



TEXAS DEPARTMENT OF HOUSING AND COMMUNITY AFFAIRS

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January 7, 2026

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

PFC Compliance
Post 5000 Sanger, LLC
Los Angeles, California
compliance@postinvestmentgroup.com; bknapik@postinvestmentgroup.com

RE: Avila

Dear PFC Compliance:

The Texas Department of Housing and Community Affairs (Department) received documentation on May 13, 2025, addressing the noncompliance identified during the review of the Audit Report submitted by Novogradac & Company, LLP on January 20, 2025. Corrective action was due on May 13, 2025.

The documentation submitted was sufficient to correct the noncompliance related to **Failure to comply with the Public Facility Corporation Regulatory Agreement**, including required lease provisions for Low-Income Units; **Households above the income limit** affecting units 9-913 and 14-1418; and **Gross rent exceeding the highest rent allowed under the Regulatory Agreement** affecting units 6-616, 9-912, and 14-1415. Noncompliance related to **Failure to comply with the Public Facility Corporation Regulatory Agreement** affecting unit 15-1513 was also resolved. Please see the attached Finding Report for details.

The noncompliance related to **Households above the income limit** affecting units 2-217, 3-314, 3-316, 6-625, 6-627, 7-714, 8-815, 10-1011, 11-1124, 14-1421, 15-1513, 16-1618, 16-1624, and 23-2327, as well as **Gross rent exceeding the highest rent allowed under the Regulatory Agreement** affecting unit 18-1823, has been dropped.

If you have any questions, 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".

Shay Erickson
PFC Compliance Monitor

CC: mollie.kickbush@tamresidential.com; tatiana.herascaballero@tamresidential.com; mileth@wacopha.org; melli.wickliff@gmail.com; avilamgr@tamresidential.com; stephanie.naquin@novoco.com



TEXAS DEPARTMENT OF HOUSING AND COMMUNITY AFFAIRS

DETAIL FINDINGS AND CORRECTIVE ACTION
PFC PROGRAM
Corrective Action Response

PFC User: Post 5000 Sanger, LLC
Property Name: Avila
Address: 5000 Sanger Ave, Waco, TX 76710
RA Date: 5/25/2023

Audit Report Date: 1/20/2025
Program: PFC

Corrective Action Due Date: 5/13/2025

Corrective Action Received Date: 5/13/2025

PROGRAM: PFC

PROPERTY FINDINGS

Finding Noncompliance Date Reason	Failure to comply with the Public Facility Corporation Regulatory Agreement 12/31/2023 Section 3(f) of the Development's Regulatory Agreement states, each lease or rental agreement pertaining to a Low-Income Unit shall contain a provision to the effect that the Development has relied on the Income Certification and supporting information supplied by the Low Income Household in determining qualification for occupancy of the Low Income Unit and that any material misstatement in such certification (whether or not intentional) may be cause for immediate termination of such lease or rental agreement. Each lease or rental agreement shall also disclose that the tenant's income is subject to annual certification.	Correction Date: 5/13/2025
Unit # 9-913		
Finding Noncompliance Date Reason	Household above the income limit In accordance with Section 3(c) of the Regulatory Agreement, the following items are acceptable to determine income eligibility: (1) pay stubs for the most recent four-week period; (2) income tax returns for the most recent two tax years; (3) an income verification from the applicant's current employer; (4) an income verification from the Social Security Administration; or (5) if applicant is unemployed, does not have tax returns or is otherwise unable to provide other forms of verification as required, another form of independent verification as would be satisfactory. The tenant file only contains one (1) paystub. Auditor reports income could not be determined or verified.	Correction Date: 5/13/2025
Corrective Action	The owner may complete a retroactive income certification that completely and clearly documents the sources of income/assets for all household members that were in place at the time of the initial certification and apply income limits that were in effect on the initial move-in date. Submit for Department review a copy of the application(s), income/asset verifications and a new Income Certification form that clearly documents all sources of income/assets at the time of move-in. Or the owner has the option to complete a new current certification using current income/assets sources and current income limits. Submit for Department review a copy of the application(s), income/asset verifications and a new Income Certification form that clearly documents all current sources of income/assets. If the household has moved out or is not income eligible, occupy the unit or another comparable unit on the property with a new income eligible household. Submit copies of the application(s), income/asset verifications, an Income Certification, lease contract and applicable lease addendums to the Department for review.	

