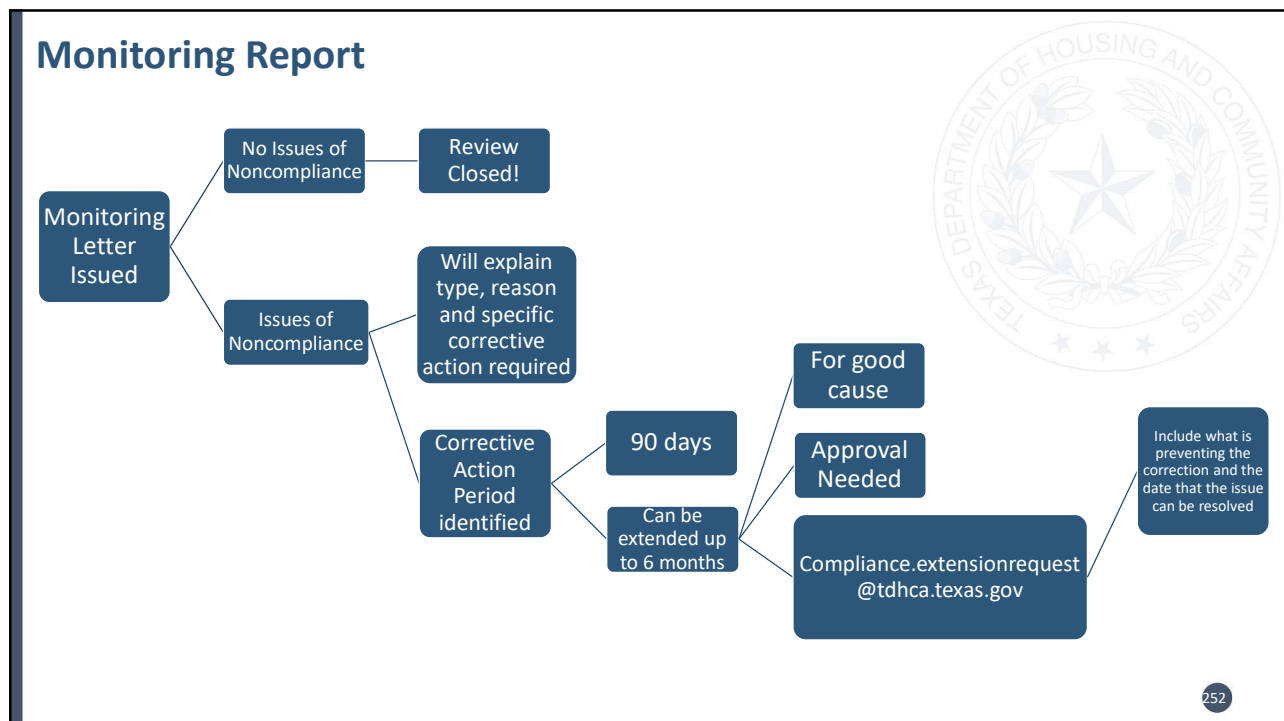
6. Initial Income Certification form
7. Initial Income, Asset and Student Status Verifications
8. Initial Notes or Clarifications to the file
9. Any additional documentation demonstrating initial eligibility
10. Annual Recertification including application, verification of income, asset and student status or Annual Eligibility Certification
11. Rent Ledger

251 East 11th Street P.O. Box 13942 Austin, Texas 78711-3941 (800) 525-0657 (512) 475-3800

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Monitoring Report



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Monitoring Report: The Report

Pandora Springs
Page 2

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://texreg.sos.state.tx.us/public/readtac\\$ext.ViewTAC?tac_view=5&ti=10&pt=1&ch=10&sch=F&rl=Y](http://texreg.sos.state.tx.us/public/readtac$ext.ViewTAC?tac_view=5&ti=10&pt=1&ch=10&sch=F&rl=Y).
- **Compliance Forms** are available at: <http://www.tdhca.state.tx.us/pmcomp/forms.htm>
- **Income and Rent Limits** are published at least annually at: <http://www.tdhca.state.tx.us/pmcomp/irl/index.htm>
- **Frequently asked questions and answers** are available at: <http://www.tdhca.state.tx.us/pmcomp/compFaq.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/asset-management/pca-manual.htm>

