TEXAS DEPARTMENT OF HOUSING AND COMMUNITY AFFAIRS

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October 23, 2026

Writer's direct phone # (512) 475 -3907
Email: Christina.Thompson@tdhca.texas.gov

EPHFC MYRTLE LLC
El Paso, TX
moyae@elpasotexas.gov

RE: Myrtle Apartments I

Dear EPHFC MYRTLE LLC:

The Texas Department of Housing and Community Affairs (Department) has reviewed the Housing Facility Corporation (HFC) Audit Report submitted by Juanita Sanchez on August 31, 2026. This review was performed as required by Section 394.9027 (b) of Chapter 394, the Texas Administrative Code (TAC) Chapter 10, Subchapter J, for Myrtle Apartments I. Enclosed is a copy of the Audit Report summary.

Events of noncompliance have been identified and detailed in the attached Findings Report with required corrective action. In accordance with TAC Section 394.9027(d) a copy of this notice will be sent to the Chief Appraiser of the appraisal district in which the development is located.

This notice begins the corrective action period. Supply all required documentation via Serv-U, no later than **April 21, 2027**, the last day of the corrective action period.

If you need a Serv-U account, email hfc@tdhca.texas.gov. Submissions must include a cover letter explaining, in detail, how each event of noncompliance was corrected.

Remaining uncorrected noncompliance after the corrective action period deadline will result in a referral to the Texas Comptroller and Chief Appraiser, with a recommendation for loss of ad valorem tax exemption under Section 394.905 of the Texas Local Government Code for the Tax Year being Audited.

If you have any questions about this monitoring report, please contact Christina Thompson toll free in Texas at (800) 643-8204, directly at (512) 475-3907, or email: christina.thompson@tdhca.texas.gov.

Sincerely,

Christina Thompson
Team Lead, HFC and PFC Monitoring

CC: JohnsonR@elpasotexas.gov; ChavezA33@elpasotexas.gov; AcevedoJ@elpasotexas.gov; MaldonadoRochaDR@elpasotexas.gov; TrejoCB@elpasotexas.gov; NinoI@elpasotexas.gov; District6@elpasotexas.gov; LimonLB@elpasotexas.gov; District8@elpasotexas.gov; Admin@ElpasoHFC.org; MoyaE@elpasotexas.gov; econ.dev@cpa.texas.gov

Audit Report
Myrtle Apartments I

The Texas Department of Housing and Community Affairs provides the following Technical Assistance:

- TAC §10.1203(3)(B) requires that all Audit Reports include contact information for all Responsible Parties. Ensure current contact information for all Responsible Parties is provided in the Audit Report.

Texas Department of Housing and Community Affairs

Housing Finance Corporation (HFC)

Preliminary Summary of Audit

This is a preliminary summary of the Audit Report. TDHCA's review is ongoing and not final. Findings and any required Corrective Action will be addressed in the official Monitoring Report Letter, if applicable.

Reporting Details

Report Due Date:	6/1/2026	Current Reporting Year:	2026	Occupancy Period Begin Date:	1/1/2025
				Occupancy Period End Date:	12/31/2025

Development & Regulatory

HFC Property Name	Myrtle I Apartments	Is the Regulatory Agreement (RA) is properly recorded?	No	PRE or POST May 28, 2025 Development?	PRE
HFC Property Street Address	1020 Myrtle	Regulatory Agreement Effective Date	None		
HFC City, State Zip	El Paso TX 79901			Development Type	Acquisition
Property County	El Paso	Does the development participate in other affordable programs?	No		
				Occupancy Type	General/Family
HFC User Name	EPHFC MYRTLE LLC	Jurisdictional Boundaries	Within Sponsor Boundaries		
		If Outside Sponsor Boundaries, was the Development acquired by Sept. 1, 2025?	NA	Total Number of Units in the Development	6
		If Outside Sponsor Boundaries, has approval been obtained or is the Development in the transition period?	NA	(ALL Restricted & Unrestricted)	

Affordability Requirements - AMI Percentage by Bedroom Size (Post Developments Only)