Unit # 14-1418

Finding

Household above the income limit

Noncompliance Date

7/18/2023

Correction Date: 5/13/2025

Reason

In accordance with Section 3(c) of the Regulatory Agreement, the following items are acceptable to determine income eligibility: (1) pay stubs for the most recent four-week period; (2) income tax returns for the most recent two tax years; (3) an income verification from the applicant's current employer; (4) an income verification from the Social Security Administration; or (5) if applicant is unemployed, does not have tax returns or is otherwise unable to provide other forms of verification as required, another form of independent verification as would be satisfactory.

Corrective Action

The owner may complete a retroactive income certification that completely and clearly documents the sources of income/assets for all household members that were in place at the time of the initial certification and apply income limits that were in effect on the initial move-in date. Submit for Department review a copy of the application(s), income/asset verifications and a new Income Certification form that clearly documents all sources of income/assets at the time of move-in. Or the owner has the option to complete a new current certification using current income/assets sources and current income limits. Submit for Department review a copy of the application(s), income/asset verifications and a new Income Certification form that clearly documents all current sources of income/assets. If the household has moved out or is not income eligible, occupy the unit or another comparable unit on the property with a new income eligible household. Submit copies of the application(s), income/asset verifications, an Income Certification, lease contract and applicable lease addendums to the Department for review.

Unit # 6-616

Finding

Gross rent exceeds the highest rent allowed under the Regulatory Agreement

Noncompliance Date

Correction Date: 5/13/2025

Reason

Unit # 6-616 is designated as 60% AMI . The household's rent of \$1,064 exceeds the 60% AMI rent limit of \$1,011.

Corrective Action

To correct, reduce the household's rent to \$1,011 per month. Calculate the rent overage from the time of move-in, and either refund or credit the household the overpaid rent. Submit the follow documentation for review: the rent overage calculation, an amended lease contract reflecting the new rent amount, the household's rent ledger of the new rent amount reflected and the rent credit (if applicable) or a copy of the cancelled check (if a refund is issued).

Unit # 9-912

Finding

Gross rent exceeds the highest rent allowed under the Regulatory Agreement

Noncompliance Date

Correction Date: 5/13/2025

Reason

Unit # 6-616 is designated as 60% AMI . The household's rent of \$1,144 exceeds the 60% AMI rent limit of \$1,137.

Corrective Action

To correct, reduce the household's rent to \$1,137 per month. Calculate the rent overage from the time of move-in, and either refund or credit the household the overpaid rent. Submit the follow documentation for review: the rent overage calculation, an amended lease contract reflecting the new rent amount, the household's rent ledger of the new rent amount reflected and the rent credit (if applicable) or a copy of the cancelled check (if a refund is issued).

Unit # 14-1415

Finding

Gross rent exceeds the highest rent allowed under the Regulatory Agreement

Noncompliance Date

Correction Date: 5/13/2025

Reason

Unit # 14-1415 is designated as 60% AMI . The household's rent of \$1,1046 exceeds the 60% AMI rent limit of \$1,011.

Corrective Action

To correct, reduce the household's rent to \$1,011 per month. Calculate the rent overage from the time of move-in, and either refund or credit the household the overpaid rent. Submit the follow documentation for review: the rent overage calculation, an amended lease contract reflecting the new rent amount, the household's rent ledger of the new rent amount reflected and the rent credit (if applicable) or a copy of the cancelled check (if a refund is issued).

Unit # 15-1513

Finding

Noncompliance Date

Reason

Failure to comply with the Public Facility Corporation Regulatory Agreement

6/15/2023

Correction Date: 5/13/2025

In accordance with the Regulatory Agreement, Section 3(c), annual Income Certification with verification of income must be obtained by the household's anniversary date (occupancy date of the unit) and no less than once in a 12-month period. Unit number 15-1513 moved in June 15, 2022, and a new Income Certification with verifications has not been completed as required.

Corrective Action

To correct, complete annual Income Certification with verifications and submit to the Department for review. Submit the following documentation for review: application, verification of income/assets and an executed Income Certification form.