321 East 15th Street P.O. Box 13041 Austin, Texas 78711-0461 (800) 525-0057 (512) 475-3800

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Monitoring Report: The Details

TEXAS DEPARTMENT OF HOUSING AND COMMUNITY AFFAIRS

Printed Date: 12/29/22
Page: 4 of 6

Property ID
Property File
Address 150

PROPERTY FINDINGS

Finding	Noncompliance with utility allowance requirements described in §10.614 of this subchapter and/or Treasury Regulation 1.42-10		
Noncompliance Date	11/28/2022	Current Status	Uncorrected - Not Reportable to IRS
Reason	The Department issued an approval of the Energy Consumption Model on October 6, 2022. The Utility Allowance was to be in effect for rents due after November 27, 2022. At the time of the Monitoring Review the new allowance was not implemented.		
Corrective Action	Implement the utility allowances effective for rent due after November 27, 2022. Update the Unit Status Report (USR) and submit to the Department to evidence compliance. Once the utility allowance is in effect, the Department will review the gross rent for each unit to confirm compliance with the Land Use Restriction Agreement. Any additional noncompliance that results from that review will be addressed under separate cover. The finding will be corrected once the owner can demonstrate that the gross rent for each unit is restricted and that the proper utility allowance has been implemented.		

PROPERTY
Finding
Noncompliance

Reason The Department issued an approval of the Energy Consumption Model on October 6, 2022. The Utility Allowance was to be in effect for rents due after November 27, 2022. At the time of the Monitoring Review the new allowance was not implemented.

Corrective

UNIT FINDINGS

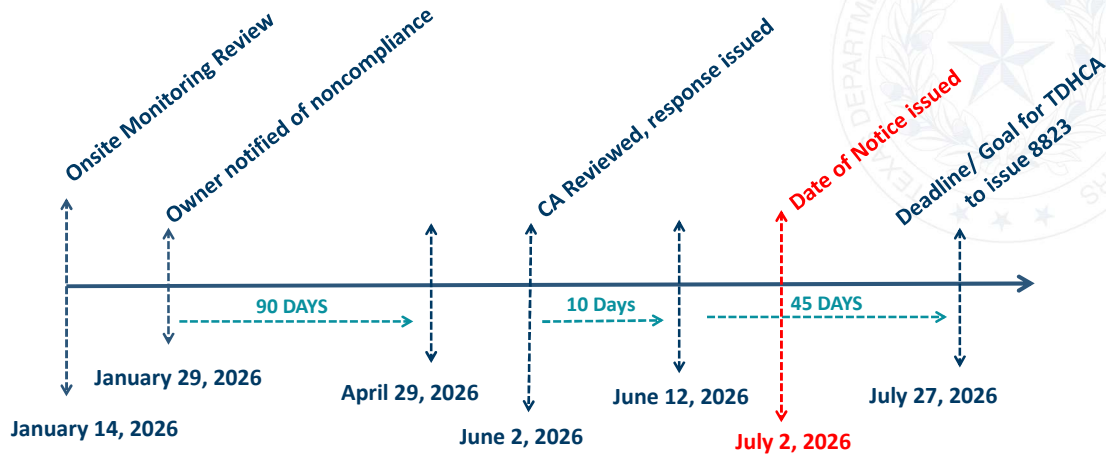
Unit # 15	Bldg. # 03	BIN # TX175101103
Finding	Failure to provide Tenant Income Certification and documentation	
Noncompliance Date	06/01/2022	Current Status Corrected
Reason	In accordance with Title 10 of the Texas Administrative Code §10.612, HTC projects (as defined on Part II question, 8b of IRS Form 8609) with Market Units must complete annual income recertification. During the monitoring review, the Department did not observe an annual re-certification for unit 15 which was due on June 1, 2022.	
Corrective Action	The household completed the annual re-certification on December 9, 2022. No further action is required.	
Potential Administrative Penalty	\$250 per violation	

Corrective Action The household completed the annual re-certification on December 9, 2022. No further action is required.
Potential Administrative Penalty \$250 per violation

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Monitoring Report: The Timeline



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Form 8823: Low-Income Housing Credit Agencies Report of Noncompliance or Building Disposition

This form is completed by the
Department

This is the mechanism used by the
State Housing Finance Agency (SHFA
or HFA) to report noncompliance in a
building to the Internal Revenue
Service (IRS)

