



TEXAS DEPARTMENT OF HOUSING AND COMMUNITY AFFAIRS

www.tdhca.texas.gov

Greg Abbott
GOVERNOR

BOARD MEMBERS

Leo Vazquez, *Chair*
Kenny Marchant, *Vice Chair*
Cindy Conroy, *Member*
Anna Maria Farias, *Member*
Holland Harper, *Member*
Ajay Thomas, *Member*

July 11, 2025

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

Amcal Lee, L.P.
Austin, Texas
taryn.merrill@greystar.com

RE: The Opal

Dear Amcal Lee, L.P:

The Texas Department of Housing and Community Affairs (Department) has reviewed the Public Facility Corporation (PFC) Audit Report submitted by Stephanie Naquin 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 The Opal.

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.

The Department recommends submitting a cover letter explaining the documentation submitted to address each event of noncompliance. Submit corrective action to pfc.monitoring@tdhca.texas.gov.



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,

A handwritten signature in black ink, appearing to be 'CT' followed by a long horizontal flourish.

Christina Thompson
PFC Monitor

CC: Stephanie.Naquin@novoco.com

Audit Report
The Opal

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

- 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. The file sample revealed four (4) household files where income from asset was not verified. 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 <https://www.tdhca.texas.gov/compliance-forms> or a comparable form.
- All income verification documentation must be no more than 120 days from the income certification date. The file sample revealed four (4) household files where income documentation was older than 120 days from the income certification date. To achieve and maintain compliance, ensure all income verification documentation is within 120 days of the income certification date.
- Section 5.3 of the Development's Lease Agreement requires that at least 18 units in the combined project be reserved for or occupied by households earning 50% AMI or below. The Auditor reports, at the time of the audit, the Development had seventeen (17) units. The Department acknowledges that the Development was in lease-up during the audit reporting period and encourages the Development to take appropriate steps to meet this requirement as soon as possible to achieve and maintain compliance with the Regulatory Agreement.
- Section B of the Development's Lease Agreement requires that at least one hundred seventy-two (172) units in the combined project be reserved for or occupied by households earning 80% AMI or below. The Auditor reports, at the time of the audit, the Development had one hundred seventy (170) units. The Department acknowledges that the Development was in lease-up during the audit reporting period and encourages the Development to take appropriate steps to meet this requirement as soon as possible to achieve and maintain compliance with the Regulatory Agreement.

TEXAS DEPARTMENT OF HOUSING AND COMMUNITY AFFAIRS

DETAIL FINDINGS AND CORRECTIVE ACTION REPORT

PFC ID: A25-220-0005
PFC User: Amcal Lee, L.P
Property Name: The Opal
Address: 13345 Green Cedar Ave, Roanoke, TX 76262

Regulatory Agreement Date: 12/22/2022
Audit Report Received Date: 6/2/2025
Corrective Action Due Date: 9/9/2025

Audit Report Review Date: 7/10/2025

PROGRAM: PFC

PROPERTY FINDINGS

Finding: Household above the income limit				
Unit #	Non-Compliance Date	Reason	Corrective Action	Correction Date
6304	11/4/2025	The household reported income was being received from employment on the application but file does not contain any income verification documents. Auditor reports income cannot be determined or verified.	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.	

Finding: Household above the income limit				
Unit #	Non-Compliance Date	Reason	Corrective Action	Correction Date
2204	10/14/2024	Annualizing the average of the most recent paystubs for the household resulted in the household's annual gross income of \$42,122.34, which exceeds the applicable 50% AMI income limit of \$40,750.	To correct, designate unit 2204 to an 80% AMI unit since their income exceeds the 50% AMI limit and lease the next available unit of comparable or smaller size to a household that income qualifies at the 50% AMI limit. Owner may survey existing vacant non-program units to replace unit 2204 and reserve as a program-unit to be occupied with a household that income qualifies at 50% 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
6216	7/20/2024	Annualizing the average of the most recent paystubs for the household resulted in the household's annual gross income of \$50,950.64, which exceeds the applicable 50% AMI income limit of \$40,750.	To correct, designate unit 6216 to an 80% AMI unit since their income exceeds the 50% AMI limit and lease the next available unit of comparable or smaller size to a household that income qualifies at the 50% AMI limit. Owner may survey existing vacant non-program units to replace unit 6216 and reserve as a program-unit to be occupied with a household that income qualifies at 50% 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
1301	8/31/2024	The household reported income was being received from employment with Trusting Connections Agency. This source of income was not verified. Paystubs for the second source of income are from more than 120-days prior to the income certification date. Auditor reports income cannot be determined or verified.	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.	