

**BOARD MEETING OF OCTOBER 4, 2011**

**PUBLIC TESTIMONY HANDOUTS**

1a

## **Waco Housing Coalition**

### **Member Organizations:**

City of Waco Housing &  
Community Development  
Services

Heart of Central Texas  
Independent Living Center

NeighborWorks® Waco

Waco Community  
Development Corporation

Waco Habitat for Humanity

Waco Housing Authority

9/21/2011

Mr. Conine, Board Member  
Texas Department of Housing and Community Affairs  
221 E. 11<sup>th</sup> Street  
Austin, Texas 78701

Re: 2012 Draft QAP (9.8.11 Release Date)

Dear Mr. Conine:

The Waco Housing Coalition a coalition on Non-profits working with housing issues would like to thank you for your service at the Texas Department of Housing and Community Affairs..

I am writing you for your support and help with the QAP changes that are presently being presented to the TDHCA Board. Tax Credit Projects have traditionally been a place for a high concentration of all low income families. This has to stop.

For the past many years the federal government has seen the error of concentrating poverty and created multiple programs to steer the Federal Public Housing to mixed income developments. The first round of this was Section 8 vouchers, then the Hope VI grants and now the Choice Neighborhoods grants. All of these are designed to help de concentrate poverty in the inner city parts of our cities.

Locally in Waco, we have seen firsthand the negative effects of concentrated poverty in the failure of the Parkside Villages Apartments. We have also seen the positive results of healthy mixed income apartments. We have 6 apartment complexes in the Greater Waco area that are owned by the Non-Profit arm of the Local Housing Authority that are true mixed income developments. These complexes have been highly successful. These apartment complexes highlight the design that we need others to follow, a smaller density of low income families

This year we thought that the TDHCA was going to take the lead and create incentives in the Tax Credit Process to have Mixed Income complexes built. In the preliminary draft of the 2012 Qualified Allocation Plan (QAP) mixed income developments were provided a sliding scale of incentive points(1-6pts). More points were awarded to a more mixed income development project. However, the latest version that is going to the TDHCA board allows a maximum of 1 pt. This does not provide a

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reasonable incentive for mixed income developments. It rewards projects that are all low income developments. The mixed income incentives points need to be put back into the QAP.

I am requesting that you put the Mixed Income Development Incentive back in the QAP. We need TDHCA to be forward thinking and developing incentives that create healthy mixed income neighborhoods. If the QAP continues as it exists today, we will continue to receive Tax Credit Projects that are not long term sustainable and detrimental to neighborhoods. Then we will continue to see the failures like Parkside Villages destroy our neighborhoods.

Please help us in developing mixed income neighborhoods for our cities.

Sincerely,



Michael Stone, Executive Director  
President of Waco Housing Coalition  
Executive Director of Waco Community Development  
254-235-7358  
mike@wacocdc.org



PRESTWICK DEVELOPMENT

September 26, 2011

Mr. Tim Irvine  
Executive Director  
TDHCA  
P.O. Box 13941  
Austin, TX 78711-3941

Re: 2012 Qualified Allocation Plan

Dear Mr. Irvine,

As a representative of Prestwick Development Company, LLC, I am writing to register my opposition to the proposed language pertaining to Experience Requirements contained in Section 50.8(4)(A) of the draft 2012 Qualified Allocation Plan. As currently written, a Principal of the Developer or Development Owner must establish that they have significant recent experience in housing tax credit development activities in Texas. In our opinion, requiring "In Texas" experience without consideration of out-of-state experience violates fair trade within the parameters of a Federal housing program, and should be removed. This language is putting forth an anti-competition, anti-free market agenda that is in direct contrast to the pro-business environment that Texas has long been known for.

The Low Income Housing Tax Credit (LIHTC) program is a Federal housing program of the U.S. Department of Treasury and administered for the benefit of Texans by TDHCA. While no one will argue that Developer experience is one of the most important underwriting criteria, the location of that experience should be immaterial to the Qualified Allocation Plan. If an experienced out of state developer can provide for the affordable housing needs within Texas communities through the LIHTC program, he/she should be allowed to do so without impediment or handicapping in the application process. It is incumbent upon TDHCA to administer all Federal affordable housing resources fairly, equitably, and without bias to where the developer is domiciled. To be clear, experienced Texas based developers are actively engaging in affordable housing development through the LIHTC program in other states without restrictions. **The 2011 QAP did not have this Experience Requirement and we respectfully request that the 2011 language be reinstated.**

Prestwick Development is an Atlanta, Georgia based affordable housing development organization. Its principals collectively bring over 60 years of affordable housing development and asset management experience with over 14,000 units developed to date throughout the south and southeast. Prestwick has the experience, capacity and track record to successfully compete for Texas LIHTC resources without being forced into a partnership with an experienced Texas based developer.

3715 NORTHSIDE PKWY  
BUILDING 200, SUITE 175  
ATLANTA, GA 30327  
PHONE: 404.949.3870  
FAX: 404.949.3880

Thank you for your careful consideration of this request and I look forward to working with TDHCA to bring critically needed affordable housing to Texas communities.

Sincerely,

A handwritten signature in black ink, appearing to read 'C. Breck Kean', with a long horizontal stroke extending to the right.

C. Breck Kean  
VP of Development

cc: TDHCA Board of Directors:  
J. Paul Ozer, Chair  
Tom H. Gann, Vice Chair  
Ms. Leslie Bingham Escareno  
C. Kent Conine  
Lowell A. Keig  
Dr. Juan Sanchez Munoz



## Comments to Draft 2012 QAP and Definitions

1. We need to reexamine the new Green Building Certification standards (Definitions and page 67 of the QAP). By adopting LEED Platinum, Cross Architects of Plano has stated that TDHCA could be adding up to \$800,000 to the typical design and construction costs of a 100-unit multifamily development (see attached letter). In addition, Galier Tolson French of Bedford has just completed a Platinum LEED deal. They felt that it increased construction costs by 25% (see attached letter). They also stated that they were within 2 weeks of completion of the project and still weren't sure that they would be able to achieve the Platinum rating even though they had designed the project to achieve such a rating. Before adopting such a high standard, we recommend that TDHCA perform a separate study and roundtable to determine if there are alternatives, such as the "National Association of Home Builder's National Green Building Standard", or the "Green Building Initiative", that will provide energy efficient units without substantially increasing the cost of the units, thereby requiring more credits to be utilized per unit and decreasing the amount of units that can be financed by LIHTC in a single year. In the meantime, please retain the 2011 standards for the 2012 QAP.
2. Tie Breaker Factors (page 20). The first factor defies logic. In some census tracts, one development is too many. In others, five may not be enough. The second factor basically means that any development that has support from a neighborhood association will defeat a development without a neighborhood association. Should this really be the determining factor? Instead, we should have item (C) as the first tie breaker. This ensures that applicants ask for the least amount of LIHTC necessary to make their development economically feasible. This would allow TDHCA to fund more units with this finite resource.
3. Experience Requirement (page 32). Is there a reason for changing the rule? Did someone who met the prior rule receive an award of LIHTC and then fail to complete the development as proposed? If not, then please don't keep changing the requirements to address a problem that doesn't exist. We've had to go through recertification for the past two years, so let's keep the same rules unless there is a problem. Also, is this rule saying that if you built 1,000 units of LIHTC housing in the last four years, none of that counts as experience since the units do not have five years of compliance history? If so, that seems to make no sense since the market is saying that this is an experienced, capable developer by providing equity and debt for the prior developments built by that developer.
4. QCP (page 56). Under scoring category (III), a neutral score would be a score that neither penalizes nor rewards an Application for which no Neighborhood Organization exists; that score would be 18 points, not 16. Please change the points for this situation accordingly.
5. Cost of Development by Square Foot (page 61). If you do not change scoring item #16 back to the language in the 2011 QAP, and you keep the same language as currently stated, then you need to increase this item by \$7 per square foot. If you change from the 2011 language in item #16, but adopt a different standard, then you still need to reevaluate and increase the limits for this scoring item (assume that the average unit is 1,000 square feet on a family development and 825 square feet on an elderly development).
6. Readiness to Proceed (page 63). To meet the requirements of this scoring item, the average Applicant will have to expend about \$39,000. This will reduce competition, as there are few developers that can afford to spend an additional \$39,000 on an application prior to its receiving an award of LIHTC. Further, it will require almost all nonprofits to partner with a for-profit developer, as very few have the resources to spend that amount of money on an application. The pertinent question is: are we addressing a problem that does not exist? How many developments have received an award of LIHTC and then failed to be built due to permitting issues? If the answer is none or almost none, then don't adopt an expensive "fix" for a problem that doesn't exist.
7. Community Revitalization, item C (page 65). We adopted the idea of mixed-income developments as part of the 2001 QAP and found out that the theory did not work in practice. That's why this was removed from the QAP. The rents end up dropping almost to the LIHTC rents and then the development is economically underwater if it was underwritten at true market rents. Anybody that can afford a true market rent will choose to live in a 100% market rate rental development. The rents on the "market" units drop to about \$50 over the LIHTC rents, and

the renters are those who barely exceed the LIHTC limits (usually earning in the 65-80% of AMI range). Further, with the tax credit percentage dropping from a fixed 9% down to a current 7.8%, the applications cannot afford to not receive credits on 10% of their eligible basis. Therefore, we should eliminate this as a scoring item.

8. Central Business District (page 3). Is there any reason for the requirement that the CBD have one building at least 10 stories tall? If not, then we recommend that this requirement be removed so that more cities qualify under the definition.
9. Developments Proposing to Qualify for a 30% increase in Eligible Basis (page 16). Please restore item 2(C), whereby a development is eligible for the boost if it agrees to provide an additional 10% of the units at 30% AMI.
10. Ineligible Applications (page 11). Almost all single family type LIHTC units are 3 or 4 bedroom units. Therefore, we recommend that the \$13,000 limit on LIHTC per unit be raised to \$15,000 per unit for this type of housing.

Governor Perry has been trumpeting to the rest of the nation that we are the state that has the least amount of regulations, and that is why we have prospered more than the rest of the country. Many of the items enunciated above reflect new regulations that appear to have been adopted not to address real issues, but merely for the sake of adopting new regulations. Each of these items needs to be evaluated and **not** adopted unless there is a true problem that needs to be addressed.

Please go back and look at the history of the LIHTC program in Texas. In 2001, our QAP had a total of 32 pages and our Real Estate Analysis Rules and Guidelines (REA) had a total of 11 pages. For 2012, the draft QAP has 98 pages and the draft REA has 41 pages. As a thirty-year tax CPA who has worked with the LIHTC program since 1989 as a CPA and since 1993 as a developer, I can tell you that **Congress has not changed Section 42 so remarkably since 2001 that the QAP and REA had to increase by 323%**. Yet, in 2001 we were able to produce quality affordable housing that met the goals created for this program by Congress in 1986. **Those goals have not changed since 1986**, but this program has been so reshaped and redirected away from its original intent in Texas that it barely resembles the original program.

Commissioner Conine alluded to this in his overall comments about the draft 2012 QAP. In that vein, we'd like to make a suggestion that reflects "thinking outside the box". About six years ago, the Executive Director convened a volunteer group of stakeholders consisting of developers, lenders, syndicators, attorneys and accountants to meet and completely revamp the QAP and REA. At the initial meeting, it was suggested that we completely eliminate the current rules and start over, returning to the original goals of the program. However, we determined that it would take too long to do that, and, in the end, only minimal changes were made. This year presents us with a unique opportunity. Suppose that the Board awarded all of the 2012 LIHTC as Forward Commitments? That would allow all of the developments to be placed in service by 2013 and to utilize their eligible basis with the full 9% credit percentage, lowering the amount of debt needed on each application and thereby lowering the risk that the developments would later become economically unfeasible. Further, this would give the staff and the stakeholders the time needed to completely rewrite the program rules and eliminate all of the extraneous demands that have nothing to do with providing quality affordable housing that have been placed on the program. We believe that this reflects the Governor's sentiment that government needs to be streamlined and become the least intrusive element in the lives of the people.





September 14, 2011

Letter

**Roundstone Development**

Clifton Phillips  
1750 Valley View Lane, Suite 420  
Dallas, Texas 75234  
(972)243-4205

Mr. Phillips,

It has come to our attention that the TDHCA is considering awarding points for LEED certified projects. It is our understanding that a project obtaining a HERS Score of 85 or lower will be awarded 2 points, a LEED certified project will be awarded 3 points, LEED Silver certification will be awarded 4 points, LEED Gold certification will be awarded 5 points and LEED Platinum will be awarded 6 points.

It is our opinion that requiring LEED certification for tax credit projects could cause potential problems for developers that are not fully aware of the magnitude that LEED certification can add to the scope of work of a construction project. An uneducated developer may believe they can in good faith achieve a LEED Gold or Platinum certification while developing their proposal, but due to budget constraints or variables beyond their control such as the volatility of construction prices; they may find it impossible to meet that obligation once the project is actually bid by a contractor. Such a scenario would create a dilemma for all parties involved that may be almost impossible to correct if a project has already been awarded. We also believe that some developers may choose to take credit for LEED certification on their application when they are not certain that the project budget can sustain the additional costs in an effort to obtain the most points for the project, therefore taking a risk that they may or may not be able to make it work in the end. This would essentially award a developer that may not be able to achieve LEED certification while disqualifying another developer who actually did his due diligence and did not take the credit because he knew it was not feasible for that project.

We have designed over thirty tax credit projects and several LEED projects as well and in our opinion we believe that the additional costs associated with achieving a LEED Platinum certification on a 100 unit development could be as high as \$800,000.00 above and beyond the typical design and construction costs associated with a multi-family development of that size. With this in mind there are other programs that could be

CROSS ARCHITECTS, PLLC

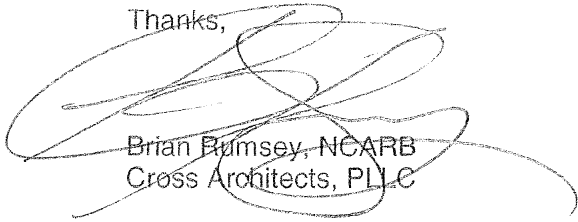
1255 W. 15<sup>th</sup> Street #125 • Plano, Texas 75075 • 972.398.6644 • 972.312.8666 Fax



implemented, such as the "Green Building Initiative," that would not be as costly or difficult to achieve. We believe it would be less confusing and more cost effective to award points for a different "Green Building" system that is more compatible with affordable housing projects or award the same number of points for all LEED certification levels so if a developer chooses to take the points for building a LEED project he is awarded the same points regardless of the level of certification that the projects actually achieves. This would level the playing field and help eliminate the urge for some developers to automatically choose the highest points in an effort to simply win the project while having no regard for the complex and difficult task ahead of them.

We hope that you will reexamine and reconsider the LEED initiative for TDHCA projects.

Thanks,

A large, stylized handwritten signature in black ink, appearing to read "Brian Rumsey".

Brian Rumsey, NCARB  
Cross Architects, PLLC



Galier | Tolson | French

Architecture  
Planning  
Project Management

September 12, 2011

Mr. Clifton Phillips  
Roundstone Development  
Two Hickory Center  
1750 Valley View Lane  
Suite 420  
Dallas, Texas 75234

Dear Mr. Phillips,

Please consider this letter as my thoughts and comments on the proposed TDHCA QAP changes for 2012 adding LEED requirements to the scoring criteria. Though I am 100% in support of sustainable green building requirements and initiatives, I think these should always be seriously considered and phased in over several years for the best end results. Our firm has done 8,000 Tax-Credit elderly units Texas for a dozen or more clients and nearly 6,000 more family units in Texas and other states.

