



TEXAS DEPARTMENT OF HOUSING AND COMMUNITY AFFAIRS

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June 13, 2025

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

Erick Waller
Mountain Creek Owner, LP
Cleveland, OH
Ewaller@nrpgroup.com

RE: Ascent at Mountain Creek

Dear Erick Waller:

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 23, 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 Ascent at Mountain Creek.

No event(s) of noncompliance were identified during the review. Please note that although no event(s) of noncompliance were identified, only a sample of information provided to the Department was reviewed for the purposes of this report. It is the Public Facility Corporation User's responsibility to maintain compliance.

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
Ascent at Mountain Creek

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

- Section 2(h) of the Regulatory Agreement requires that each lease with an Affordable Income Tenant shall include a provision granting notice and a reasonable cure period following default before to DPFC may exercise remedies. It must also allow the tenant to file a complaint regarding unit conditions with the local property manager and appeal the decision to the Grantor's regional property manager. The Audit report found that this required language was not included in the lease or as an addendum. To ensure future compliance, the Development must include this language in all leases or addenda.
- Pursuant to Section 2(e) of the Development's Regulatory Agreement, the Grantor may not discriminate based on source of income and must accept Housing Choice Vouchers administered by the City of Dallas Housing Authority. Voucher value may not be counted as income when determining eligibility, and tenants using vouchers must be charged the same rent as comparable Affordable Income Tenants not using vouchers. Upon written request, the Grantor must confirm to DPFC the availability of Affordable Income Units. The Auditor found results for this section inconclusive. The Department acknowledges the Development was in lease-up during the audit period. To ensure future compliance, the Development should review tenant screening and income qualification practices and make necessary adjustments.
- Audit requirements under §10.1104(a) state the file sample size used by the Auditor must include least twenty percent (20%) of the total number of Restricted Units for the Development, up to a maximum of fifty (50) household files. With one hundred sixty-two (162) Restricted Units, the Development is required to submit thirty-three (33) household files; however, only submitted ten (10) were submitted. The Department acknowledges the Development was in lease-up during the audit report period.