	Efficiency	1 Bedroom	2 Bedroom	3 Bedroom	4 Bedroom	Total
80% AMI Units	0	4	2	0	0	6
100% AMI Units	0	0	0	0	0	0
120% AMI Units	0	0	0	0	0	0
140% AMI Units	0	0	0	0	0	0
Other AMI Units: [Add % here]	0	0	0	0	0	0
Market Units	0	0	0	0	0	0
Total Restricted Units	0	4	2	0	0	6
Total Units (Restricted + Market)	0	4	2	0	0	6

Development Contacts

	Organization Name	City, State Zip
Property Name	Myrtle I- EPHFC MYRTLE LLC- 1020 Myrtle	El Paso TX 79901
Texas Comptroller	Not Provided	Austin, TX 78753
Appraisal District	Not Provided	Not Provided
Individual Auditor	Juanita Sanchez	Cedar Park TX
HFC User	EPHFC MYRTLE LLC	El Paso TX 79901
HFC Management Company	Hiett & Associates	El Paso TX 79912
HFC Sponsor	City of El Paso	El Paso TX
HFC Governing Body of Sponsor	City of El Paso City Council and Mayor	El Paso TX

Auditor Qualifications & Affiliations

Does the Auditor have a current Certified Occupancy Specialist (COS) or equivalent certification?	Yes
Has the Auditor provided a resume demonstrating housing compliance audit experience?	Yes
Is the Auditor free from any financial, ownership, or management interest in the Development or any Responsible Party?	Yes
Is the Auditor currently serving, or has the Auditor previously served, as the Management Agent for this Development?	Yes
Has the HFC User complied with the three-year rotation and, if applicable, the two-year cooling-off requirement?	Yes

Income & Rents Limits

Does the Regulatory Agreement specify income limits?	No
Are the income limits adjusted for household size?	No
Are the income limits based on HUD income limits?	Yes
Did the Development comply with the Available Unit Rule when a household became over-income?	NA
Does the Regulatory Agreement specify rent limits for Restricted Units?	No
Are the rent limits based on HUD rental limits?	Yes
Are restricted unit rents ≤30% of the applicable income limit (adjusted for household size)?	Yes
Are rent limit adjusted for family size, as determined by HUD?	No
What is the family-size adjustment specified by the Development's Regulatory Agreement?	NA

Units & Occupancy

		Restricted Occupied Units	5	Non-Restricted Occupied Units	0
Restricted Units Occupied by Voucher Holders	0	Restricted Vacant Units	1	Non-Restricted Vacant Units	0
Total Units (ALL)	6	Total Restricted Units	6	Total Non-Restricted Units	0

Triggering Events: Acquisition and Ownership Transfer

Did a triggering event occur during the reporting period or any prior Tax Year?	No

Set Asides

Date first occupied by one or more tenants?	4/12/2018
Is the Development currently in lease up?	No
Do Restricted Units have comparable square footage and floor plans as Non-Restricted Units?	Yes
Are Restricted Units equal in finishes and equipment to Non-Restricted units?	Yes
Do Restricted Units have equal amenity and program access as Non-Restricted Units?	Yes
Are Restricted Units proportionally distributed by unit type and income category?	Yes
Did the Auditor receive photographic evidence and written certification confirming unit comparability?	NA

Set-Aside - Select Only One Option	
Option 1:	
At Least 10% of units reserved for HH not earning more than 60% AMI	No
At least 40% of units reserved for HH not earning more than 80% AMI	Yes
Option 2:	
At Least 10% of units reserved for HH not earning more than 50% AMI	NA
At least 40% of units reserved for HH not earning more than 100% AMI	NA

Marketing

Does the Development's website include information about the Development and its compliance with Section 394.9026(c)(7)?	Yes
Does the website include Housing Choice Voucher (HCV) acceptance policies?	Yes
The Development affirmatively markets both Restricted and non-Restricted Units to Housing Choice Voucher (HCV) households and notify local housing authorities of their acceptance of HCV tenants.	Yes

Vouchers

Does the HFC User refrain from refusing to rent to households solely due to participation in the Housing Choice Voucher (HCV) program?	Yes
Do leasing and screening policies avoid any provision that prohibits or discourages HCV participation?	Yes
Does the Development avoid imposing a minimum income requirement on HCV households exceeding 250% of the tenant-paid portion of rent?	Yes
If an HCV household occupies a Restricted Unit and the voucher payment standard is below the approved rent, is the household charged only the allowable difference?	No
Did the Auditor review evidence of HCV marketing material consistent with Sections 394.9026?	Yes
How many Restricted Units are occupied by HCV (Section 8) households?	0