The cost of going LEED in the typical TDHCA type project is going to ensure most projects that use these points for scoring will have difficulty getting built by private developers. We recently completed a LEED Platinum project in Harris County. This project was on an in-fill suburban site and was designed with an urban-style three story building and several single story 4-plex buildings. The cost of the making the job LEED Platinum was relatively easy to quantify since the decision to design to LEED standards was made largely after the job was contracted for construction. The total cost of taking a standard tax credit apartment community to LEED Platinum was at a minimum a 25-28% increase in the cost of the job. Without substantial additional governmental financial subsidies and contributions to this institutional housing developer this job would not have been able to go LEED Platinum or even LEED. We are doing a current market rate LEED Certified project in Oklahoma City. The urban in-fill site is ideal for LEED and the additional cost to the developer is still about a 5-8% more. On this job the developer can pass those costs on to their residents, where Tax Credit projects can not.

In addition to the cost, the complexity of the LEED design and certification process will make it hugely difficult for TDHCA to monitor compliance with the program. The LEED process is fluid and requires expensive professionals to monitor and guide the work. Most affordable general contractors and developers in Texas have not done a LEED multi-family job. The learning curve will be sharp and costly. This process should be acknowledged by the board and built into a more long term, holistic plan to encourage green building initiatives.



Galier | Tolson | French

Architecture  
Planning  
Project Management

LEED has name recognition. There are many other high quality sustainable building programs out there including, Enterprise Green Communities and Earth Craft that are in my opinion more community, resident and developer friendly. These should be included in a menu of options for developers to choose from based on each projects specific needs and requirements. LEED is also in my opinion biased toward urban projects and not easily adapted to rural or even suburb areas for housing.

If LEED levels are made a scoring item, in our experience, most developers will be forced to take the maximum points then figure out how to make the deal work. Requiring anything LEED beyond the Certified level seems to be a problematic and will surely create issues for TDHCA and developers. These problems will ultimately slow the final goal of great affordable housing that has been built to be sustainable.

I would strongly encourage the TDHCA Board and other folks involved in this process to consider more green building programs then just LEED and phasing in their initiatives over a period of years so the industry can more ready to receive and implement them.

Sincerely,

**J. Marc Tolson**

J. Marc Tolson, AIA  
Owner/ Managing Partner

JMT/kw

6a



September 27, 2011

Board of Directors  
Texas Department of Housing and Community Affairs  
P.O. Box 13941  
Austin, TX 78711-3941

RE: ***The Terrace at Midtowne, #11223***  
***92 Units, Senior Housing, Midlothian, Texas***

Dear Chairman Oxer and Board Members:

I would like to ask the Board to consider granting a Forward Commitment for The Terrace at Midtowne, a 92-unit senior community to be located in the city of Midlothian, Texas. I base this request on the following compelling reasons:

**1. Urban Region 3 has been “underfunded” for two years now.**

In 2010, the Board awarded \$6,701,520 in forward commitments for projects in Urban Region 3. However, in 2010, prior to the awarding of these forward commitments, there was **\$769,888** remaining in Urban Region 3 that was used to fund projects in the statewide collapse. However, under a flaw in the Regional Allocation Formula (RAF), this amount was not credited towards the forward commitments in the 2011 tax credit allocation, even though it rightfully belonged in that Region under the formula.

In 2011, the Urban Region 3 allocation as determined by the RAF was \$8,970,733. The Forward Commitments totaling \$6,701,520 were subtracted, leaving a balance of \$2,269,213. The top scoring application in the Region was a rehab project in Denton that requested \$1,368,129 in credits. Following the funding of this project, a total of \$901,084 remained, which was not sufficient to fund our Midlothian project which has an underwritten credit request of \$1,017,933. However, had the **\$769,888** deficit from 2010 been credited to the Region, there would have been a balance in Urban Region 3 of \$1,670,972 – more than sufficient to fund The Terrace at MidTowne.

**2. Merits of the Application**

***High Scoring/Feasibility.*** The Terrace at MidTowne was the top scoring new construction project in Region 3 with a score of 211 – the maximum amount of points that could be scored for this new construction senior project. The application has been favorably underwritten by TDHCA staff.

**Strong Need.** There is a strong need for this senior housing. The population of Midlothian has more than doubled since 2000 – from 7,400 to 18,500. Midlothian has no affordable senior housing and has, in fact, never had a tax credit development before.

**Excellent Site.** The site is located within the MidTowne Development area of Midlothian, which is a mixed-use planned development. The nearly 7-acre site is conveniently located near commercial amenities already in place in the MidTowne area including a coffee shop, hair salon, yoga studio, dentist office and a church. The Midtowne Development was recently recognized by the North Texas Council of Governments through its selection for a CLIDE award (Celebrating Excellence in the Development Leadership).

**Strong Community Support.** This application has the strong support of the Midlothian Community.

- ✓ On February 8, 2011, the Midlothian City Council passed a resolution in support of The Terrace at MidTowne. Additionally, Mayor Boyce Whatley appeared before the TDHCA Board in July testifying in support.
- ✓ This application has the strong support of the state elected officials. Not only did the state elected officials provide letters of support with the application, on September 15, 2011, letters of support from both Representative Jim Pitts and Senator Brian Birdwell were read by respective staff members at the Board Meeting.
- ✓ The Terrace at MidTowne is part of an award-winning planned community and received the strong endorsement of the MidTowne Neighborhood Council, the neighborhood organization encompassing this area.

Based on the above, I respectfully ask that you correct the injustice of underfunding in Urban Region 3 and grant a Forward Commitment to The Terrace at MidTowne.

Sincerely,



Diana McIver  
President

Enclosures

Cc: Tim Irvine, Executive Director

**RESOLUTION 2011- 04**

**A RESOLUTION SUPPORTING THE TERRACE AT MIDTOWNE, LLC, AN AFFORDABLE RENTAL SENIOR HOUSING COMPLEX WITHIN MIDTOWNE**

**WHEREAS**, The Terrace at MidTowne, LLC has proposed a development for affordable rental senior housing at the southwest corner of George Hopper and Abigail Way named The Terrace at MidTowne in the City of Midlothian;

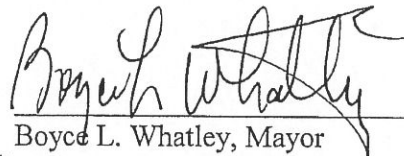
**WHEREAS**, The Terrace at MidTowne, LLC intends to submit a joint application to the Texas Department of Housing and Community Affairs (TDHCA) for 2011 Housing Tax Credits and HOME Investment Partnership Program funds for The Terrace at MidTowne;

**WHEREAS**, §49.9(a)(5), Texas Administrative Code, which gives Housing Tax Credit points for the commitment of development funding by the Unit of General Local Government, states that the TDHCA HOME Program funds will not qualify for points in this category “unless a resolution is submitted with the application from the Governing Body of the Unit of General Local Government authorizing that the Applicant act on behalf of the Unit of General Local Government in applying for HOME Program funds from TDHCA for the particular application.”

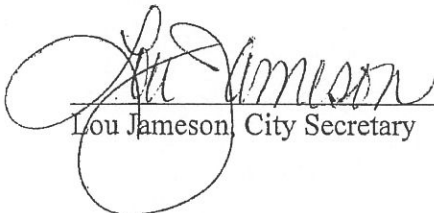
**NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF MIDLOTHIAN, TEXAS THAT:**

The City of Midlothian supports The Terrace at MidTowne, including its efforts to receive funding under the 2011 Housing Tax Credit and HOME Investment Partnership Programs, and appoints The Terrace at MidTowne, LLC to act on its behalf in applying for TDHCA HOME funds for The Terrace at MidTowne.

**READ, PASSED, AND, APPROVED this 8th day of February, 2011.**

  
\_\_\_\_\_  
Boyce L. Whatley, Mayor

ATTEST:

  
\_\_\_\_\_  
Lou Jameson, City Secretary





State of Texas  
House of Representatives

P.O. BOX 2910  
AUSTIN, TEXAS 78768-2910  
512-463-0516  
Fax: 512-463-1051

310 W. Jefferson St., Suite 1  
WAXAHACHIE, TEXAS 75165  
972-938-9392  
FAX: 972-937-2842



Representative Jim Pitts

August 31, 2011

J. Paul Ozer, Chair  
Texas Department of Housing and Community Affairs  
P.O. Box 13841  
Austin, TX 78711-3841

RE: THE TERRACE AT MIDTOWNE

TDHCA # 11223

Dear Chairman Ozer:

Congratulations on your recent selection as Chair of the Texas Department of Housing and Community Affairs.

I am writing to advise you of my unequivocal support for The Terrace at MidTowne project. I was pleased to support this worthy project in March of 2011 at the time the application was submitted. I understand that, while this project rated very high in the most recent allocation of tax credits and was the next in line for funding from the Region 3 allocation, it did not receive an allocation of tax credits since it needed an allocation of \$1 million dollars, and only \$900,000 was remaining in Region 3. I understand that the developer of The Terrace, DMA Development Company, is asking for the TDHCA Board to consider this project for a forward commitment for 2012.

The planned project will provide the opportunity for independent living for senior citizens, and will be located in an area that gives the residents easy access to the services they will require. The City of Midlothian has given its approval to this project, and The Terrace at MidTowne will prove to be advantageous to an area that is experiencing unprecedented growth.

I ask that careful consideration be given to the request that The Terrace at MidTowne be granted a forward commitment. I am confident that this project will prove to be a worthwhile asset to our area.

Sincerely,

A handwritten signature in black ink, appearing to read "Jim Pitts".

Jim Pitts

c: Honorable Boyce Whatley, City of Midlothian  
Diana McIver, DMA Development Company

# The Senate of The State of Texas

HIGHER EDUCATION, VICE-CHAIR  
ECONOMIC DEVELOPMENT



VETERANS AFFAIRS, VICE-CHAIR  
GOVERNMENT ORGANIZATION

## BRIAN BIRDWELL

September 7, 2011

J. Paul Oxer, Chair  
Texas Department of Housing and Community Affairs  
P O Box 13841  
Austin, TX 78711-3841

Re: The Terrace at Midtowne TDHCA #11223

Dear Chairman Oxer:


First, I would like to take this opportunity to congratulate you on your recent selection as Chair of the Texas Department of Housing and Community Affairs (TDHCA). I look forward to working with you.

I understand that DMA Development Company, the developer of The Terrace, has applied again for Housing Tax Credits to assist them in developing a multi-family apartment complex for senior citizens in Midlothian, Texas. The company is asking for the TDHCA Board to consider this project for a forward commitment for year 2012.

I sincerely believe that this type of affordable housing can be very beneficial to the seniors in my senatorial district. The issue of affordable housing for senior citizens is becoming more and more important as a large segment of the populace is reaching retirement age.

Your careful consideration that The Terrace at MidTowne be granted a forward commitment will be greatly appreciated. I feel confident that this project will be a worthwhile asset to our area.

Sincerely yours,

  
Brian Birdwell  
Senate District 22

BB/be



6b

Justice Park Senior Villas  
18729 FM 1887  
Hempstead, TX 77445  
Ph: 713.914.9200 Fax: 713.914.9292

September 27, 2011

TDHCA Board  
221 East 11<sup>th</sup> Street  
Austin, TX 78701

Chairman J. Paul Oxer  
Executive Director Tim Irvine  
Honorable Board Members,

My name is Matt Fuqua. I'm here on behalf of Chris Richardson the local based sponsor and developer of the proposed Justice Park Senior Villas in Houston, which is currently at the top of the presumed waiting list in Region 6 for tax credits. I wanted to ask that, if the Board considers making forward commitments that you would consider the, Justice Park # 11255.

Our mission is to enhance the quality of life of senior residents. We have an active waiting list on several of our senior living properties. State Representative Dwayne Bohac, in District 138 has submitted a letter for your consideration in support of our development. Justice Park is the first proposed tax credit development to ever receive his support.

Please consider Justice Park #11255, so we can continue to provide quality living for the Seniors in Houston, Texas.

Thank you,



Matt Fuqua





**Region 13**  
**Project # TDHCA 11234**  
**Project Name: Villas at West Mountain**

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## **ADDITIONAL EXHIBITS**

**Presentation by Francis S. Ainsa Jr.**

**Attorney for Investment Builders, Inc.**

**October 4, 2011**

## **El Paso's Affordable Housing Market Fact Sheet**

### **El Paso Residents**

- El Paso community at or under poverty level: 25%
- Affordable Housing Qualifications: Household income of 60% or less of median El Paso income

### *El Paso Income Information*

Extremely low income, below 30% of median	Very low income, 50% of median	Low income, 80% of median	Above low income, 81%+ of the median	Geo-coded income data not available in PIC data systems
69 percent	21 percent	4 percent	1 percent	6 percent

Source: U.S. Housing and Urban Development

### **El Paso Multifamily Statistics**

#### *El Paso Apartment Statistics 2010*

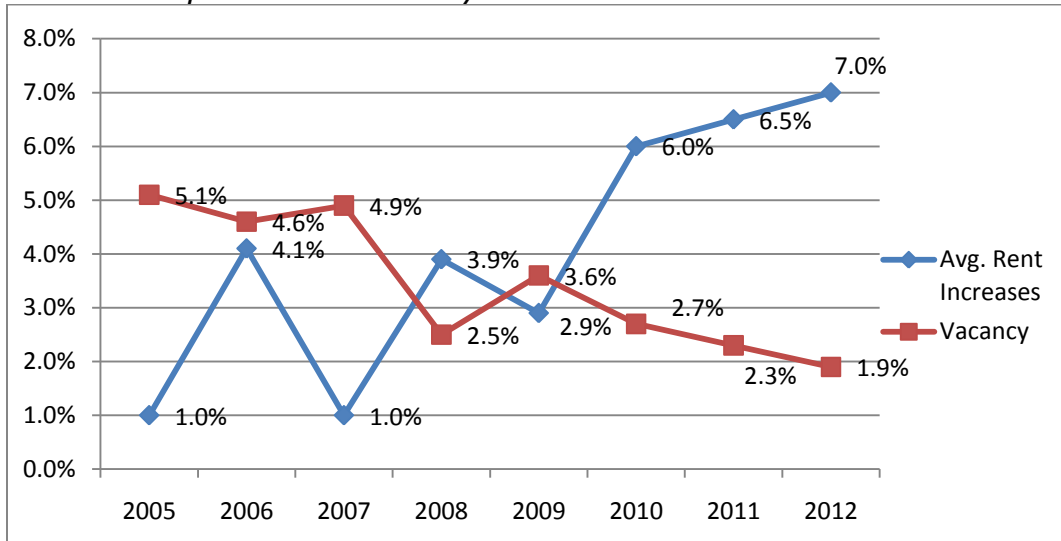
	El Paso	TX Metro Average
Average rent per square foot	\$0.77	\$0.85
Average rent for units built since 2000	\$0.73	\$0.94
Average Occupancy	96.8%	92.3%
Average Occupancy for units built since 2000	98.6%	94.5%
Total Units*	29,284	1,538,182
Total Units built since 2000*	2,874	306, 374

\*As of December 2010

Source: Apartment MarketData Research



*Historical Apartment Vacancy and Rent- El Paso Area*



**Ft. Bliss**

*Ft. Bliss Soldier Population*

2008	2009	2010	2011	2012
16,904	19,292	25,137	29,542	33,469

Result: By 2012, soldiers in El Paso will more than double from 2008.

