



TEXAS DEPARTMENT OF HOUSING AND COMMUNITY AFFAIRS

www.tdhca.texas.gov

Greg Abbott
GOVERNOR

BOARD MEMBERS

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

July 13, 2026

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

Nitya Capital
Houston, Texas
awu@nityacapital.com

RE: Eden Pointe

Dear Nitin Nagpal:

The Texas Department of Housing and Community Affairs (Department) has reviewed the Public Facility Corporation (PFC) Audit Report submitted by Vo Tudman on June 1, 2026. 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 Eden Pointe Apartments.

Events of noncompliance were 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. Submit all requested documentation, along with a cover letter explaining the materials provided, to pfc.monitoring@tdhca.texas.gov by **September 11, 2026**, the last day of the corrective action period.

If clarification is needed, contact us promptly. If you cannot meet the deadline, correct what you can and submit a corrective action plan outlining how and when remaining noncompliance will be resolved. For Developments approved on or after June 18, 2023, any uncorrected noncompliance, including a corrective action plan, will be provided to the Texas Comptroller and the Chief Appraiser.



221 East 11th Street P.O. Box 13941 Austin, Texas 78711-3941 (800) 525-0657 (512) 475-3800



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' with a flourish.

Christina Thompson
PFC Monitor

cc: epomgr@karyamanagement.com; mpatel@nityacapital.com; vmcmurry@sh130mmd.com;
vo.tudman@auxanocompliance.com; inquiry@sh130mmd.com; ekycon.dev@cpa.texas.gov

Texas Department of Housing and Community Affairs		
Public Facility Corporation Audit - Preliminary Summary of Audit		
Pre-June 18, 2023 Development Utilizing a Prior Version of the Workbook		
This is a preliminary summary of the Audit Report. TDHCA's review remains in progress. Applicable non-compliance in this Summary will be formally issued in the Monitoring Report.		
Reporting Details		
Report Due Date: 6/1/2026	Current Reporting Year: 2026	Occupancy Year: 2025
Regulatory		
Property Name: Eden Pointe	PRE or POST June 18, 2023?: PRE	Development Type: Acquisition
PFC Property Street Address: 1307 Wilcrest Dr	Regulatory Agreement Effective Date: 10/4/2023	Date acquired OR first occupied by tenants: 10/4/2023
PFC City, State Zip: Houston, Texas 77042	Approval Date (if differs from RA Effect Date): 5/25/2023	
PFC User Name: Nitya Capital	Does the RA include a minimum 10-year restriction term?: YES	
Latitude: 29.75055	If No, include any notes regarding the RA term?: N/A	
Longitude: -95.57116	The development participates in other affordable programs?: NO	
Development Contacts		
Individual Auditor: Vo Tudman	Organization Name: KPM Property Management, LLC	City, State Zip: Houston, TX 77024
PFC User: Nitya Capital	PFC Management: KPM Property Management, LLC	Houston, TX 77024
PFC Sponsor: Texas Essential Housing Public Facility Corporation	PFC Sponsor: Texas Essential Housing Public Facility Corporation	Austin, TX 78724
Auditor Qualifications & Affiliations		
Is the Auditor affiliated with or related to any PFC Responsible Parties?		NO
Has the Auditor provided a resume demonstrating housing compliance audit experience?		YES
Income & Rents Limits		
Does the Regulatory Agreement specify income & rent limits?		YES
Are the income limits adjusted for household size?		NO
Are the income and rent limits derived from data released by HUD?		YES
Occupancy		
How many units are occupied?		197
How many units are vacant?		55
Set-Aside		
What percentage of the program units are occupied and/or reserved?		72%
Texas Department of Housing and Community Affairs (TDHCA) Observations - DEPARTMENT USE ONLY		
This is a preliminary summary. TDHCA's review remains in progress.		
Report Due Date: 6/1/2026	Current Reporting Year: 2026	Audit Received Date: 6/1/2026
Preliminary Compliance Indicators:		
Is the Development required to submit an audit report under Local Government Code Chapter 303?		YES
Did the Development submit an audit report as required by Local Government Code Chapter 303?		YES
Is the auditor independent of all PFC Responsible Parties and has the auditor provided a resume demonstrating housing compliance audit experience?		YES
Did the Development provide the difference between restricted rents and estimated maximum market rents?		NO
Overall Chapter 303 Status:		Non-Compliant: Corrective Action Required
TDHCA Notes/Notations:		See Detail Findings Report

TEXAS DEPARTMENT OF HOUSING AND COMMUNITY AFFAIRS

DETAIL FINDINGS AND CORRECTIVE ACTION REPORT

PFC ID: A25-101-0090
PFC User: Nitya Capital
Property Name: Eden Pointe
Address: 1307 Wilcrest Dr., Houston, Texas 77042

Regulatory Agreement Date: 10/4/2023
Audit Report Received Date: 6/1/20206
Corrective Action Due Date: 9/11/2026

Audit Report Review Date: 7/13/2026

PROGRAM: PFC

PROPERTY FINDINGS

Finding:	Failure to comply with §10.1103(1)			
Unit #	Non-Compliance Date	Reason	Corrective Action	Correction Date
Property Wide	6/1/2026	An Audit Report from an Auditor must be submitted to the Department annually. This submission will satisfy the requirements by demonstrating eligibility to continue under the former law, but must fully address the requirements of identifying the difference in rent charged for income-restricted residential units and the estimated maximum market rents that could be charged for those units without the rent and income restrictions. The Audit Report submitted to the Department did not contain the comparison of the restricted rent to the estimated market rent on Tab 7 of the Audit Report.	Submit the comparison of the restricted rent to the estimated market rent for each unit identified in Tab 7. Include the Restricted Rent and the Estimated Maximum Market Rent. Market rent is defined as the highest rent charged for the same Unit Type at the Development. If no market-rate units exist, include an Estimated Maximum Market Rent and a written methodology with the Audit Report.	