



TEXAS DEPARTMENT OF HOUSING AND COMMUNITY AFFAIRS

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January 30, 2025

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

Lisa Guerrero
American Communities
Plano, Texas
lisag@americancommunities.com

RE: Bel Air 16th

Dear Ms. Guerrero:

The Texas Department of Housing and Community Affairs (Department) has reviewed the Public Facility Corporation (PFC) Audit Report submitted by Auxano Development LLC on December 16, 2024. 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 Bel Air 16th.

Events of noncompliance have been 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. Please supply all requested documentation no later than **March 31, 2025**, the last day of the corrective action period.

If clarification is necessary to complete the corrective action, contact us as soon as possible. If it is not possible to provide the requested documentation by the corrective action period, correct as much as you can and submit a corrective action plan detailing how and when the remaining issue(s) of noncompliance will be corrected.

The Department recommends submitting a cover letter explaining the documentation submitted to address each event of noncompliance. Submit corrective action to pfc.monitoring@tdhca.texas.gov.



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 long horizontal flourish extending to the right.

Christina Thompson
PFC Monitor

CC: darren.smith@auxanodevelopment.com

Audit Report
Bel Air 16th

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

- Development is required to obtain, complete and maintain on file Income Certifications or Income Information Evidence from each Low-Income Tenant, including (i) an initial Income Certification dated immediately prior to occupancy of a Low-Income Unit.

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DETAIL FINDINGS AND CORRECTIVE ACTION
PFC PROGRAM

PFC User: American Communities
 Property Name: Bel Air on 16th
 Address: 700 W. Plano Parkway Plano, TX
 RA Date: November 12, 2021

Audit Report Date: 12/16/2024
 Program: PFC

Corrective Action Due Date: 3/31/2025

Audit Report Review Date: 1/24/2025

PROGRAM: PFC

PROPERTY FINDINGS

Unit # 234

Finding Failure to comply with the Public Facility Corporation Regulatory Agreement
 Noncompliance Date 11/25/2023 Correction Date:
 Reason 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 234 moved in 11/25/2022, and a new Income Certification with verifications has not been completed as required.
 Corrective Action To correct, complete annual Income Certification with verifications of income and submit to the Department for review. Submit the following documentation for review: application, verification of income/assets and an executed Income Certification form.

Finding Failure to comply with the Public Facility Corporation Regulatory Agreement
 Noncompliance Date 12/16/2024 Correction Date:
 Reason 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.
 Corrective Action Submit to the Department for review an owner's statement of compliance with the Regulatory Agreement moving forward, along with a blank template of the Lease or Lease Addenda that includes the required language.