**Mexican Nationals**

- The population of Juarez has decreased by approximately 230,000 due to cartel drug violence.
- Approximately 30,000 to 50,000 Mexican Nationals from Juarez now reside in El Paso

Source: New York Times Magazine/U.S. Census Bureau

**Investment Builder’s Inc. (IBI)**

Current Waiting List for IBI Affordable Housing Units: 977-1002  
 Number of units that can be placed in service in 2012 if forward commitment is approved for Villas at West Mountain : 156

**MILITARY PERSONNEL WHO CAN QUALIFY FOR  
AFFORDABLE HOUSING UNDER TDHCA INCOME LIMITS**

**TDHCA Income limits (60%):**

1 person	2 persons	3 persons	4 persons	5 persons
\$20,460	23,340	26,280	29,160	31,500

**U. S. Military Pay Scales for E-1 through E-4:**

	Less than	Over	Over	Over	Over
Years of Service	2	2	3	4	6
E-1	\$17,604	17,604	17,604	17,604	17,604
E-2	\$19,740	19,740	19,740	19,740	19740
E-3	\$20,760	22,068	23,400	23,400	23,400
E-4	\$22,890	24,168	25,476	26,772	27,912



*El Paso, Texas*  
*The International City*

**STEVE ORTEGA**  
CITY REPRESENTATIVE  
DISTRICT NO. 7

September 21, 2011

Mr. Tim Irvine, Executive Director  
Texas Department of Housing and Community Affairs  
221 East 11<sup>th</sup> Street  
Austin, Texas 78711-3941

Re: Forward Commitments in El Paso County, Texas

Dear Mr. Irvine:

I am writing again to discuss affordable housing in our community – El Paso, Texas.

The Texas Department of Housing and Community Affairs has provided much needed assistance in our community and your help is greatly appreciated.

El Paso, like many other communities, has waiting lists for affordable housing of well over 1,000 individuals, which we all know is unmanageable and a daunting task to address. Our need is great and in the past, TDHCA has provided assistance by awarding Forward Commitments to address our community's affordable housing shortages and long waiting lists.

In addition to our affordable housing challenges, El Paso is 5,000 units short of market rate multifamily housing needed to accommodate the dramatic population growth resulting from the expansion of Fort Bliss, Texas. By the end of 2013, Fort Bliss will have 30,000 troops and an estimated 45,000 family members. Coupling these figures with a 98-percent occupancy rate in our existing market rate multi-family units, the need for additional affordable housing is even more critical.

In closing, I hope the Board of TDHCA will award our community a Forward Commitment so we may continue to address our affordable housing needs. Thank you for your consideration and support of El Paso.

Very respectfully,

A handwritten signature in black ink that reads "Steve Ortega".

Steve Ortega  
City Representative –District 7

## Villas at West Mountain – TDHCA #11234

Villas at West Mountain is a new affordable housing community being developed by Investment Builders, Inc. This multi-family complex will consist of 156 units, which will be built on 7.637 acres, and will embrace 8 buildings. The unique architecture of this project provides distinct layout of, three, two, and single story buildings. Villas at West Mountain will incorporate 12 charming, yet ample one-bedroom one bath units, 80 spacious two-bedroom two bath units, 60 three-bedroom two bath units rich in design and bold in taste, and 4 four-bedroom two bath units, perfect for those who desire a bit more room.

A furnished community room will provide manager and leasing offices, a fully equipped fitness center, kitchen and dining area, covered patio, and swimming pool. The development will also incorporate a series of amenities, which include covered entries; flat surface parking lot with one covered parking space for each unit; full perimeter fencing; playground; and washers and dryers in every unit.

Villas at West Mountain will also offer a wide array of Resident Services, which include notary public services, annual income tax preparation, annual health fair, monthly art and crafts, monthly social events, and quarterly financial planning courses.

### **If this project is awarded, the proposed timeline is as follows:**

Housing Tax Credits Awarded:  
October 4, 2011

Construction Loan Closing:  
December 30, 2011

Start of Construction:  
January 2, 2012

First Units Placed in Service:  
June 30, 2012

All Units Placed in Service:  
December 31, 2012



## **MEETING EL PASO'S AFFORDABLE HOUSING DEMANDS IN HANDS OF TDHCA**

*~ Extraordinary circumstances driving El Paso's demand for affordable housing. ~*

El Paso's need for affordable, multifamily apartment homes is critical. Research shows that occupancy rates in market rate and affordable multifamily projects are near 100%, driving rent on an upward spiral that is reducing the number of affordable living units. That's because about 30,000 more troops and 45,000 family members are expected to arrive in El Paso during the next several years. Add to that the estimated 30,000 to 50,000 Mexican nationals that have moved to El Paso to escape the drug cartels and violence in Cd. Juarez, and El Paso's already low median income, and you have the formula that is creating the extraordinary need that is driving El Paso's critical demand for affordable housing.

But the waiting lists could get even longer and drive rent even higher if the Board of Directors for the Texas Department of Housing and Community Affairs (TDHCA) turns down requests for forward commitments in El Paso on October 4, 2011. According to MPF Research, El Paso already leads the nation in apartment occupancy rates and rent increases last year.

Forward commitments issued by TDHCA allow developers to receive allocations of tax credits in 2011 from allocations that would normally be made in 2012. El Paso developers received forward commitments in 2009 and 2010. No tax credits were awarded to any El Paso developer in the 2011 round of allocations. Stopping El Paso's forward commitments now, would mean no new projects will be constructed in 2012. Even if an El Paso developer is allocated tax credits in 2012, the project will not be ready to start until 2013. The net effect is that for approximately two years, no new tax credit projects will be constructed.

Ike Monty, chairman of Investment Builders Inc., is one of two developers that have a highly-rated project application pending. Mr. Monty stated, "Our properties' waiting list is already too long. Stopping the forward commitment program now during these extraordinary circumstances is not good timing. It would be like not rebuilding after a natural disaster. Imagine not being able to provide our troops and their families' decent living conditions? Imagine turning away even more families that are seeking a safe haven and a decent place to live?"

The Villas at West Mountain is the highest scoring tax credit affordable housing project in El Paso waiting to be built. The apartment homes have many amenities, community support, financing ready to go, and are just waiting for a forward commitment. The Villas at West Mountain are a prime example of what it can mean to the El Paso multifamily housing shortage if granted a forward commitment and begin building, and also what it can mean if it's not.

Forward commitments can either assist the flood of new families by allowing developers, such as Investment Builders Inc. to continue to build and supply homes; or they will assist this community in falling further behind in the demand for sufficient affordable housing. Without forward commitments, El Paso cannot move forward in enough time to meet the needs of the growing city.

**News Article Background Information, submitted to El Paso Times by Teresa Montoya, Montoya PR**

# RIVER VALLEY APARTMENTS

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September 27, 2011

Mr. J. Paul Ozer, PE  
Board Chair  
Texas Department of Housing and Community Affairs  
221 East 11<sup>th</sup> Street  
Austin, Texas 78701

**RE: Request for Forward Commitment for River Valley Apartments –TDHCA #11232  
Harlingen, Texas – Region 11 Urban**

Dear Mr. Ozer,

On behalf of LV Housing, Ltd, the proposed owner of River Valley Apartments, I respectfully request a forward commitment for River Valley Apartments. River Valley Apartments is a proposed 104-unit reconstruction of an existing public housing development in Harlingen, Texas, and is a public/private partnership with the Housing Authority of the City of Harlingen. The request for a forward commitment is based on the following factors:

1. Urban Region 11 was not awarded a housing tax credit development in 2011.
2. No development in Harlingen has received an award of housing tax credits since 2001.
3. Of the two developments proposed in Harlingen in 2011, River Valley Apartments received the support of Mayor Chris Boswell (see attached support letters).
4. With a final score of 214, only two developments in the state scored higher than the River Valley Apartments application, neither of which is located in Region 11.
5. The River Valley Apartments application was structured so that the amount of requested tax credits did not exceed the tax credits available to Urban Region 11, indicating a desire by the applicant to work within the constraints of the Regional Allocation Formula.

Please find attached two letters of support from Mayor Chris Boswell, as well as support letters from Senator Eddie Lucio, Jr. and Representative Eddie Lucio III. Thank you for your consideration of the forward commitment request for this worthy, and needed development.

Sincerely,



Rick J. Deyoe  
Authorized Representative of LV Housing I, LLC, GP of LV Housing, Ltd.  
1101 S. Capital of Texas Highway, Building F, Suite 200  
Austin, Texas 76746  
(512)306-9206 Phone  
(512)306-9010 Fax  
[rdeyoe@realtexdevelopment.com](mailto:rdeyoe@realtexdevelopment.com)



## CAPITAL OF THE LOWER RIO GRANDE VALLEY

### Mission Statement:

"Ensure a business-friendly climate focused on economic growth, quality of life and efficient delivery of excellent services to our community."

### Office of the Mayor

September 13, 2011

Mr. Tim Irvine  
Acting Director  
Texas Department of Housing and Community Affairs  
221 East 11th Street Austin,  
Texas 78701

RE: Proposed River Valley Apartments (TDHCA #11232) located at 702  
South M Street, Harlingen, Texas 78550

Dear Mr. Irvine:

In February of this year, I wrote a letter of support for the proposed River Valley Apartments application for Housing Tax Credits. I would like to take this opportunity to reiterate my strong support for this application and to respectfully request that you and your Board members please consider the River Valley Apartments application for a forward commitment of credits.

As I mentioned in my previous communication, I am committed to the task of improving the financial health and well-being of my community. Harlingen and the surrounding region have a significantly lower median household income than the rest of the state. An adequate supply of affordable housing is necessary to attract industry and business to address the cycle of poverty.

Unfortunately, the projects within the City of Harlingen have not received adequate support from TDHCA's tax credit program suppressing the creation of new affordable housing in our community. To our detriment, no new development has been funded in Harlingen in over a decade.

But 2011 provides new opportunity with two applications presently pending before TDHCA, with neither having been awarded credits. Specifically, I would like to express my support for one of these applications, the proposed River Valley Apartments family community. This project is located in Cameron County (currently Los Vecinos public housing site) at 702 South M Street, Harlingen. This development would greatly benefit the community by reconstructing a 1950's vintage public housing project and providing quality affordable housing to those living on low to moderate incomes. The development is designed to address the needs of our growing community, especially those who have financial obstacles. The River Valley Apartment community will give working families the opportunity to reside in decent, safe, and affordable housing and enhance our community's ability to attract business investment.

The citizens of Harlingen deserve the opportunity to live in a safe and comfortable environment and River Valley Apartments will provide 104 family households in the Harlingen area. Los Vecinos is in a particularly ideal location, immediately adjacent to an elementary school and to

*"Recipient Of Keep Texas Beautiful Governor's Achievement Award"*

118 E. Tyler ★ P.O. Box 2207 ★ Harlingen, Texas 78551 ★ (956) 427-8700

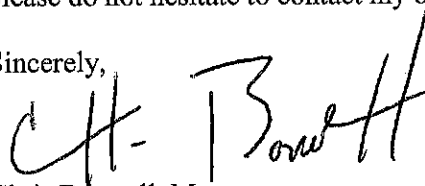


Mr. Tim Irvine  
September 13, 2011  
Page 2

a church that provides school programs. It is convenient to shopping and other amenities as well as being located in the center of our employment base.

Thank you for your consideration of this request for a forward commitment of tax credits. I appreciate your support of Harlingen and the Rio Grande Valley. If I can be of further assistance, please do not hesitate to contact my office.

Sincerely,

A handwritten signature in black ink, appearing to read "Chris Boswell". The signature is stylized with a large "C" and "B" and a long horizontal stroke.

Chris Boswell, Mayor  
City of Harlingen



## CAPITAL OF THE LOWER RIO GRANDE VALLEY

**Mission Statement:**

"Ensure a business-friendly climate focused on economic growth, quality of life and efficient delivery of excellent services to our community."

*Office of the Mayor*

February 11, 2011

Michael Gerber, Executive Director  
Texas Department of Housing and Community Affairs  
221 East 11<sup>th</sup> Street  
Austin, Texas 78701

RE: Proposed River Valley Apartments (TDHCA #11232) located at 702 South M Street,  
Harlingen, Texas 78550

Dear Mr. Gerber:

As Mayor of Harlingen, I am committed to the task of improving the financial health and well being of my community. Our City and region have a significantly lower median household income than the rest of the state. An adequate supply of affordable housing is necessary to attract industry and business to address the cycle of poverty.

Unfortunately, the projects within the City of Harlingen have not received adequate support from the state's tax credit program suppressing the creation of new affordable housing in our community. To our detriment, no new development has been funded in Harlingen in over a decade.

But 2011 provides new opportunity with two applications presently pending before TDHCA. Specifically, I would like to express my support for one of these applications, the proposed River Valley Apartments family community. This project is located in Cameron County (currently Los Vecinos public housing site) at 702 South M Street, Harlingen. This development would greatly benefit the community by redeveloping a 1950s vintage public housing project and providing quality affordable housing to those living on low to moderate incomes. The development is designed to address the needs of our growing community, especially those who have financial obstacles. The River Valley Apartment community will give working families the opportunity to reside in decent, safe, and affordable housing and enhance our community's ability to attract business investment.

The citizens of Harlingen deserve the opportunity to live in a safe and comfortable environment and River Valley Apartments will provide 104 family households in the Harlingen area. Los Vecinos is in a particularly ideal location, immediately adjacent to an elementary school and to a church that provides school programs. It is convenient to shopping and other amenities as well as being located in the center of our employment base.

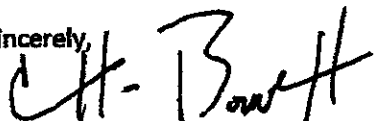
*"Recipient of Keep Texas Beautiful Governor's Achievement Award"*

118 E. Tyler ★ P.O. Box 2207 ★ Harlingen, Texas 78551 ★ (956) 427-8700

February 03, 2011 letter to Mr. Gerber, page 2.

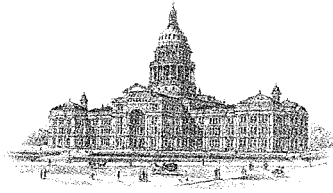
Thank you for your consideration of this request. I appreciate your support of Harlingen and the Rio Grande Valley. If I can be of further assistance, please do not hesitate to contact my office.

Sincerely,

A handwritten signature in black ink, appearing to read "Chris Boswell". The signature is stylized with a large "C" and "B".

Chris Boswell, Mayor  
City of Harlingen

# The Senate of The State of Texas



Senator Eddie Lucio, Jr.

January 13, 2011

Ms. Robbye Meyer  
Director, Multifamily Finance Division  
Texas Department of Housing and  
Community Affairs  
P.O. Box 13941  
Austin, TX 78711-3941

Re: LV Housing, Brownsville, TX

Dear Ms. Meyer:

I am writing to express my support of LV Housing, Ltd.'s application for a Tax Credit Allocation for the construction of Los Vecinos Apartments located at 702 S. Street, Harlingen, and Cameron County, TX 78550.

As you know, developing decent and affordable housing is of extreme importance to the welfare of South Texans, as more than 30% of our community lives in poverty. The fast growing population in the area is causing an even more pressing need than ever before to develop new affordable housing and to preserve the existing housing stock. This multifamily community of approximately 104 units will be completely income restricted, serving low-income tenants.

I ask for your strong consideration of LV Housing, Ltd.'s application. Please do not hesitate to contact me if you have any questions regarding this application.