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Form 8823: Types of Noncompliance

Form 8823 | **Low-Income Housing Credit Agencies** | **Report of Noncompliance or Building Disposition** | **OMB No. 1545-0084**

11 Check the box(es) that applies:

Category	Noncompliance corrected
a Household income above income limit upon initial occupancy	☐
b Owner failed to correctly complete or document tenant information	☐
c Violation(s) of the UPCS or local inspection standards	☐
d Owner failed to provide annual certifications or provide annual income verification	☐
e Changes in Eligible Basis or the Applicable Percentage	☐
f Project failed to meet minimum set-aside requirements	☐
g Gross rent(s) exceeds limits	☐
h Project not available to the general public (see instructions)	☐
i Violation(s) of the Available Unit Rule under section 42(g)(2)	☐
j Violation(s) of the Vacant Unit Rule under Reg. 1.42-5(c)(1)(ix)	☐
k Owner failed to execute and record extended-use agreement with tenants	☐
l Low-income units occupied by nonqualified full-time students	☐
m Owner did not properly calculate utility allowance	☐
n Owner has failed to respond to agency requests for monitoring reviews	☐
o Low-income units used on a transient basis (attach explanation)	☐
p Building is no longer in compliance nor participating in the section 42 program. (Attach explanation.)	☐
q Other noncompliance issues (attach explanation)	☐

12 Additional information for any line above. Attach explanation and check box ☐

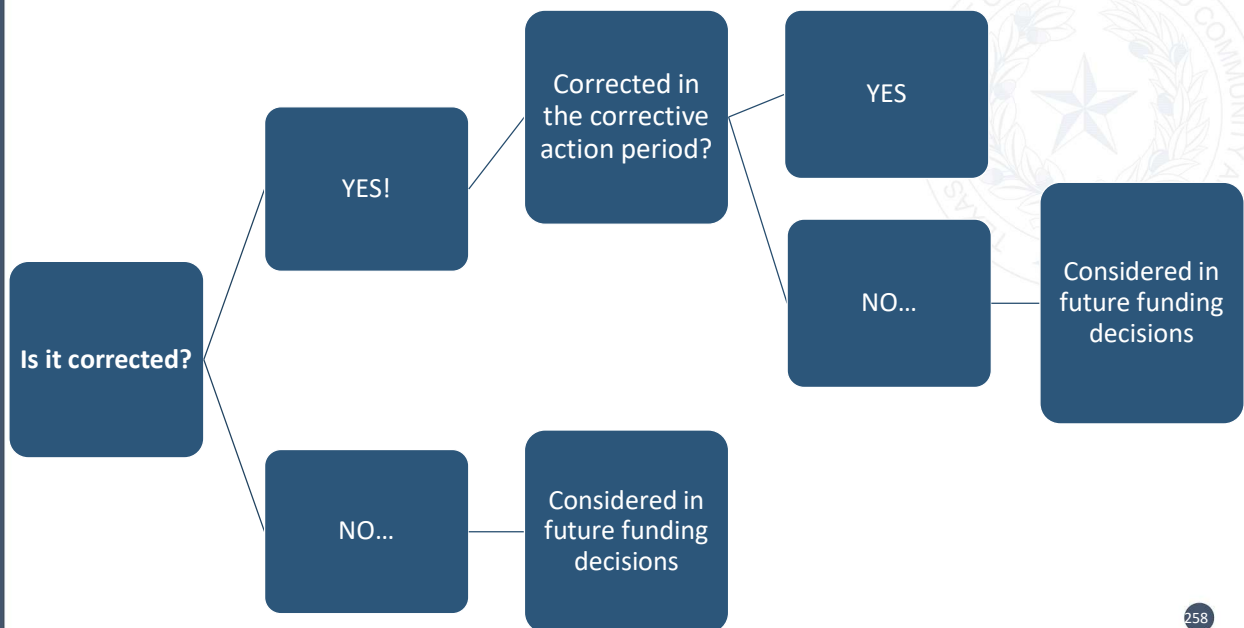
Signature of authorizing official _____ Date (mm/dd/yyyy) _____
 For Paperwork Reduction Act Notice, see instructions. Cat. No. 120880 Form 8823 (Rev. 9/2015)

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Each category has a corresponding Chapter in the *Low-Income Housing Credit Agencies Report of Noncompliance or Building Disposition Audit Technique Guide: Guide for Completing Form 8823*

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Noncompliance Status System



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Monitoring: Learning Point 1

Failure to submit the Annual Owner Compliance Report (AOCR) by April 30th will result in an issue of noncompliance. True or false?

