



TEXAS DEPARTMENT OF HOUSING AND COMMUNITY AFFAIRS

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July 13, 2026

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

Nitin Nagpal
Nitya Capital
Houston, Texas
awu@nityacapital.com

RE: The Muse Apartments

Dear Nitya Capital:

The Texas Department of Housing and Community Affairs (Department) has reviewed the Public Facility Corporation (PFC) Audit Report submitted by Kana Sneed 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 The Muse 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: kana.sneed@auxanocompliance.com; vmcmurry@sh130mmd.com; inquiry@sh130mmd.com; musmgr@karyamanagement.com; mpatel@nityacapital.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: The Muse	PRE or POST June 18, 2023?: PRE	Development Type: Acquisition
PFC Property Street Address: 3035 W Pentagon Pkwy	Regulatory Agreement Effective Date: 10/4/2023	Date acquired OR first occupied by tenants: 5/25/2023
PFC City, State Zip: Dallas, TX 75233B	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: 32.70651	If No, include any notes regarding the RA term?: N/A	
Longitude: -96.87161	The development participates in other affordable programs?: NO	
Development Contacts		
	Organization Name	City, State Zip
	Individual Auditor: Kana Sneed	Rowlett, TX 75089
	PFC User: Nitya Capital	Houston, TX 77024
	PFC Management: KPM Property Management, LLC	Houston, TX 77024
	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: 404	How many units are vacant?: 174
Set-Aside		
	What percentage of the program units are occupied and/or reserved?	71%
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 Detailed Findings Report

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DETAIL FINDINGS AND CORRECTIVE ACTION REPORT

PFC ID: A25-057-0008
PFC User: Nitya Capital
Property Name: The Muse
Address: 3035 W Pentagon Pkwy, Dallas, TX 75233

Regulatory Agreement Date: 10/5/2023
Audit Report Received Date: 6/1/2026
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.	