Respectfully yours,

A handwritten signature in black ink that reads "Eddie Lucio, Jr." in a cursive script.

Eddie Lucio, Jr.  
State Senator, District 27

ELJ/yl



The State of Texas  
House of Representatives

CAPITOL

P.O. Box 2910  
AUSTIN, TEXAS 78768-2910  
(512) 463-0606  
FAX (512) 463-0660  
EDDIE.LUCIO\_III@HOUSE.STATE.TX.US



DISTRICT 38  
2402 W. BUS. HWY. 77, STE. 1  
SAN BENITO, TEXAS 78586  
(956) 361-2795  
FAX (956) 361-9158

EDDIE LUCIO III

February 1, 2011

Texas Department of Housing and Community Affairs  
Attention: Director of Multifamily Finance Production  
221 East 11th Street  
Austin, Texas 78701

Re: Proposed River Valley Apartments (TDHCA #11232) located at 702 South M Street, Harlingen, Cameron County, Texas 78550

Dear Tax Credit Department and Director of Multifamily Finance Production:

I would like to express my support for the application for housing tax credits concerning the proposed River Valley Apartments family community. This project is located in Cameron County and is in my district, at 702 South M Street, Harlingen.

This development would greatly benefit the community by providing quality affordable housing to those living on low to moderate incomes. The development is designed to address the needs of our growing community, especially those who have financial obstacles. The River Valley Apartment community will give the families the opportunity to reside in decent, safe and affordable housing.

City of Harlingen citizens deserve the opportunity to live in a safe and comfortable environment, and River Valley Apartments will provide this opportunity to 104 family households in the Harlingen area.

If I can be of further assistance please do not hesitate to contact my office.

Sincerely,

A handwritten signature in cursive script that reads "Eddie Lucio III".

Eddie Lucio III  
Texas State Representative  
District 38

Cc: Rick J. Deyoe, LV Housing, Ltd. via fax (512) 306-9010



TEXAS DEPARTMENT OF HOUSING AND COMMUNITY AFFAIRS

BOARD MEETING

Capitol Auditorium  
Capitol Extension  
1500 N. Congress Avenue  
Austin, Texas

Monday,  
July 18, 2011  
9:00 a.m.

MEMBERS PRESENT:

C. KENT CONINE, Chair  
TOM H. GANN, Vice Chair  
LESLIE BINGHAM ESCAREÑO  
LOWELL KEIG  
J. PAUL OXER  
JUAN S. MUÑOZ

TIM IRVINE, Acting Executive Director

ON THE RECORD REPORTING  
(512) 450-0342

see a letter from Ms. Smith dated July 17, 2011 where she is, on behalf of the Estates of Wellington Run HOA, is rescinding this community support form and asking this Board not to award any points to Churchill Properties for the Evergreen at Marsh development for community participation.

Real quick, I just want to ask, I know things are tight now, I know that tax credits are limited. We know we didn't meet your deadline because the developer has continued to misrepresent to us the facts of this development, and as such we were not able to meet the June 15 deadline.

Therefore, we ask this Board to use your powers under Section 49.9(a) to investigate this matter, to contact Ms. Lisa Smith, to contact the names of the people in the petition before you -- so that you can make a true granting of the tax credits to a deserving developer, not one that engages in false misrepresentations. Thank you.

MR. CONINE: Any questions of the witness?

(No response.)

MR. CONINE: Thank you for your testimony.

MR. SHOWS: Thank you.

MR. CONINE: Emanuel Glocklin?

And Gwen Nickerson will be after Emanuel.

→ MR. GLOCKZIN: Good morning, Chairman Conine, members of the Board, TDHCA. I'm Emanuel Glockzin, developer

of Stonebridge Place Senior Housing, Number 11221, located in Palestine, Texas.

As you'll recall, there was an appeal filed at the last Board meeting by Curtis Fitzgerald, president of South Royal Property Owners Association, of which was farmed and organized for support of this development. In the appeal there was testimony given by him, and also Cynthia Bast and Tom Gouris, that the QCP had language in it that wasn't real clear.

And because of the point structure of this development being 12 points, there was some discussion among Board members and staff about maybe issuing something less than 12 points, but it was either all or none, and the appeal had been denied. And here I am asking for a forward commitment on this development that's badly needed in Palestine, Texas.

Thank you.

MR. CONINE: Any questions of the witness?

(No response.)

MR. CONINE: Thank you.

Gwen Nickerson?

And Gilbert Piette will be after Gwen.

MS. NICKERSON: Good morning. My name is Gwen Nickerson. I'm a current resident of North Side Manor Apartments in Corpus Christi, Texas. We, the residents of



**THE SIERRA ON PIONEER ROAD, LLC**

September 27, 2011

Texas Department of Housing  
& Community Affairs  
P.O. Box 13941  
Austin, TX 78711-3941

**RE: *The Sierra on Pioneer Road, Mesquite, Texas***  
***91 Units/Senior Housing***  
***TDHCA #11216***

Dear Chair Oxer and Board Members:

This letter respectfully requests a forward commitment for the above-mentioned project, The Sierra on Pioneer Road, a 91-unit senior development proposed on Pioneer Road and Sierra Drive, in Mesquite, Texas.

Due to the scarcity of Region 3 credits in the 2011 application round, no Dallas County application received an award of tax credits this year. This particular application is exceptional because it is in a high opportunity area in Dallas County that is underserved with tax credits. The attached bar charts show that median family income in this census tract is significantly higher than in both the City of Mesquite and Dallas County. The percentage of people below the poverty line and the minority concentration are significantly lower than in the City of Mesquite and Dallas County. There are no other tax credit developments of any kind in this census tract, and in this city of more than 125,000, there are only 900 existing tax credit units in total.

This application received a high level of support throughout the competitive cycle, and received the maximum points available in each support category. Both Senator Deuell and Representative Burkett submitted written letters of support, the City of Mesquite approved a resolution of support, and most significantly, the Rutherford Neighborhood Group submitted written support which earned this application 24 quantifiable community participation points. On August 16, the Planning & Zoning Commission passed our request for a downzone from General Retail to Planned Development, and not a single person in attendance expressed opposition to this project.

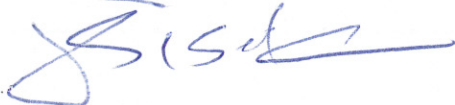
Throughout most of the application cycle, this application was tied for second place in Region 3. However, just days prior to the July 18<sup>th</sup> board meeting, this application lost three critical points due to staff's decision to re-score every application that had previously received points for being part of a community revitalization plan. This last minute controversial review coupled with the underfunding of Region 3 meant that this application did not receive a staff recommendation for an award.

TDHCA  
Page 2  
September 27, 2011

Based on the foregoing, I respectfully request a forward commitment for this project. Thank you for your time and consideration.

Sincerely,

THE SIERRA ON PIONEER ROAD, LLC



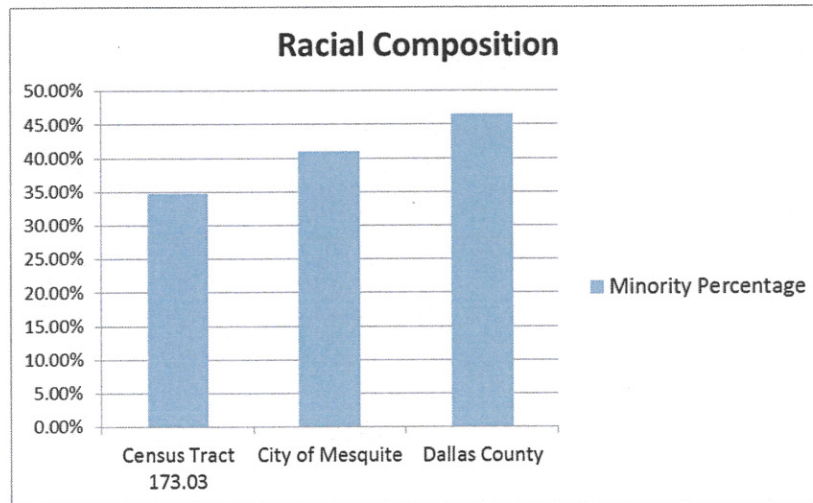
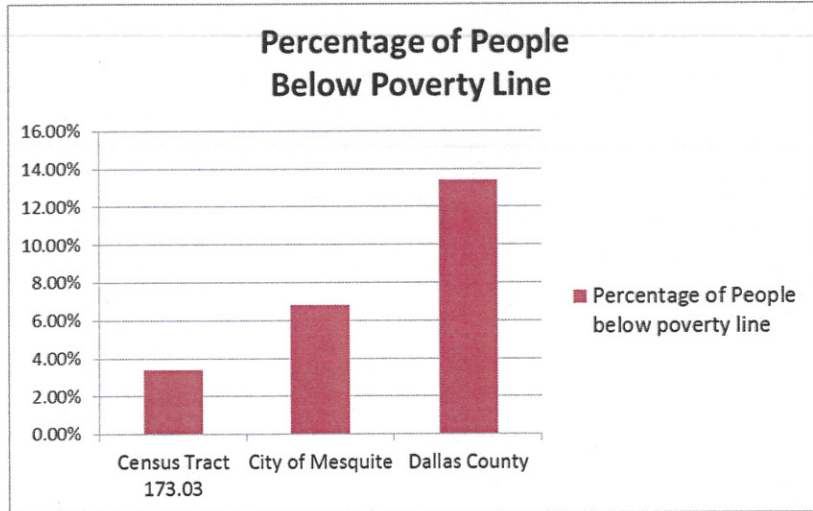
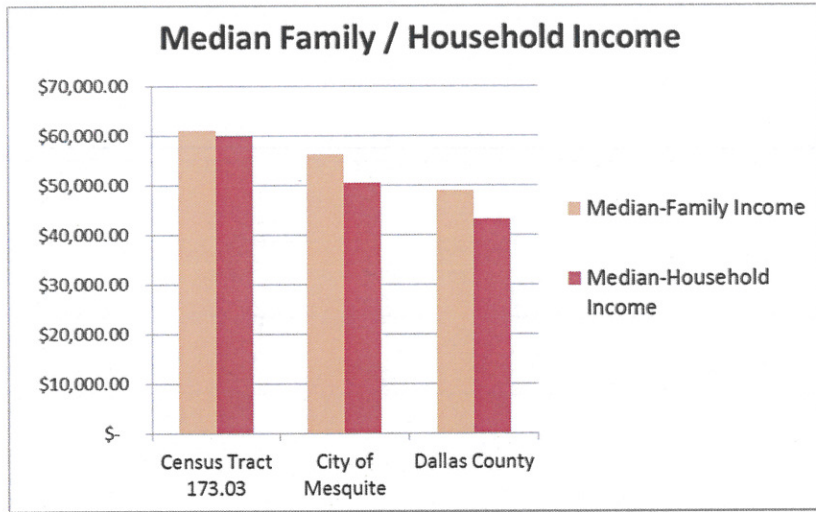
Janine Sisak, Esq.  
Manager

Enclosures: Demographic Information  
Letter from Senator Deuell, dated September 13, 2011

# The Sierra on Pioneer Road

TDHCA #11216

The Sierra on Pioneer Road is situated in Census Tract 173.03 in Mesquite, Texas.



\*Data Reflects the Most Recent Census Data Available.

Race data from 2010 Census. Income and Poverty data from 2000 Census.

# The Senate of The State of Texas

**CAPITOL OFFICE:**

P.O. Box 12068  
Austin, Texas 78711  
(512) 463-0102  
Fax: (512) 463-7202  
Dial 711 For Relay Calls



**ROBERT F. DEUELL, M.D.**  
TEXAS SENATE DISTRICT 2

**DISTRICT OFFICES:**

18601 LBJ Freeway, Suite 400  
Mesquite, Texas 75150  
(972) 279-1800  
Fax: (972) 279-1065

2500 Stonewall St., Suite 805  
Greenville, Texas 75401  
(903) 450-9797  
Fax: (903) 450-9796

September 13, 2011

Mr. J. Paul Oxer, Chair  
Texas Department of Housing and Community Affairs  
P.O. Box 13841  
Austin, TX 78711-3841

**Re:** The Sierra on Pioneer Road, Mesquite, Texas  
TDHCA # 11216

Dear Chairman Oxer:

I am writing to reiterate my support for The Sierra on Pioneer Road, a senior development in Mesquite. I previously submitted a letter of support for this project, but understand that it did not receive an allocation of tax credits despite its very competitive score and the developer will be asking the TDHCA Board for a forward commitment on September 15.

This 91-unit development will provide seniors with affordable housing and excellent access to services they require, and I join community leaders in believing that such a facility is much-needed in Mesquite. To ensure that my district can meet the needs of its growing senior populations, I ask careful consideration be given to The Sierra on Pioneer Road's request for a forward commitment.

Please feel free to contact my office if you have any questions or concerns.

Sincerely,

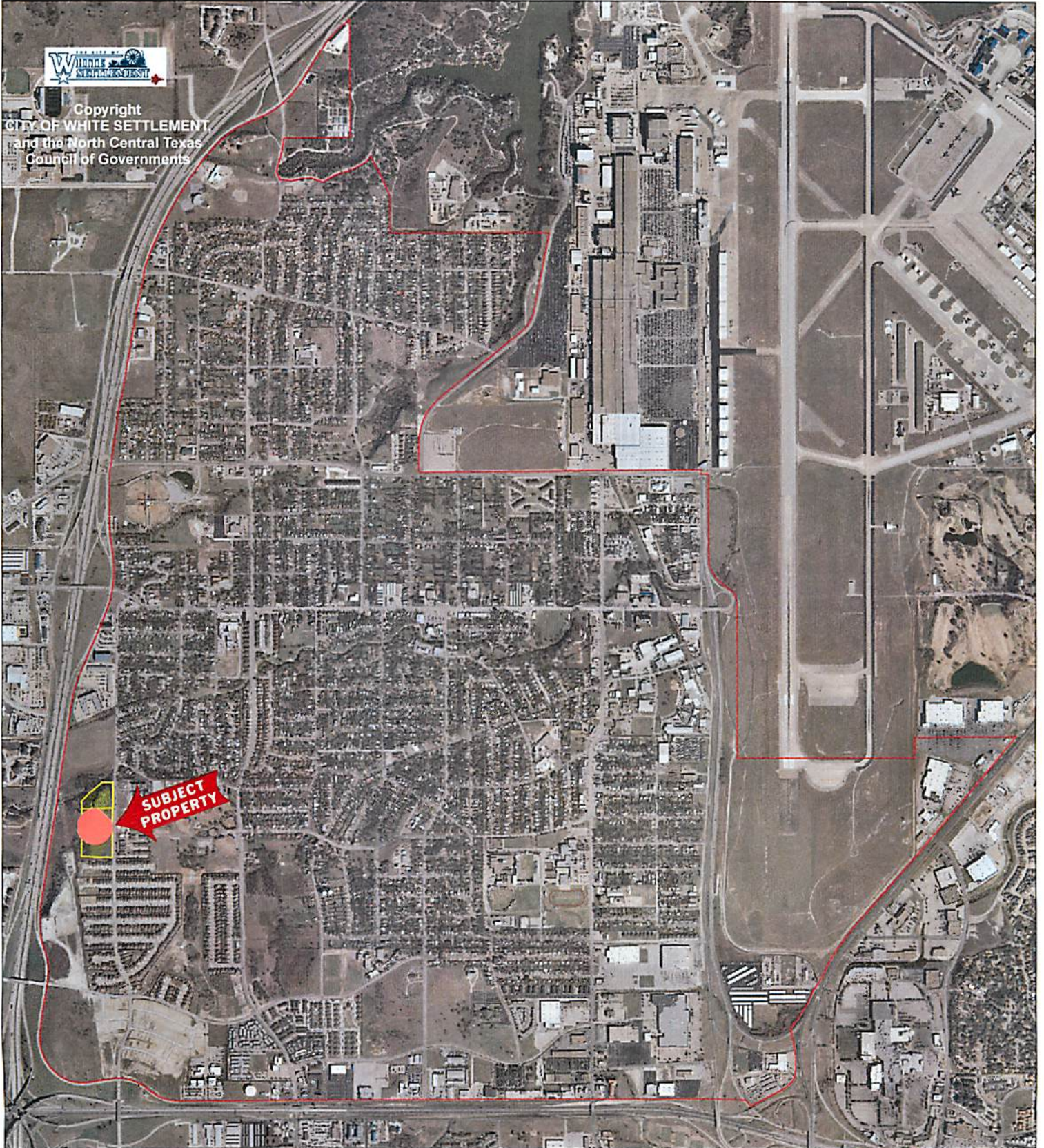
A handwritten signature in cursive script that reads "Bob Deuell".