Lease & Policies

Does the Development provide tenants with at least 30 days' written notice of non-renewal?	Yes
Do lease agreements prohibit tenants from waiving required protections?	Yes
Do Restricted Unit lease agreements prohibit retaliation against tenants or the tenant's guests for taking action because the tenant established, attempted to establish, or participated in a tenant organization?	Yes
Does the lease restrict non-renewals to major violations, failure to provide required income information, or repeated disruptive violations affecting livability, safety, quiet enjoyment, management, or finances (including late rent)?	Yes

Audit Sample Summary

Audit Sample	**Item**
Overall Sample meets minimum requirements?	YES
Move-In Sample meets minimum requirements?	YES
Recertification Sample meets minimum requirements?	NA

Texas Department of Housing and Community Affairs (TDHCA) Observations - DEPARTMENT USE ONLY

Preliminary summary. TDHCA review is ongoing and not final.

Report Due Date:	6/1/2026	Current Reporting Year:	2026	Audit Received Date:	8/31/2026

PRELIMINARY COMPLIANCE INDICATORS

Reporting	
Is the Development required to submit an Audit Report?	Yes
Did the Development submit an Audit Report by the deadline, with approved extensions?	Yes
Does the Audit Report cover the full prior reporting year ending December 31 and include a rent roll for the same period?	Yes
Does the Audit Report include contact information for all Responsible Parties?	No
Was the Audit Report submitted in the Department-prescribed manner through the Department's file transfer system (Serv-U/File Serve)?	Yes
Was the annual service fee ($35 per Restricted Unit in the sample or $500 minimum) submitted with the Audit Report?	Yes
Did the Audit Report include a one-time exemption application submitted to the Texas Comptroller's Office?	No
Did the first Audit Report include all required supporting documentation?	No
Auditor	
Does the Auditor meet independence and qualification standards and comply with applicable rotation and cooling-off requirements?	Yes
Geographic Boundaries	
Is the Development within sponsor boundaries, or—if outside those boundaries—has required approval been obtained or is the Development within the applicable transition period?	NA
Overall Chapter 394 Status:	Noncompliant: See Detail Findings Report
TDHCA Notes/Notations:	TA Issued

TEXAS DEPARTMENT OF HOUSING AND COMMUNITY AFFAIRS

DETAIL FINDINGS AND CORRECTIVE ACTION REPORT

HFC ID: AA26-070-0002
HFC User: EPHFC MYRTLE LLC
Property Name: Myrtle I Apartments
Address: 1020 Myrtle El Paso TX 79901

Regulatory Agreement Date: 1/0/1900
Audit Report Received Date: 8/31/2026
Corrective Action Due Date: 4/21/2027

Audit Report Review Date: 10/22/2026

PROGRAM: HFC

PROPERTY FINDINGS

Finding:	Failure to comply with §10.1203(1)(C)			
Unit #	Non-Compliance Date	Reason	Corrective Action	Correction Date
Property Wide	8/31/2026	TAC §10.1203(1)(C) requires the HFC User to provide the Auditor with all required documents prior to submission of the first Audit Report, including the underwriting assessment, applicable resolutions, board meeting minutes, the Regulatory Agreement, and the one-time exemption application submitted to the Texas Comptroller's office. These documents must be submitted to the Department with the first Audit Report. The Audit Report submitted to the Department did not contain the one-time exemption application submitted to the Texas Comptroller's office.	Submit to the Department a copy of the one-time exemption application submitted to the Texas Comptroller's office.	

Finding:	Failure to comply with §10.1203(4)			
Unit #	Non-Compliance Date	Reason	Corrective Action	Correction Date
Property Wide	8/31/2026	TAC §10.1203(1)(C) requires that the Regulatory Agreement be submitted to the Department with the Development's initial Audit Report. The Regulatory Agreement is defined as--A Land Use Restriction Agreement (LURA), Ground Lease, Deed Restriction, or any similar restrictive instrument that is recorded in the real property records of the county in which the Development is located or an agreement between the HFC and HFC User which is not recorded in the real property records. The Audit Report submitted to the Department did not contain the Regulatory Agreement.	Submit to the Department a copy of the property's Regulatory Agreement.	