



TEXAS DEPARTMENT OF HOUSING AND COMMUNITY AFFAIRS

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June 27, 2025

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

Enrique Mesejo
Premier at Katy, LLC c/o Balvia Properties, LLC
Miami, FL
enrique.mesejo@balviaproperties.com

RE: Premier at Katy

Dear Enrique Mesejo:

The Texas Department of Housing and Community Affairs (Department) has reviewed the Public Facility Corporation (PFC) Audit Report submitted by Murphy HTC, LLC on May 29, 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 Premier at Katy.

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 **August 26, 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.

Sincerely,

A handwritten signature in black ink, appearing to read "Shay Erickson", with a long horizontal flourish extending to the right.

Shay Erickson
PFC Monitor

CC: patricia@murphyhtc.com



Audit Report
Premier at Katy

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

- According to Section 3(c) of the Regulatory Agreement, the Development is required to obtain, complete and maintain on file Income Certifications from each Low-Income Household, including (i) the Income Certification provided as Exhibit D, dated prior to the initial occupancy of such Low-Income Household in the Project that occupied the unit. The file sample revealed seven (7) instances where households were qualified after initial occupancy, and four (4) files where the Income Certification was either not dated, not signed, or both.
- Section 3(c) also requires that annual Income Certifications be obtained by each household's anniversary date and no less than once in every 12-month period following occupancy. The file sample revealed one (1) file in which the annual recertification had not been completed as required.
- 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 twenty-one (21) files with incomplete or inaccurate documentation. Please ensure all records for Low-Income Units are properly maintained.
- Exhibit E of the Development's Regulatory Agreement specifies the required unit mix for 60% and 80% AMI program units. The Auditor found that the reported set-aside does not align with these requirements. The rent roll unit types do not match those listed in Exhibit E, and the Development reported 91 units at 80% AMI and 24 units at 60% AMI, instead of the required 92 units at 80% AMI and 23 units at 60% AMI. To maintain compliance, please include a key or legend that clearly cross-references the unit types in the rent roll with those in Exhibit E.
- 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: A24-101-0028
PFC User: Premier at Katy, LLC c/o Balvia Propertes, LLC
Property Name: Premier at Katy
Address: 24117 Bella Dolce Lane, Katy, TX 77494

Regulatory Agreement Date: 12/21/2022
Audit Report Received Date: 5/29/2025
Corrective Action Due Date: 8/26/2025

Audit Report Review Date: 6/26/2025

PROGRAM: PFC

PROPERTY FINDINGS

Finding: Household above the income limit				
Unit #	Non-Compliance Date	Reason	Corrective Action	Correction Date
3304	5/29/2025	Above 60% income limit: The household's annual gross income of \$40,191, exceeds the applicable 60% AMI income limit of \$39,780.	To correct, designate unit 3304 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 3304 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
3325	5/29/2025	Above 80% income limit: Annualizing the average of the most recent paystubs for the household resulted in the household's annual gross income of \$59,082, which exceeds the applicable 80% AMI income limit of \$53,040.	To correct, designate unit 3325 to an non-program unit since their income exceeds the 80% AMI limit and lease the next available unit of comparable or smaller size to a household that income qualifies at the 80% AMI limit. Owner may survey existing vacant non-program units to replace unit 3325 and reserve as a program-unit to be occupied with a household that income qualifies at 80% 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
3416	5/29/2025	Above 80% Income Limit: The household disclosed additional income from a cell phone business that was not included in the self-employment income calculation and was not verified. Inclusion of this income would cause the household's total income to exceed the 80% AMI limit.	The owner may complete a retroactive income certification that completely and clearly documents the sources of income and assets for all household members that were in place at the time of the initial occupancy and apply income limits in effect on the move-in date. Submit for Department review a copy of the application(s), income and asset verifications and a new Income Certification form the time of move-in. Or the owner has the option to complete a new current certification using current income and assets sources and current income limits. Submit for Department review a copy of the application(s), income and asset verifications and a new Income Certification form. If the household has moved out or is not income eligible, occupy the unit or another comparable unit on the property with a new qualified household. Submit copies of the application(s), income and asset verifications, an executed Income Certification, lease contract and applicable lease addendums to the Department for review.	