Robert F. Deuell, M.D.  
State Senate, District Two

cc: Janine Sisak, The Sierra on Pioneer Road, LLC

# 11205

# City of White Settlement



Copyright  
CITY OF WHITE SETTLEMENT  
and the North Central Texas  
Council of Governments

Map Created: September 2011

Disclaimer: This Map was prepared by the City of White Settlement GIS Division and as such there is no guarantee as to the accuracy of any features on this map and no responsibility is assumed therein.

#11205



transportation

RCC Development Review Web Tool - Project Details and Comments

Project Details

Contact Information:

Name Jim Ryan  
 Title/Position Economic Development Director  
 Entity City of White Settlement  
 E-mail jryan@wstx.us  
 Phone (817) 246-4971

Project Number: 027

Parcel ID(s): A1673-2B01, A1751-1

Project Description: Hawks Ridge Apartments is planned as a 144 income restricted unit Complex, to be located on the West side of White Settlement Texas. The address will be: Hawks Ridge Apartments 9220 Dale Lane White Settlement, Texas 76108 It will be owned by Hawk Ridge Partners, L.P. which will be sponsored by Bert Magill and San Jacinto Realty Services, LLC as Principal and General Partner. Total land and development cost is estimated to be \$17, 300,000 and the amenity package will include: two playgrounds, washer dryer connections, limited access security gate, Energy Star appliances, and microwave ovens in every apartment. The owner has agreed to a five percent (5%) rent discount for all qualified military personnel. The property does appear to sit within the 65 decibel noise contours which means there may be a few recommendations for sound attenuation measures during construction to mitigate noise from the airplanes. This project, however, will be good for the entire area and should especially assist the RCC in finding and providing sufficient local military housing for the NASJRB.

Date Submitted: 7/21/2011 3:16:45 PM

Deadline for Comments: 7/28/2011

Comments

Name	Entity	Date	Comment
Dave Gattis	City of Benbrook	7/21/2011	It appears that this multi-family project is partially within the 65-70 dB contour range (compatible with sound attenuation) and the 60-56 dB contour range (marginally compatible.) It appears to us that there will be sufficient sound attenuation provided if the construction follows the 2009 International Energy Conservation Code, but you may want to evaluate the requirements more closely on a case-by-case basis.
Rachel Wiggins	NAS Fort Worth JRB	7/22/2011	This site (partially within the 65+ db DNL noise contour and partially outside of the noise contour) can be considered compatible contingent on two things: (1) the City's assessment of a need for median-income housing in the area and (2) the requirement for sound attenuation to be included in construction. NAS Fort Worth JRB recommends that the design of this project consider the possibility to provide noise level reduction of 25 decibels for all indoor uses. This information can be assessed by the builder using the Navy's Guidelines for Sound Insulation of Residences Exposed to Aircraft Operations. (Available online at: <a href="http://www.nctcog.org/trans/aviation/jlus/Sound%20Insulation%20Report.pdf">http://www.nctcog.org/trans/aviation/jlus/Sound%20Insulation%20Report.pdf</a> ). In addition, the long-term possibility of partnering with the developer via a

Rental Partnership Program is being assessed by the Navy's housing office.

North Central Texas Council of Governments | 616 Six Flags Drive P.O. Box 5888 Arlington, TX 76005-5888  
Main Operator: (817) 640-3300 | Fax: (817) 640-7805

# 11205



Naval Air Station Fort Worth, Joint Reserve Base (NAS Fort Worth, JRB)  
Regional Coordination Committee (RCC)

July 25, 2011

Mr. Jim Ryan  
Economic Development Director  
City of White Settlement  
214 Meadow Park Drive  
White Settlement, Texas 76108

Voting Entities

City of Benbrook

City of Fort Worth

City of Lake Worth

City of River Oaks

City of Westworth Village

City of White Settlement

Tarrant County

Non-Voting Entities

Benbrook Area  
Chamber of Commerce

DOD Office of Economic  
Adjustment

Fort Worth Chamber  
of Commerce

Lockheed Martin

Naval Air Station Fort Worth,  
Joint Reserve Base

North Central Texas  
Council of Governments

Northwest Tarrant  
Chamber of Commerce

Tri-City Area  
Chamber of Commerce

White Settlement Area  
Chamber of Commerce

Dear Mr. Ryan:

The City of White Settlement has recently uploaded a project on the Naval Air Station Fort Worth, Joint Reserve Base (NAS Fort Worth, JRB) Regional Coordination Committee (RCC) Development Review Website. The project will construct a 144 unit multi-family complex at 9220 Dale Lane.

After review by members of the RCC and their designated staff members, **it has been determined that the proposed project is consistent with JLUS recommendations provided that sound attenuation measures are taken.** A copy of the comments regarding the proposed project is enclosed for your reference. The recommended land uses are listed in the 2007 Joint Land Use Study Report and in the Air Installation Compatible Use Zone Study, both of which are available online at [www.nctcog.org/rcc](http://www.nctcog.org/rcc).

On behalf of the RCC, thank you for your involvement in the preservation of the military training mission at NAS Fort Worth, JRB. We appreciate your contributions and participation in the Development Review Web Tool. If you have any questions or concerns, please feel free to contact Elizabeth Beck-Johnson at (817) 704-5638 or me at (817) 923-1649.

Sincerely,

Paul F. Paine, Chair  
Regional Coordination Committee

EBJ:bw  
Enclosure

cc: Garry Wilson, Councilmember, City of White Settlement  
Rachel Wiggins, Community Planning Liaison Officer, NAS Fort Worth, JRB

[www.nctcog.org/rcc](http://www.nctcog.org/rcc)



#11205



214 Meadow Park Drive  
White Settlement, Texas 76108

817-249-4971 fax 817-246-4164  
[www.wsbx.us](http://www.wsbx.us)

---

January 28, 2011

To Whom It May Concern;

Hawk Ridge Partners, L. P. has proposed a development for affordable rental housing at 9220 Dale Lane to construct Hawk Ridge Apartments in the City of White Settlement, Tarrant County, Texas;

Hawk Ridge Partners, L.P. intends to submit an Application to the Texas Department of Housing and Community Affairs (TDHCA) for 2011 Housing Tax Credits for Hawk Ridge Apartments;

The City of White Settlement has no current applications for Housing Tax Credit Units and desires to encourage affordable housing constructed within quality standards recently demonstrated in the Tarrant County area;

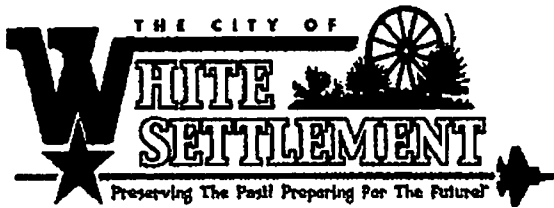
The City of White Settlement, Tarrant County, Texas hereby supports the proposed Hawk Ridge Apartments and the construction of the Development and has no objection to the authorization allocation of Housing Tax Credits for the Development.

The City of White Settlement, Tarrant County, Texas believes that there is a need for additional 144 affordable housing units in White Settlement, Texas;

As Mayor of the City of White Settlement, I endorse and support the Hawk Ridge Partners, L.P. to construct, lease and manage 144 units of affordable housing rental units in compliance with the 2011 Quantifiable Allocation Plan.

Sincerely

Jerry R. Burns,  
Mayor



#11205

Mr. C. Kent Conine  
Chairman  
Texas Department of Housing and Community Affairs  
221 E.11<sup>th</sup> Street  
Austin, Texas 78701

Re: Hawk Ridge Apartments  
White Settlement, Texas (Region 3)  
TDHCA # 11205

Dear Chairman Conine:


Please allow this letter to represent our overwhelming support for the proposed Hawk Ridge Apartments (TDHCA #11205) to be located in White Settlement Texas. The City of White Settlement is in severe need of new affordable rental housing. The city's present housing stock of multi-family housing currently consist of aging rental properties that do not offer the modern conveniences, energy efficiency and amenities available to those planned for Hawk Ridge Apartments.


White Settlement has seen substantial growth in new Retail, Commercial and Single Family Developments in recent years, but it remains behind in the development of new rental multi-family communities.

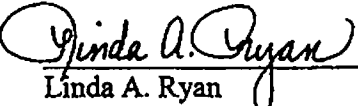
Application #11205 received all of the qualified points that were available in the 2011 QAP but remains noncompetitive as a result its inability to qualify for the points that are available to competing larger cities within Region 3 (Dallas and Fort Worth). In addition, last year's Forward Commitment have reduced the eligible Tax Credits that are now available for Region 3.

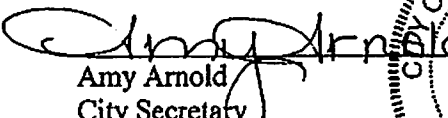
This year is the first opportunity that the City of White Settlement has supported a Tax Credit Application. We hereby request that the TDHCA Board grant an award to Application #11205 or assist our city by granting a Forward Commitment so that we can provide the much needed affordable rental housing to the City of White Settlement.

Sincerely,

  
Jerry R. Burns  
Mayor

  
Gene Hatcher  
Mayor Pro-Tem

  
Linda A. Ryan  
City Manager

  
Amy Arnold  
City Secretary



State of Texas  
House of Representatives



Charlie Geren

CAPITOL OFFICE:  
P.O. Box 2910  
AUSTIN, TEXAS 78768-2910  
512-463-0810  
FAX 512-463-8310

#11205  
3

DISTRICT OFFICE:  
1011 ROBERTS CUT-OFF  
RIVER OAKS, TEXAS 76114  
817-738-8333  
FAX 817-738-8302

RECEIVED  
MAR 23 2011  
EXECUTIVE DIRECTOR

March 23, 2011

Mr. Michael Gerber  
Executive Director  
Texas Department of Housing and Community Affairs  
P.O. Box 13941  
Austin, Texas 78711-3941

RE: Hawk Ridge Apartments Housing Tax Credit

Dear Michael:

Please allow me to submit this letter of support for Hawk Ridge Apartments at 9220 Dale Lane in White Settlement. There is a need for affordable housing in White Settlement, and the Hawk Ridge development will offer 144 housing rental units to residents of the city.

If I may provide any additional information or support, please let me know. Thank you for your consideration.

Sincerely,

Charlie Geren

# 11205



**WHITE SETTLEMENT AREA CHAMBER OF COMMERCE**

8224 White Settlement Road, Suite 100  
White Settlement, Texas 76108

Phone/Fax: 817-246-1121  
wsacc@whitesettlement-tx.com

July 15, 2011

Mr. C. Kent Conine  
Chairman  
Texas Department of Housing and Community Affairs  
221 E. 11<sup>th</sup> Street  
Austin, Texas 78701

Re: Hawk Ridge Apartments  
White Settlement, Texas (Region 3)  
TDHCA # 11205

Dear Chairman Conine:

Please consider this letter as representing my overwhelming support for the proposed Hawk Ridge Apartments (TDHCA #11205) to be located in White Settlement, Texas. The City of White Settlement is in severe need of new affordable rental housing. The city's present stock of multi-family housing currently consists of aging rental properties that do not offer the modern conveniences, energy efficiency and amenities planned for Hawk Ridge Apartments.

White Settlement has seen substantial growth in new Retail, Commercial and Single Family Developments in recent years, but it remains behind in the development of new rental multi-family communities.

I am told that application #11205 received all of the qualified points that were available in the 2011 QAP but remains noncompetitive as a result of its inability to qualify for the points that are available to competing larger cities within Region 3 (Dallas and Fort Worth). In addition, last year's Forward Commitment has reduced the eligible Tax Credits that are now available for Region 3.

We hereby request that the TDHCA Board grant an award to Application #11205 or assist our city by granting a Forward Commitment so that we can provide the much needed affordable rental housing to White Settlement.

Sincerely,

Esther F. Sims

President

White Settlement Area Chamber of Commerce

#11205

# Kiwanis

Texas Oklahoma District

West Side Kiwanis Club  
Post Office Box 123401  
Fort Worth, Texas, 76121

July 21, 2011

Mr. C. Kent Conine  
Chairman  
Texas Department of Housing and Community Affairs  
221 E. 11<sup>th</sup> Street  
Austin, Texas 78701

Re: Hawk Ridge Apartments  
White Settlement, Texas (Region 3)  
TDHCA #11205

Dear Chairman Conine,

Please let the record show this letter as representing our strong support for the proposed Hawk Ridge Apartments (TDHCA #11205) to be located in White Settlement, Texas. The City of White Settlement desperately needs NEW affordable rental housing. The city's current stock of apartments consists of old rental properties that do not offer modern conveniences, energy efficiency and amenities that Hawk Ridge Apartments will have to offer.

White Settlement has seen a consistent growth in NEW Retail, Commercial and Single Family Developments in recent years. Our community remains behind in the development of New Apartments, in which we are seriously in need of.

We are aware that application #11205 received all of the qualified points that were available in the 2011 QAP but remains noncompetitive as a result of its inability to qualify for the points that are available to competing larger cities within Region 3 (Dallas and Fort Worth). In addition, last year's Forward Commitment has reduced the eligible Tax Credits that are now available for Region 3.

We hereby request that the TDHCA Board grant an award Application #11205 or assist our city by granting a Forward Commitment so that we can provide the much needed affordable rental housing to White Settlement.

