



## TEXAS DEPARTMENT OF HOUSING AND COMMUNITY AFFAIRS

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July 11, 2025

*Writer's direct phone # (512)475-4065*  
*Email: shay.erickson@tdhca.texas.gov*

Josue Garza  
Lynd Management Group  
San Antonio, TX  
[jgarza@lynd.com](mailto:jgarza@lynd.com)

RE: Copper Mill (Lynd Living Parc 410 Apartments, LLC)

Dear Josue Garza:

The Texas Department of Housing and Community Affairs (Department) has reviewed the Public Facility Corporation (PFC) Audit Report submitted by Premier Compliance Consulting on June 2, 2025. This review was performed as required by Section 303.042 (c) of Chapter 303, the Texas Administrative Code Chapter 10, Subchapter I, and the Regulatory Agreement/Deed Restriction for Copper Mill (Lynd Living Parc 410 Apartments, LLC).

Events of noncompliance have been identified and corrective action is required. The attached Findings Report details the event(s) of noncompliance and the required corrective action. This notice begins the corrective action period. Please supply all requested documentation no later than **September 9, 2025**, the last day of the corrective action period.

If clarification is necessary to complete the corrective action, contact us as soon as possible. If it is not possible to provide the requested documentation by the corrective action period, correct as much as you can and submit a corrective action plan detailing how and when the remaining issue(s) of noncompliance will be corrected.

If you have any questions about this monitoring report, please contact Shay Erickson toll free in Texas at (800) 643-8204, directly at (512)475-4065, or email: [shay.erickson@tdhca.texas.gov](mailto:shay.erickson@tdhca.texas.gov).

Sincerely,

A handwritten signature in black ink, appearing to read "Shay Erickson".

Shay Erickson  
PFC Monitor

CC: [yvette@premiercomplianceconsulting.com](mailto:yvette@premiercomplianceconsulting.com)



**Audit Report**  
Copper Mill (Lynd Living Parc 410 Apartments, LLC)

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

- In accordance with Section 3(d) of the Development's Regulatory Agreement, the Development must maintain complete and accurate records for all Low-Income Units. The file sample revealed three (3) files were missing executed lease agreements and forty-two (42) files included Exhibit D forms with incorrect income limits. Please ensure that all records for Low-Income Units are properly maintained, complete, and accurate to remain in compliance.
- Section 3(f) requires each lease or rental agreement for a Low-Income Unit to include a provision stating that the Grantor relied on the tenant's Income Certification and supporting documentation to determine eligibility, and that any material misstatement may result in immediate lease termination. It must also disclose that the tenant's income is subject to annual recertification. The file sample revealed three (3) files were missing annual recertification and five (5) files that were missing the required language in the lease itself or as an addendum.
- Annual income also includes all income derived from assets as identified and calculated in accordance with 24 CFR § 5.609(a). All income and asset sources must be properly verified and documented to ensure full compliance. Moving forward, failure to verify and document assets will result in a finding of noncompliance. Households with assets valued at \$51,600 or less may utilize the Asset Certification of Net Family Assets form found on the Department's website here: [Compliance Forms | Texas Department of Housing and Community Affairs](#) or a comparable form.

TEXAS DEPARTMENT OF HOUSING AND COMMUNITY AFFAIRS

DETAIL FINDINGS AND CORRECTIVE ACTION

PFC ID: A24-015-0014  
PFC User: Lynd Management Group  
Property Name: Copper Mill (Lynd Living Parc 410 Apartments LLC)  
Address: 5827 Northwest Loop 410, San Antonio, TX 78238

Regulatory Agreement Date: 5/31/2023  
Audit Report Received Date: 6/2/2025  
Corrective Action Due Date: 9/9/2025

Audit Report Review Date: 7/2/2025

PROGRAM: PFC

PROPERTY FINDINGS

Finding:	Household above the income limit			
Unit #	Non-Compliance Date	Reason	Corrective Action	Correction Date
1512	1/15/2024	Above income limit: Annualizing weekly unemployment benefits resulted in a household annual gross income of \$68,248.13, which exceeds the applicable 60% AMI income limit of \$53,100.00. The Auditor noted that the property incorrectly calculated the income using a monthly pay frequency and should have based the calculation on a weekly pay frequency.	To correct, designate unit 1512 to an 80% AMI unit since their income exceeds the 60% AMI limit and lease the next available unit of comparable or smaller size to a household that income qualifies at the 60% AMI limit. Owner may survey existing vacant non-program units to replace unit 1512 and reserve as a program-unit to be occupied with a household that income qualifies at 60% AMI. Submit documentation to the Department that the unit is vacant and a statement that it is reserved to be occupied by a Low-Income Household. Or if the household's circumstances have changed, the owner may certify them under current circumstances using current income limits. If verifying under current circumstances, submit a copy of the household file, application, verification of income and assets, executed Income Certification and lease agreement.	

