TEXAS DEPARTMENT OF HOUSING AND COMMUNITY AFFAIRS

www.tdhca.texas.gov

July 13, 2026

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

Nitya Capital
Houston, TX
awu@nityacapital.com

RE: NTX

Dear Nitya Capital:

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 NTX Denton 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.

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,

Christina Thompson
PFC Monitor

cc: vo.tudman@auxanocompliance.com; aleah.torres@assetliving.com; jason.fort@assetliving.com; vmcmurry@sh130mmd.com; ekycon.dev@cpa.texas.gov; inquiry@sh130mmd.com

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: NTX
PFC Property Street Address: 101 E Daugherty Street
PFC City, State Zip: Denton, TX 76205
PFC User Name: Nitya Captal
Latitude: 33.20145
Longitude: -97.13344

PRE or POST June 18, 2023? PRE
Regulatory Agreement Effective Date: 5/31/2024
Approval Date (if differs from RA Effect Date): 5/25/2023
Does the RA include a minimum 10-year restriction term? YES
If No, include any notes regarding the RA term? N/A
The development participates in other affordable programs? NO

Development Type: Acquisition
Date acquired **OR** first occupied by tenants: 5/25/2023

Development Contacts

	Organization Name	City, State Zip
Individual Auditor	Vo Tudman	Rowlett, TX 75089
PFC User	Nitya Captal	Houston, TX 77024
PFC Management	Asset Campus USA, LLC	Houston, TX 77024
PFC Sponsor	Texas Essental 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: 378
How many units are vacant? 48

Set-Aside

What percentage of the program units are occupied and/or reserved? 89%

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

TEXAS DEPARTMENT OF HOUSING AND COMMUNITY AFFAIRS

DETAIL FINDINGS AND CORRECTIVE ACTION REPORT

PFC ID: A26-061-0007
PFC User: Nitya Capital
Property Name: NTX
Address: 101 E Daugherty Street, Denton, TX 76205

Regulatory Agreement Date: 5/31/2024
Audit Report Received Date: 6/1/2026
Corrective Action Due Date: 9/11/2026

Audit Report Review Date:

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.	