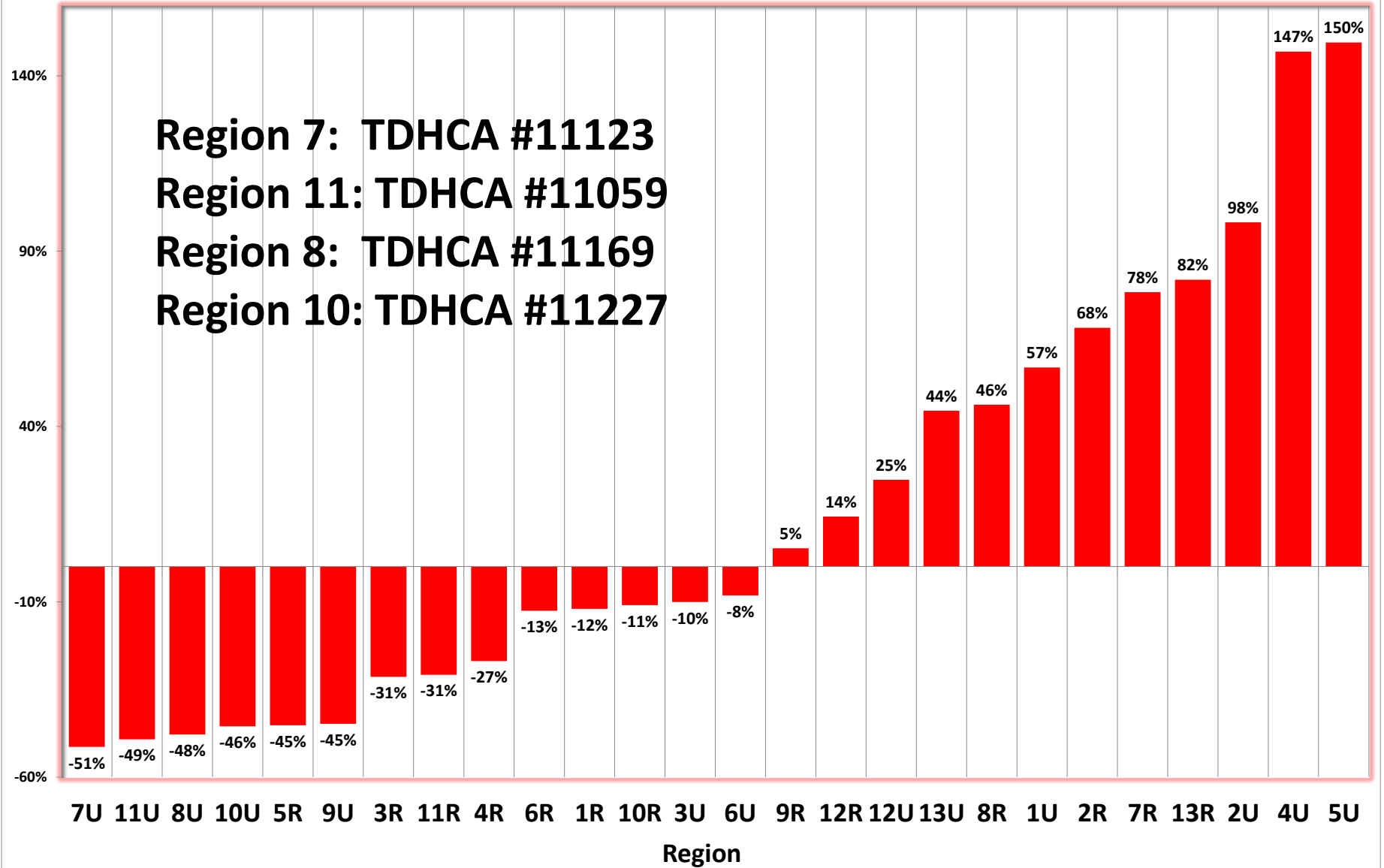
Sincerely,



Becca Chenevert  
President  
West Side Kiwanis



# 2011 Regional Award Over/Under Funded Analysis



REGION 6 TDHCA # 11167 Monarch at Bay Prairie Bay City

September 26, 2011

Mr. J. Paul Oxer, Chair  
Ms. Leslie Bingham Escareno  
Mr. Lowell A. King

Mr. Tom H. Gann, Vice-Chair  
Mr. C. Kent Conine  
Dr. Juan Sanchez Munoz

Texas Department of Housing and Community Affairs  
221 E. 11th Street  
Austin, TX 78701-2410

Re: Request of 2012 Forward Commitment  
Tax Credit Program  
TDCHA # 11167 - The Monarch at Bay Prairie  
Bay City, Matagorda County, Texas

Dear Chairperson Oxer and Members of the Board of Directors:

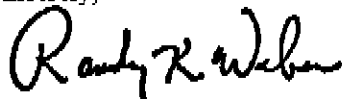
Unfortunately, I will not be able to attend the TDHCA Board of Directors' meeting on October 4, 2011. However, I would like to voice my strong **SUPPORT** for a Forward Commitment of Tax Credits for Application #11167 - The Monarch at Bay Prairie Apartments in Bay City, Matagorda County, Texas.

The Monarch at Bay Prairie Apartments, an 80-unit senior development, would fill a void for the need of safe, decent and affordable independent living for our senior population in Bay City and throughout the County. The site is ideally located, as it is within walking distance to many amenities that seniors would access. The site is adjacent to a single family residential neighborhood and sits across the street from the Legacy Assisted Independent Living Center. This proposed development has broad support from the Bay City Council, the Neighborhood Association and the County. In addition, the Ownership Entity and Developer have a strong and successful track record in the development of senior housing.

The proposed development would also bring much needed economic development and jobs to this rural area of Texas. The Monarch at Bay Prairie is just a first step to the proposed three-phased redevelopment and economic growth in this part of the city.

Thank you for the opportunity to show my strong support of a Forward Commitment of Tax Credits for the Monarch at Bay Prairie. I, and my office, stand ready to assist in any way possible. Should you need anything further please feel free to contact me or my Chief of Staff, Chara McMichael.

Sincerely,



State Representative Randy Weber  
District 29

**Region 10**

**Project #11166**

**The Palms at Leopard**





U.S. Department of Housing and Urban Development  
San Antonio Field Office, Region VI  
Office of Housing, Multifamily Program Center  
One Alamo Center  
106 South St. Mary's Street, Suite 405  
San Antonio, Texas 78205-3601  
Phone (210) 475-6831 FAX (210) 472-6897  
[www.hud.gov](http://www.hud.gov) [www.espanol.hud.gov](http://www.espanol.hud.gov)

July 19, 2011

Gilbert M. Piette  
Executive Director  
Housing and Community Services,  
Inc./HCS 311, LLC  
8610 North New Braunfels, Suite 500  
San Antonio, TX 78217

Dear Mr. Piette:

SUBJECT: Project No. 115-35377  
North Side Manor Apartments  
Corpus Christi, Texas

This letter serves to address some issues you raised regarding the pending application on the subject property under Section 318/Section 215 Transfer of Section 8 and Other Subsidy.

It is our position that the applicant's simultaneous pursuit of tax credit financing under the Low Income Housing Tax Credit Program (LIHTC) is compatible with your application to transfer project-based assistance, project debt and use restrictions from North Side Manor Apartments to Palms at Leopard. In fact, given the distressed physical condition of this forty-two year old property, it would be advantageous for the long-term viability of the property and its residents to accomplish this simultaneous transfer.

Since this concept is in keeping with the guidelines promulgated by HUD in furthering attractive and viable assisted housing communities, we are supportive of your efforts.

If you have any questions, please contact Helen L. Ona, Senior Project Manager, at (210) 475-6800 x 2258.

Sincerely,

A handwritten signature in cursive script, appearing to read "Priscilla J. Rocha".

Priscilla J. Rocha  
Supervisory Project Manager  
Multifamily Program Center

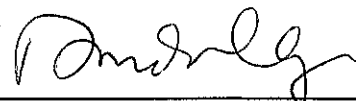
CERTIFICATE

THE STATE OF TEXAS §

COUNTY OF NUECES §

I, the undersigned City Secretary of the City of Corpus Christi, Texas, so certify that the following is a true and correct copy of Resolution No. 029183 passed and approved by Corpus Christi City Council on August 30, 2011 as same appears in the Official Records of the City of Corpus Christi, Texas, of which the City Secretary's Office is the lawful custodian.

WITNESSETH MY HAND and the Official Seal of the City of Corpus Christi, Texas, this 1st day of September, 2011



Armando Chapa  
City Secretary  
Corpus Christi, Texas

(SEAL)

**RESOLUTION**

**DECLARING THE CITY OF CORPUS CHRISTI'S STRONG SUPPORT FOR A  
CARRY FORWARD DESIGNATION FOR THE PALMS AT LEOPARD STREET**

**WHEREAS**, The Palms at Leopard Street, Ltd. has submitted an application to the Texas Department of Housing and Community Affairs (TDHCA) for 2011 Housing Tax Credit Funds, which is a compelling, high impact community development for affordable rental housing on a tract of land on Palm Avenue between Lipan Street and Leopard Street named "*The Palms at Leopard Street*" in the City of Corpus Christi, Texas; and,

**WHEREAS**, The City of Corpus Christi unanimously adopted a resolution on February 22, 2011 formally expressing support, committing HOME funds, for the development of *The Palms at Leopard Street* as its first and sole priority application in the Regional 10-Urban area designated by the State of Texas that includes the City.

**WHEREAS**, The City of Corpus Christi recognizes the many compelling attributes connected with the development of *The Palms at Leopard Street*, including support from the US Housing and Urban Development (HUD) to replace a marginal and obsolete property to an attractive new location, preservation of Section 8 subsidies which could be lost, strong resident and CCISD support, as well as bringing much needed reinvestment to a major Urban Core area of the City marked by a medium and high density residential and commercial uses;

**WHEREAS**, the TDHCA Board has, at its sole discretion, the authority to issue "Forward Commitments" based on a variety of project criteria, including the timing and uniqueness of *The Palms at Leopard Street* project and the strength of local community support.

**NOW THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE  
CITY OF CORPUS CHRISTI, TEXAS THAT:**

**Section 1.** The City of Corpus Christi reiterates its first priority support for a "Forward Commitment" to address the critical needs and time sensitivity associated with any delay in development of *The Palms at Leopard Street* in the Regional 10-Urban area designated by the State of Texas that includes the City. Copies of this resolution will be sent to the TDHCA Board and members of the Coastal Bend State Delegation.

DULY adopted at a regular meeting of the City Council of the City on the 30 day of Aug., 2011.

**ATTEST:**

**CITY OF CORPUS CHRISTI**

By: 

Armando Chapa  
City Secretary

By: 

Joe Adame, Mayor

APPROVED AS TO LEGAL FORM:

AUG 25, 2011, 2011

By: *Carlos Valdez*  
Carlos Valdez, City Attorney

029183

Corpus Christi, Texas

30 of August, 2011

The above resolution was passed by the following vote:

Joe Adame aye

Chris N. Adler aye

Larry Elizondo, Sr. aye

Kevin Kieschnick aye

Priscilla G. Leal aye

David Loeb aye

John E. Marez aye

Nelda Martinez aye

Mark Scott aye

# The Palms at Leopard

*“A Vision for a Promising Future”*

## Population served:

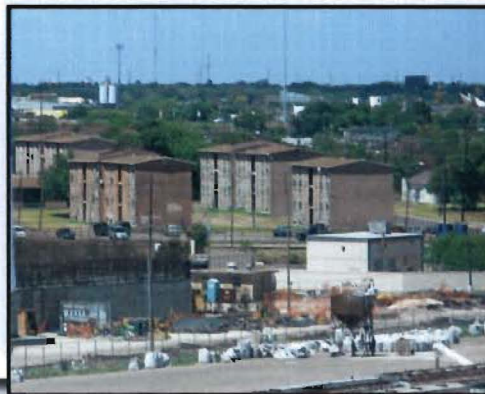
- *58% - School age children below age 17.*
  - *43% of the above are below the age of 12.*
  - *97% - Extremely low to very low income.*
  - *84% - Household Income of less than \$10K / year.*
  - *89% - Female head of household.*
  - *39% - African American head of household.*
  - *27% - Hispanic American head of household.*
  - *13% - Disabled household members.*
- (Total residents - 263)*

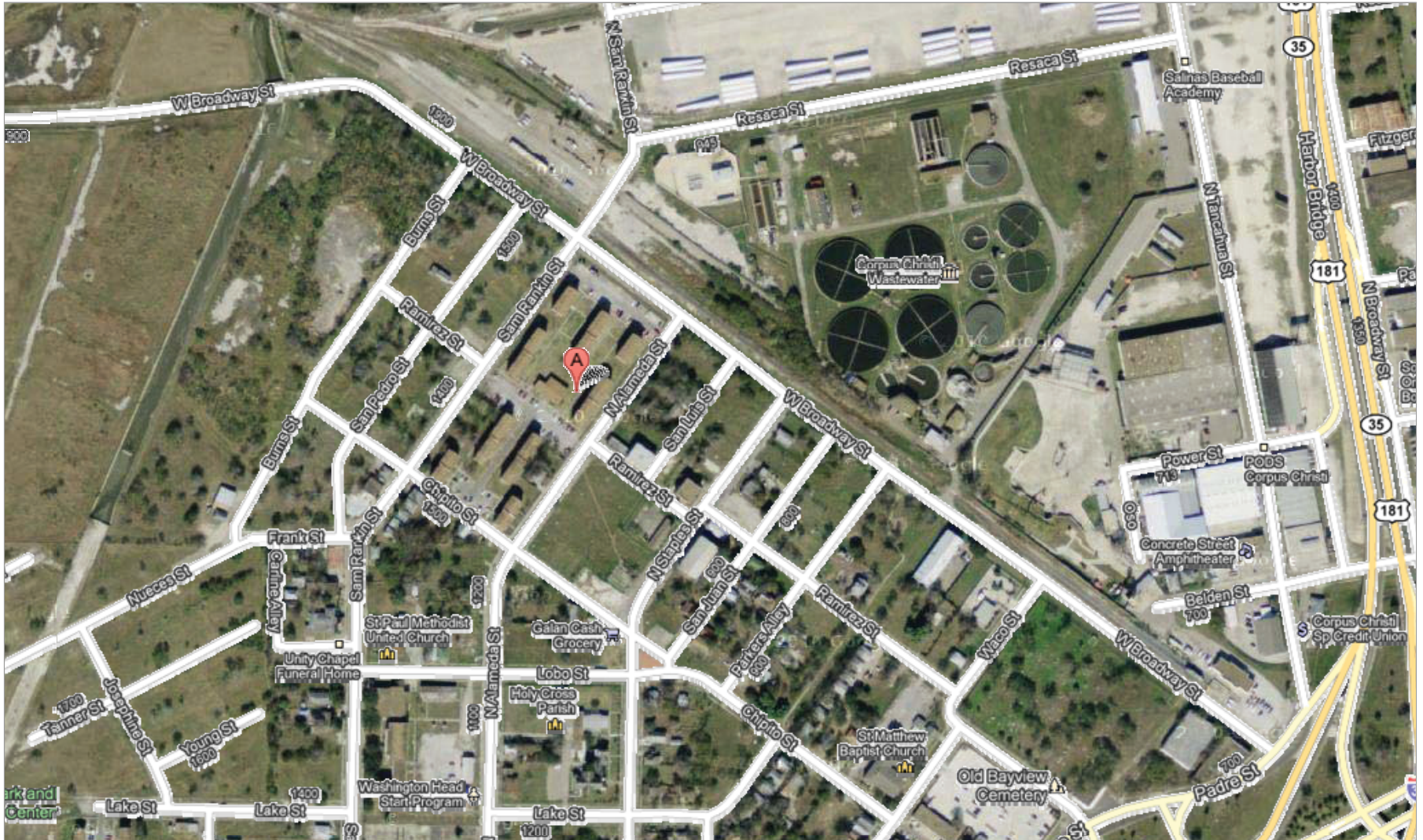


# The Palms at Leopard

*“A Vision for a Promising Future”*

- **A TDHCA tax credit award ... a rare opportunity to accomplish so much for a disadvantaged community.**
- *A modern affordable housing community in a safe, decent neighborhood while eliminating an obsolete low income project.*