- ☒ A True
- ☐ B False

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Monitoring: Learning Point 2

If the Development has Certificates of Occupancy and Temporary Certificates; which should be submitted?

- ☒ A Both
- ☐ B Neither

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Monitoring: Learning Point 3

When there are issues of noncompliance the development will be given a 6-month Corrective Action Period?

- A True
- B False**

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Monitoring: Learning Point 4

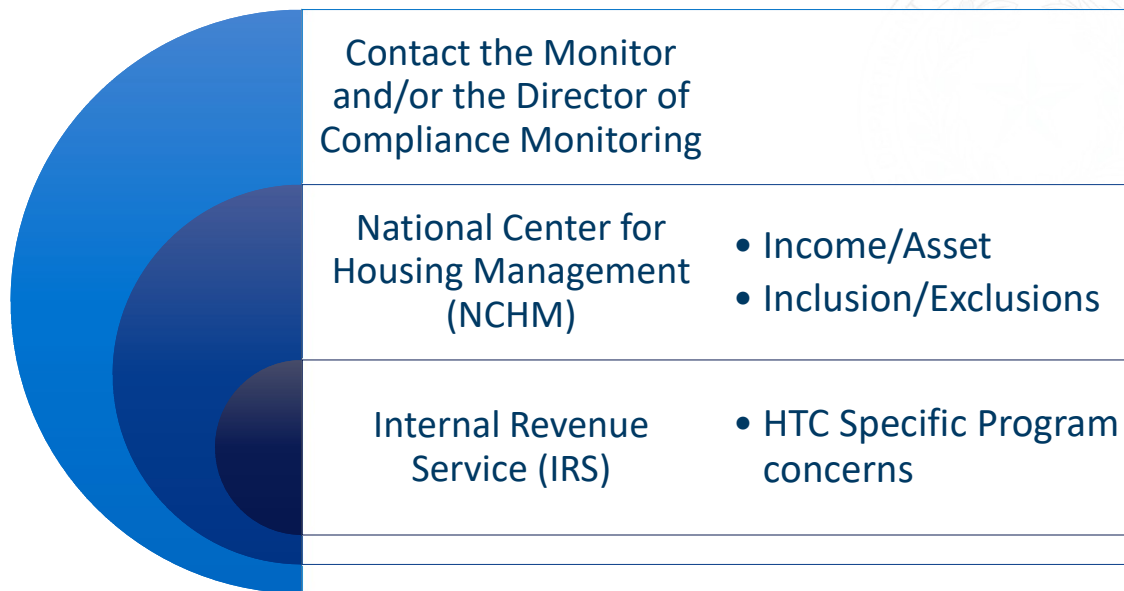
All issues of noncompliance, including violations of State specific requirements, are reported to the IRS on Form 8823?

- A True
- B False**

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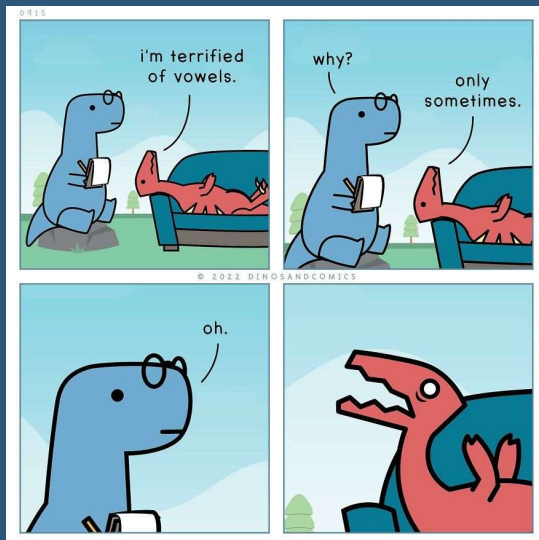
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What happens if you do not agree?



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THANK YOU!

Housing Tax Credit 2026

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