Finding:	Household above the income limit			
Unit #	Non-Compliance Date	Reason	Corrective Action	Correction Date
1607	1/31/2025	Department unable to establish eligibility. The file for unit 1607 is missing income and eligibility documentation for two adult household members. The Auditor was unable to verify household income or establish eligibility in accordance with program requirements.	The owner may complete a retroactive income certification that clearly documents all sources of income and assets for both household members that were in place at the time of initial occupancy, using the income limits in effect on the move-in date. Submit to the Department a copy of the application(s), income and asset, and a new Income Certification dated as of move-in. Alternatively, the owner may complete a current certification using current income and asset sources and current income limits. In this case, submit the current application(s), income and asset verifications, and a new Income Certification to the Department for review. If the household is no longer income-eligible or has vacated the unit, the unit (or a comparable unit on the property) must be occupied by a new qualified household. Submit to the Department the new application(s), income and asset verifications, executed Income Certification, lease contract, and any applicable lease addendums for review.	

Finding:	Household above the income limit			
Unit #	Non-Compliance Date	Reason	Corrective Action	Correction Date
105	12/8/2023	Department unable to establish eligibility. The household file for Unit 105 indicates that the tenant is employed; however, no documentation was provided to verify income from employment. The Auditor reported that household income could not be determined or verified.	The owner may complete a retroactive income certification that clearly documents all sources of income and assets—including employment—that were in place at the time of initial occupancy, using the income limits in effect on the move-in date. Submit to the Department a copy of the application(s), income and asset verifications, and a new Income Certification dated as of move-in. Alternatively, the owner may complete a current certification using current income and asset sources and current income limits. In this case, submit the current application(s), income and asset verifications, and a new Income Certification to the Department for review. If the household is no longer income-eligible or has vacated the unit, the unit (or a comparable unit on the property) must be occupied by a new qualified household. Submit to the Department the new application(s), income and asset verifications, executed Income Certification, lease contract, and any applicable lease addendums for review.	

Finding:	Household above the income limit			
Unit #	Non-Compliance Date	Reason	Corrective Action	Correction Date
1511	3/1/2024	Above 30% income limit: Annualizing the average of the most recent paystubs for the household resulted in the household's annual gross income of \$48,117.56, which exceeds the applicable 30% AMI income limit of \$18,570.00.	To correct, designate unit 1511 to an 60% AMI unit since their income exceeds the 30% AMI limit and lease the next available unit of comparable or smaller size to a household that income qualifies at the 60% AMI limit. Owner may survey existing vacant non-program units to replace unit 1511 and reserve as a program-unit to be occupied with a household that income qualifies at 60% AMI. Submit documentation to the Department that the unit is vacant and a statement that it is reserved to be occupied by a Low-Income Household. Or if the household's circumstances have changed, the owner may certify them under current circumstances using current income limits. If verifying under current circumstances, submit a copy of the household file, application, verification of income and assets, executed Income Certification and lease agreement.	

Finding:	Gross rent exceeds the highest rent allowed under the Regulatory Agreement			
Unit #	Non-Compliance Date	Reason	Corrective Action	Correction Date
105	12/8/2023	Rent Exceeds 30% Limit: Unit #105 is designated as 30% AMI. The household's rent of \$850 exceeds the 30% AMI rent limit of \$531.	To correct, reduce the household's rent to \$531 per month. Calculate the rent overage from the time of move-in, and either refund or credit the household the overpaid rent. Submit the following documentation for review: the rent overage calculation, an amended lease contract reflecting the new rent amount, the household's rent ledger of the new rent amount reflected and the rent credit (if applicable) or a copy of the cancelled check (if a refund is issued).	

Finding:	Gross rent exceeds the highest rent allowed under the Regulatory Agreement			
Unit #	Non-Compliance Date	Reason	Corrective Action	Correction Date
1315	4/23/2021	Rent Exceeds 30% Limit: Unit #1315 is designated as 30% AMI. The household's rent of \$808 exceeds the 30% AMI rent limit of \$531.	To correct, reduce the household's rent to \$531 per month. Calculate the rent overage from the time of move-in, and either refund or credit the household the overpaid rent. Submit the following documentation for review: the rent overage calculation, an amended lease contract reflecting the new rent amount, the household's rent ledger of the new rent amount reflected and the rent credit (if applicable) or a copy of the cancelled check (if a refund is issued).	

Finding:	Gross rent exceeds the highest rent allowed under the Regulatory Agreement			
Unit #	Non-Compliance Date	Reason	Corrective Action	Correction Date
1201	10/26/2023	Rent Exceeds 30% Limit: Unit #1315 is designated as 30% AMI. The household's rent of \$779 exceeds the 30% AMI rent limit of \$531.	To correct, reduce the household's rent to \$531 per month. Calculate the rent overage from the time of move-in, and either refund or credit the household the overpaid rent. Submit the follow documentation for review: the rent overage calculation, an amended lease contract reflecting the new rent amount, the household's rent ledger of the new rent amount reflected and the rent credit (if applicable) or a copy of the cancelled check (if a refund is issued).	