**REGION 6**  
**TDHCA APPLICATION #11150**  
**NEW HOPE HOUSING AT RITTENHOUSE**

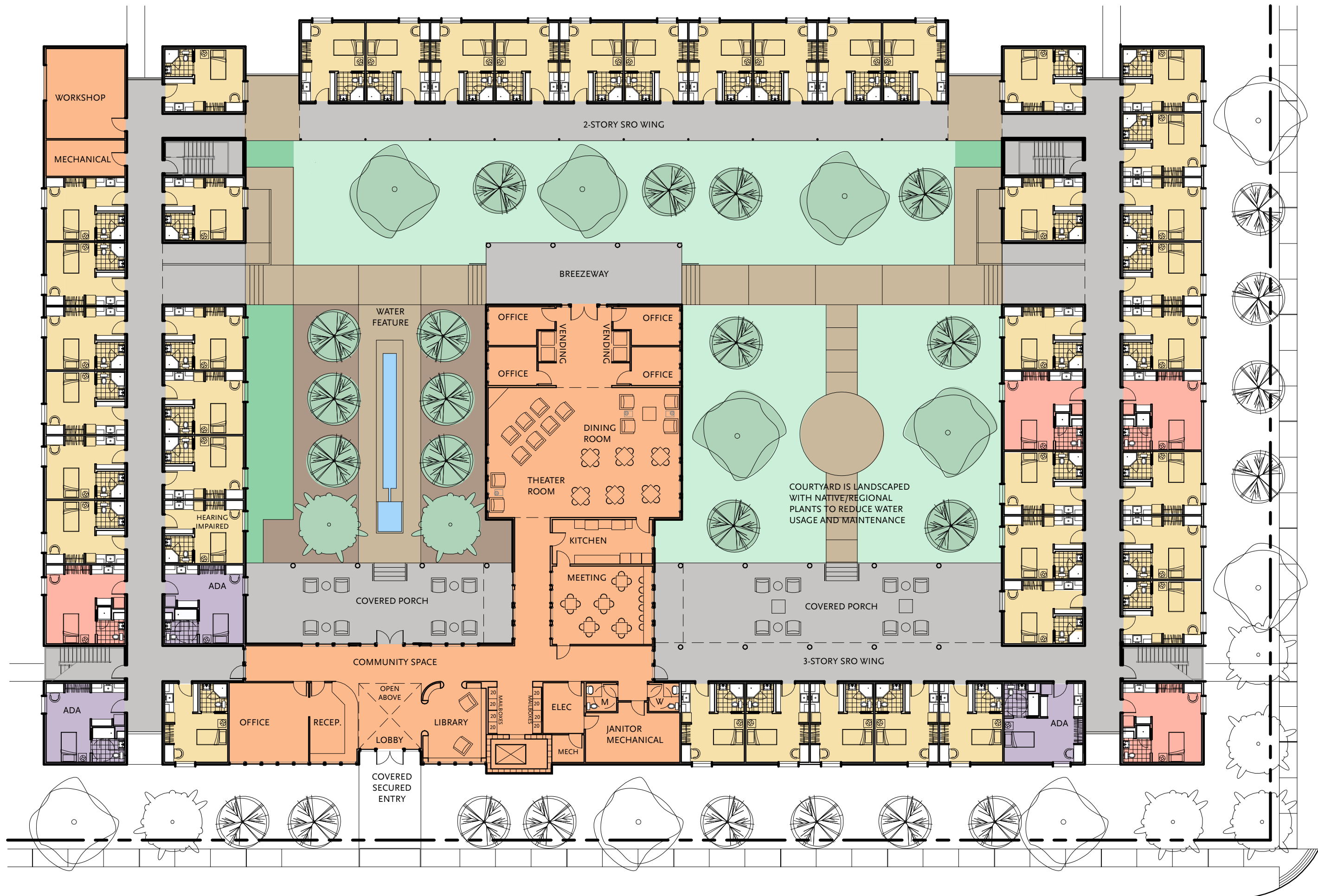
**NEW HOPE HOUSING, INC.**

**Developing and Operating**  
**Single Room Occupancy Housing Communities**





**TDHCA #11150 Rittenhouse, 160 LEED certified SRO units**



## New Hope Housing Property Statistics

State's Leading Provider of SRO Housing with 634 Units

As of August 31, 2011

**Group** Total/Avg.

<b>AVERAGE LENGTH OF STAY</b>	Total Units	634
	Average Length of Stay	23 mos.
<b>GENDER</b>	Male	71%
	Female	29%
<b>ETHNICITY</b>	African American	56%
	Caucasian	37%
	Hispanic	6%
	Asian	1%
<b>AGE</b>	18-29	6%
	30-45	20%
	46-65	68%
	66 and Older	6%
<b>INCOME</b>  30% AMI = \$13,680 40% AMI = \$18,480 50% AMI = \$23,100 60% AMI = \$27,720 80% AMI = \$36,960	\$0 - \$13,680	72%
	\$13,681 - \$18,480	13%
	\$18,481 - \$23,100	8%
	\$23,101 - \$27,720	4%
	\$27,720 +	3%
	Average Income	\$11,162
<b>INCOME SOURCES</b>	Employed	27%
	Pension (SS, SSD, SSI, VA)	56%
	Sponsored (Service Agency, Section 8, etc.)	17%
<b>SPECIAL INTEREST</b>	Veterans	11%
	Disabled	65%
	Vehicle Owners	12%



**4415 Perry, 160 LEED certified SRO units, under construction**

**2010 LIHTC**



**2424 Sakowitz, first LEED certified affordable housing in State of Texas - Platinum**

**2008 LIHTC – Houston Business Journal Landmark Award Green Building**



**Brays Crossing, ULI Americas Award for Excellence & ULI-Houston Development of Distinction 2010**  
**2007 LIHTC – Builder’s Choice national award winner**  
**Two Houston Business Journal Landmark Awards**



**Canal Street Apartments, TDHCA HOME Funds**

**ULI-Houston Development of Distinction 2008**





3333 Lee Parkway, Tenth Floor  
Dallas, Texas 75219  
Telephone 214.780.1400  
Facsimile 214.780.1401  
www.shacklaw.net

**John C. Shackelford**  
Also Admitted in Florida and  
Georgia  
Direct 214.780.1414  
jshack@shacklaw.net

September 28, 2011

**VIA E-MAIL**

Mr. Tim Irvine  
Executive Director  
Texas Department of Housing and Community Affairs  
221 East 11<sup>th</sup> Street  
Austin, Texas 78701

Re: Application #11139, Champion Homes at Copperridge (the "Development");  
Our File No.: 50678.1

Dear Mr. Irvine:

This law firm represents Chicory Court IX, LP ("Owner"), and I am writing this letter to be submitted to the Board for consideration at the October 4, 2011 Board Meeting at which Owner will request a forward commitment for the above Development.

This letter is being sent in anticipation of the Department's staff taking the position at the October Board meeting that the request by Owner for a forward commitment is ineligible due to 2011 cap issues. The primary basis for the request is based on (i) the Board's authority to use its discretion (granted to it by Section 49.16 of the QAP) to waive the rule in the QAP that provides that tax credits allocated pursuant to a forward commitment granted this year be applied toward such applicant's 2011 cap; and (ii) precedents set by the Board in both the 2009 and 2010 application cycles, in which Mr. Jafar through affiliate entities (collectively, "Odyssey") was granted a forward commitment which applied the tax credits to the following year's \$2M cap pursuant to the Board's discretionary authority under Section 49.16 of the QAP. Knowing that, Owner's application for the above Development specifically noted at the time of filing that it requested to be given a forward commitment at the discretion of the Board. Owner is merely asking for the Department to once again use its discretionary authority under Section 49.16 of the QAP and afford the Development the same opportunity for consideration for a forward commitment with the tax credits applied to next year's cap on the same basis as in the two prior application cycles.

Section 49.16 of the QAP allows the Board the discretion to deviate from the language in the QAP, specifically, "*The Board, in its discretion, may waive any one or more of the rules provided herein if the Board finds that a waiver is appropriate to fulfill the purposes or policies of Chapter 2306, Texas Government Code, or for other good cause, as determined by the Board*". Odyssey was already granted tax credits (by forward commitment) that were applied to the 2011 cap for the project known as Champion Homes at Canyon Creek described below.

Therefore, I understand that to apply an additional \$2,000,000 tax credits requested by Owner for the above Development would ordinarily cause Owner to exceed the 2011 cap. However, the Board has the discretionary authority under Section 49.16 of the QAP to grant a forward commitment to Owner and have such tax credits apply against Owner's cap for 2012.

Owner and I realize that we are asking for a special dispensation. I'm compelled to remind the Board that this issue first arose due to Odyssey being over the cap in 2009 and having an application for a project in Galveston which the Board wanted to approve for political reasons. The Governor had made it clear that housing in Galveston was an important priority following Hurricane Ike. The application was granted a forward commitment and the deal proceeded successfully with over 200 rehabbed and upgraded units being made available to the highly-restrictive Galveston community (namely, the Baywalk Apartments project). Odyssey provided a solution to the housing shortage in Galveston by addressing the Governor's concerns with respect to the Secretary of HUD's mandate. The Board may not be aware that a local, strong, well-organized upscale homeowner group located adjacent to the project that Odyssey sought a forward commitment, having learned of Odyssey's application, threatened to sue Odyssey because Odyssey did not intend to rehab another property (which later became known as Marina Landing) that had been ravaged by Hurricane Ike (and now lay vandalized and completely vacant). Indeed, the City of Galveston further threatened to take action against the owner unless this property was also rehabbed and put back into service (the Marina Landing project). It is critical to note that Odyssey had neither contemplated nor applied for nor was pursuing the development of the Marina Landing project. However, in order to be of service to the Board and the Governor, Odyssey agreed to pursue the Marina Landing project and help in meeting the Secretary of HUD's requirements.

Since Odyssey again hit the cap last year due to the Galveston projects counting against the 2010 cap, Odyssey had to avail itself of the Board's discretion to obtain any credits. The Board was gracious to accommodate Odyssey and it approved a forward of 2011 tax credits to the project known as Canyon Creek at Champion Homes in Brownsville on the condition that the tax credits would be applied against the \$2M cap for 2011. Champion Homes at Canyon Creek closed in September and construction is in progress. The point is that Owner has shown that it closes the deals it is privileged to obtain and its developments are of high quality.

Unfortunately, Owner finds itself in the same position as the prior two years. It does not want to be in this position. Odyssey has certainly not done anything beyond both the letter and spirit of what is appropriate under the QAP. Owner is merely seeking the same opportunity this year as afforded to it in the prior two years. It is my opinion that this request for a forward commitment should be reviewed and considered consistent with the prior discretionary action of the Board so that the credits be applied to the 2012 cap.

It is also important to note that Region 3 has virtually no credits available in the urban set aside from the 2011 state credit ceiling due to the number of forward commitments awarded by the Board last year. I submit that it is evident to all who are veterans of the Texas tax credit program that for projects in Region 3 to be funded it will have to be done so through forward commitments out of the 2012 state credit ceiling. The Board may recall that this has occurred

Mr. Tim Irvine  
September 28, 2011  
Page 3

before in regions in which Austin and San Antonio are located where there were virtually no credits available, but people applied nevertheless in those regions with only the mere hope of being given a forward commitment out of the following year's credit ceiling. It is our position that the Department and the Board will do as it always does and act in the best interest of the citizens of Texas by allocating credits to worthy developments throughout the state and will do so in Region 3 this year with forward commitments.

We understand the Department's and the Board's position that every applicant genuinely believes that its project merits an allocation. With that being said, realistically, we know that some projects are more worthy than others due to the need in the area, the location of the proposed development and a myriad of other attendant circumstances related to the development. With respect to this Development, it is a unique transit oriented development ("TOD") in an exceptional location near UT Southwestern Medical Center and it is a mixed income project, with 50% of the units being "affordable" and 50% of the units being "market rate." We certainly understand the competitive nature of the application process as Mr. Jafar has been involved in the affordable housing tax credit industry for nearly two decades, so it is from an experienced perspective of knowing that only the most worthy projects will be allocated tax credits through forward commitments out of the 2012 state credit ceiling that Owner sincerely thinks the Development merits consideration by the Board.

On behalf of Owner, I respectfully request and seek the Board's discretion in developing and fulfilling both the TDHCA's and its own mission in providing high quality affordable housing to Texas residents and that the Board, based on its discretionary authority under Section 49.16 of the QAP, grant the forward commitment with the tax credits applied to the 2012 cap.

Thank you for your consideration.

Very truly yours,



John C. Shackelford, Esq.

cc: Tom Gouris (via e-mail)  
Cameron Dorsey (via e-mail)  
Raquel Morales (via e-mail)  
Jeff Pender (via e-mail)  
Saleem Jafar (via e-mail)  
Bill Fisher (via e-mail)



# GENOA RANCH, TDHCA #11137

## Hettig/Kahn Development

Single-Family Development

---



**Gated Entries/Exits**



**Leasing Centers and Clubrooms**



**Four Bedroom Home**



**Single Family Rental Homes**



For a complete list of all developments and managed communities, please visit our website at [www.hettigmanagement.com](http://www.hettigmanagement.com) or call 713.871.0063 for more information.



## AMENITIES



**BBQ Areas**



**Playgrounds**



**Bus Depot**



**Sparkling Beach Pools**



# Certificate of Special Congressional Recognition

Presented to

## South Acres Ranch Homes

*In Celebration of the Grand Opening of South Acres Ranch Homes.*

November 4, 2010

Al Green, Member of Congress

### LANDMARK AWARDS

## JUDGES' SPECIAL RECOGNITION AWARD

### South Acres Ranch

11409 Scott St.  
Houston, Texas 77047

An affordable housing development in south Houston, South Acres Ranch is the result of a strategic partnership between Capital One Bank and Hettig/Kahn Development Corp.

The \$30 million complex of 81 rental units was completed in November 2010. To honor the neighborhood's hometown heroes, Hettig/Kahn named several of the streets after citizens who made a positive difference within their communities, such as Sunnyside resident Bessie Swindle, who has long promoted economic and residential development in the area.

U.S. Rep. Al Green presented a Certificate of Special Congressional Recognition to the South Acres Ranch community in honor of the property's grand opening and dedicated a flag that flew over the U.S. Capitol at the grand opening ceremony — the only time that such a distinction has been presented to an affordable housing development.

In an area devastated in 2008 by Hurricane Ike, the development of South Acres Ranch brought clean, affordable housing to low-income residents. Located on an 18-acre parcel along Scott Street, the project includes all of the amenities of a top-tier subdivision.

With more than 400 people on a waiting list, Phase 2 of the project is expected to be fully leased before its completion later this year.

#### DEALMAKERS

**DEVELOPER:** Hettig/Kahn Development Corp.

**LENDER/INVESTOR:** Capital One Bank of Texas

**SYNDICATOR:** Hudson Housing Capital LLC

**ARCHITECT:** JRM Architects Inc.

**ENGINEER:** Lin Engineering Ltd.

**LAW FIRM:** Locke Lord Bissell & Liddell LLP



PHOTO COURTESY OF HETTIG/KAHN DEVELOPMENT CORP.

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# HUDSON

## HOUSING CAPITAL

SAM GANESHAN  
MANAGING DIRECTOR

September 13, 2011

Board of Directors  
Texas Department of Housing and Community Affairs  
221 East 11<sup>th</sup> Street  
Austin, TX 78701

Ladies and Gentlemen:

The Hettig-Kahn development team is one of our top-tier, if not the top-top tier, developers in Texas with whom we have closed 12 developments to date. Hudson Housing Capital is tax credit syndicator with a very active presence in the Texas market since our founding in 1998. Hettig-Kahn's exceptional product has received an extremely strong response from the communities they serve, as illustrated by the various awards they have received including a **US Congressional Recognition Award**, the only known affordable housing development to have received this recognition, and a **Houston Business Journal Special Recognition Landmark Award**.

Their integrity and industry reputation is legendary within the investor community that we serve as a syndicator. Even in the challenging credit market of 2008, our investors were competing with strong pricing for the Hettig-Kahn transactions. Here are a few things we'd like you to know about Hettig-Kahn and their developments.

- Only Texas developer actively targeting larger families, particularly those living in congested conditions, with the new construction of four-bedroom single family homes for which shortages exist.
- Create award-winning, innovative, well-thought out, quality-constructed, safe, and desirable housing communities to last for the long term.
- Treat their developments as real estate with a long term hold objective.
- Use conservatively structured financing to assure long term financial feasibility.
- Performance of their single family properties has exceeded our expectations and consistently outperforms our Greater Houston portfolio.
- Help revitalize neighborhoods and the surrounding areas with its high-quality developments.
- Win over neighborhoods with their excellent product.
- Meet the housing needs of the community rather than constructing one and two bedroom units or senior units, which often encounter the least community opposition and are the most overbuilt transactions.
- Have a unique understanding of all facets of the business as developers, contractors, and long term property managers as supported by their 18 year successful performance in LIHTC industry.
- Contribute to the industry by participating actively at federal, state and local levels with recognition.
- Consistent advocate for the betterment of the industry and improvements to the program.
- Contribute to the communities in which they participate.

We offer our strongest support for Hettig-Kahn Companies and request that you issue a forward commitment of 2012 low-income housing tax credits for either Genoa Ranch or Tidwell Lakes Ranch. Please feel free to contact me if you have any questions.

Sincerely,



Sam Ganeshan



September 6, 2011

Board of Directors  
Texas Department of Housing and Community Affairs  
221 East 11th Street  
Austin, TX 78701

Re. Hettig/Kahn Holdings, Inc.

Ladies and Gentleman:

As an investor/lender in five Hettig/Kahn developments, Capital One Community Development Finance is totally supportive of Hettig/Kahn Holdings, Inc. as a top tier customer who has performed consistently at the highest levels. Hettig/Kahn is a highly-competent, creative, and well-managed affordable housing developer with a highly reputable and reliable development team. They excel and lead in all aspects of affordable housing development, property management, asset management, financing and construction. Hettig/Kahn provided Capital One with its first propriety transaction in Texas and exemplifies the kind of customer that we seek across the country.

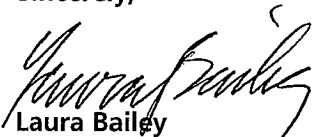
In our experience, the Hettig/Kahn team has completed their affordable housing communities on time and on budget. In addition, their rate of lease-up and occupancy are among the fastest and most consistent in the industry.

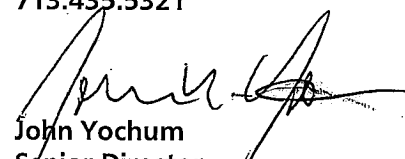
Besides excelling as developer/borrowers, they have also helped with process, program, and documentation improvement. Hettig/Kahn is uniquely talented and, as a result, Capital One has learned a great deal through its association with them. They are also helping us develop an innovative resident program called Social Purpose which provides long term capital from us to enhance existing resident programs such as financial literacy, IDA accounts, and English fluency.

We strongly recommend either Genoa Ranch or Tidwell Lakes Ranch for a forward commitment. Both of these Houston neighborhoods desperately need affordable housing and would greatly benefit from a Hettig/Kahn single-family rental master-planned affordable community given the outstanding results of their prior developments.

Please call either of us if we can answer any questions, or provide additional information.

Sincerely,

  
Laura Bailey  
Managing Vice President  
713.435.5321

  
John Yochum  
Senior Director  
713.435.5324.



September 27, 2011

Mr. J. Paul Oxer, PE  
Chairman  
Texas Department of Housing and Community Affairs  
25 Baileys Place Court  
Sugar Land, TX 77479

Re: Grand Manor Apartments (TDHCA #11134)

Dear Mr. Chairman:

Please do not let the brevity of this letter reflect on how seriously our organization takes this project; as a result of instructions, and the understanding that there are many requests for forward commitments and limited time to spend, I will be brief. This at-risk, affordable Section 8 community will be converted into a market rate community at the expiration of the current HAP Contract Renewal in May of 2012 according to the seller, and many of the current residents of this project will have a hard time finding housing. While it is clear that the scope of improvements on this project will substantially rehabilitate this community, I wanted to talk about social services and how passionately we feel about this project. The best way to demonstrate how serious we are is to explain what commitments we have made, and are making on this project:

- HSI will utilize every dollar of its share of revenue generated out of the partnership for services to the residents of Grand Manor, including a full time social service coordinator as soon as the compliance period begins;
- HSI will put all of its share of revenue in a restricted account for this community and only this community;
- In addition to the \$30,000 labor expense of a full time social service coordinator and other money spent directly on services to this community, our director of programs and I will be focusing a good amount of attention and resources on this project as well, including \$25,000 to \$30,000 a year in resources funded out of our operational revenues from other projects within HSI's portfolio;
- We anticipate the amount of in-kind services and goods we receive to be at least \$20,000 in the first year, and could be substantially higher;
- The total cost of goods and services spent on this community will be upwards of \$75,000 in the first year.

In my experience, especially working in depressed areas such as West Dallas, working with single mothers in these kinds of acute socio-economic conditions is very tough sledding, a significant portion of the residents in Grand Manor are single mothers from 19 to 23. As experience has taught me, most of their lives have been bleak to put it mildly. Many of the stories I can recount about people I care about and that I have had significant interaction with from these kinds of acute socio-economic conditions are horrific. It is our hope that residents at Grand Manor will work with and interact with our organization and others, it will take time to develop the kinds of



relationships and give them support for long enough so that they start taking demonstrable steps of their own. This project gives us the highest probability to effect change. Why? We will be there with them over time, and time is what is required. I promise that our organization, Sabine Geiser, our Director of Programs, and I in particular will focus on this community and deliver on everything committed to above. Due to the belief I needed to be brief, I did not get into any specific details about services. We would be thrilled to answer any follow up questions on specific programs and services we plan to implement.

While we understand it is not the responsibility of TDHCA to protect every person in Texas facing limited housing options, we believe a forward commitment for Grand Manor does make sense and is a good use of our states, and specifically this agency's, resources.

Sincerely,



Lee Anderson  
Executive Director - Director of Affordable Housing

Sent with copy to: Mr. Tom H. Gann  
Ms. Leslie Bingham Escareno  
Mr. C. Kent Conine  
Mr. Lowell A. Keig  
Dr. Juan Sanchez Munoz

**HOUSING SERVICES INCORPORATED**

1160 GALICIA  
DALLAS, TX 75217

PHONE: 214.329.4890  
FAX: 214.584.9188

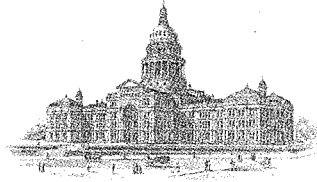
[hsidevelopment.org](http://hsidevelopment.org)



# The Senate of The State of Texas

**CAPITOL OFFICE:**

P.O. Box 12068  
Austin, Texas 78711  
(512) 463-0102  
Fax: (512) 463-7202  
Dial 711 For Relay Calls



**ROBERT F. DEUELL, M.D.**  
TEXAS SENATE DISTRICT 2

**DISTRICT OFFICES:**

18601 LBJ Freeway, Suite 400  
Mesquite, Texas 75150  
(972) 279-1800  
Fax: (972) 279-1065

2500 Stonewall St., Suite 805  
Greenville, Texas 75401  
(903) 450-9797  
Fax: (903) 450-9796

February 17, 2011

Texas Department of Housing and Community Affairs  
P.O. Box 13941  
Austin, TX 78711

**RE: Grand Manor Apartments/ Notification of Development**

To whom it may concern:

I am writing to extend my support for Grand Manor Apartments, located at 2700 North Grand Avenue, Tyler, TX 75702. I understand Grand Manor Apartments will be considered for 9% low income tax credits from the Texas Department of Housing and Community Affairs in March 2011.

It is my understanding that the proposed two-story development will consist of 120 units that will be acquired and rehabilitated for individuals and families in the City of Tyler.

I believe this location represents an exciting opportunity to meet the needs of low income citizens in the City of Tyler, while at the same time adding to the unique character of the neighborhood.

I fully support Tyler Leased Housing Associates I, Limited Partnership in its efforts to see the successful rehabilitation of this development.

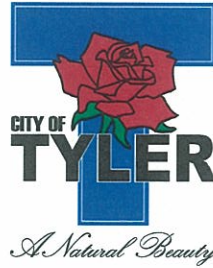
Please feel free to contact me if you have any questions.

Sincerely,

A handwritten signature in black ink that reads "Bob Deuell".

Robert F. Deuell, M.D.  
State Senate, District Two

Barbara R. Bass  
Mayor



The City of Tyler  
Office of the Mayor  
P.O. Box 2039  
Tyler, Texas 75710-2039

Phone: (903) 531-1250  
Fax: (903) 531-1166  
[www.cityoftyler.org](http://www.cityoftyler.org)

*February 4, 2011*

*Texas Department of Housing and Community Affairs  
P.O. Box 13941  
Austin, TX 78711*

*RE: Grand Manor Apartments/ Notification of Development*

*To whom it may concern:*

*I am writing to extend my support for Grand Manor Apartments, located at 2700 N. Grand Ave., Tyler, TX 75702. I understand that Grand Manor Apartments will be considered for 9 percent low income tax credit from the Texas Department of Housing and Community Affairs in March 2011.*

*It is my understanding that the proposed two-story development will consist of 120 units and will be acquired and rehabilitated for individuals and families in the City of Tyler.*

*I believe this location represents an exciting opportunity to meet the needs of low income citizens in the City of Tyler, while at the same time adding to the unique character of the neighborhood.*

*I fully support Tyler Leased Housing Associates I, Limited Partnership in its efforts to see the successful rehabilitation of this development.*

*Please feel free to contact me if you have any questions.*

*Sincerely,*

A handwritten signature in blue ink that reads "Barbara R. Bass". The signature is fluid and cursive, with the first letters of each word being capitalized and prominent.

*Barbara R. Bass  
Mayor  
City of Tyler*



Area Chamber  
of Commerce

February 17, 2011

315 North Broadway

Tyler, Texas 75702

903.592.1661

Fax 903.593.2746

<http://www.tylertexas.com>

Texas Department of Housing and Community Affairs  
P.O. Box 13941  
Austin, TX 78711

**RE: Grand Manor Apartments – Letter of Support**

To whom it may concern:

The Tyler Area Chamber of Commerce would like to express our support for the development of Grand Manor Apartments located at 2700 North Grand Avenue, Tyler, TX 75702. We are of the understanding, and fully support, that Tyler Leased Housing Associates I, Limited Partnership will renovate and rehabilitate this project in the near future. We believe that the quality of the proposed development will be a benefit to our city.

Sincerely,

A handwritten signature in black ink, appearing to read "Thomas G. Mullins".

Thomas G. Mullins, CEcD  
President / CEO

TGM:pg



Tyler Economic Development Council, Inc.  
P.O. Box 2004  
Tyler, TX 75710  
(903) 593-2004  
FAX: (903) 597-0699  
[www.tedc.org](http://www.tedc.org)

February 19, 2011

Texas Department of Housing and Community Affairs  
P.O. Box 13941  
Austin, TX 78711

**RE: Grand Manor Apartments – Letter of Support**

To whom it may concern:

The Tyler Economic Development Council, Inc., would like to express our support for the development of Grand Manor Apartments located at 2700 North Grand Avenue, Tyler, TX 75702. We are of the understanding, and fully support, that Tyler Leased Housing Associates I, Limited Partnership will renovate and rehabilitate this project in the near future. We believe that the quality of the proposed development will be a benefit to our city.

Sincerely,

Tyler Economic Development Council, Inc.

Thomas G. Mullins, CEcD  
President/CEO



February 24, 2010

Lee Anderson  
Executive Director  
Housing Services Incorporated  
P.O. Box 852787  
Richardson, TX 75085

Re: Grand Manor  
2700 North Grand Avenue  
Tyler, Texas 75702  
Family Section 8 housing

Dear Mr. Anderson,  
Workforce Solutions East Texas –Tyler Center would like to express our support for the development of the Grand Manor of Tyler, which we understand Housing Services Incorporated will renovate and rehabilitate in the near future.

After reviewing the plans for the new housing units, we believe the quality development proposed will be a great benefit to our community and our city.

Sincerely,

A handwritten signature in black ink, appearing to be "Sandra W. Taylor", written over a horizontal line.

Sandra W. Taylor  
Workforce Center System Director

# REGION 3 – TDHCA #11127 – 1400 BELLEVIEW FORWARD COMMITMENT REQUEST



## **WHY A FORWARD COMMITMENT NOW?**

**1400 BELLEVIEW IS THE RIGHT PROJECT AT THE RIGHT TIME TO ENSURE THE CONTINUATION OF THE REVITALIZATION PLAN INITIATED BY CITY COUNCIL IN 1992 FOR THIS DOWNTOWN DALLAS NEIGHBORHOOD. AS A SHOW OF SUPPORT, THE DALLAS CITY COUNCIL AUTHORIZED ON JUNE 22, 2011, \$1.65M FOR 1400 BELLEVIEW AND EXTENDED THE LIFE OF THE TIF TO INCENTIVISE AN ADDITIONAL \$175M OF PRIVATE DEVELOPED MIXED-USE/MIXED-INCOME PROJECTS. (SEE ATTACHED AERIAL FOR LARGE PROJECTS COMPLETED/UNDERWAY INCLUDING 1400 BELLEVIEW SITE)**

**LOCATION: DOWNTOWN DALLAS NEIGHBORHOOD – THE CEDARS; WALK TO MAIN STREET IN DOWNTOWN DALLAS; 1400 BELLEVIEW WILL BE ONLY HTC PROJECT OFFERING 1, 2, AND 3 BEDROOM UNITS SERVING DOWNTOWN; 800 NEW JOBS BEING CREATED AT NEW OMNI CONVENTION CENTER HOTEL.**

**TRANSIT ORIENTED DISTRICT: 900 FEET FROM DART COMMUTER LIGHT RAIL STATION; NEXT STOP IS THE DALLAS CONVENTION CENTER WHICH IS LESS THAN A 2 MINUTE RIDE.**

**PROJECT READINESS: ENVIROMENTALLY CLEAN; ZONING IN PLACE; CITY APPROVED FUNDS IMMEDIATELY AVAILABLE.**

**CEDARS NEIGHBORHOOD ASSOCIATION SAID YES TO 1400 BELLEVIEW. CNA REJECTED TWO PREVIOUS APPLICATIONS BUT OVERWHELMINGLY SUPPORTED 1400 BELLEVIEW.**

**ELEMENTARY SCHOOL RANKS “RECOGNIZED” JULY 2011– CITY PARK ELEMENTARY**

**AFFORDABLE HOUSING NEEDED HERE: NO OTHER HOUSING TAX CREDIT PROJECT IN CENSUS TRACT AND IN THIS DOWNTOWN DALLAS NEIGHBORHOOD.**

## **DEVELOPMENT TEAM HAS EXPERIENCE AND FINANCIAL STRENGTH:**

- JACK MATTHEWS, PRESIDENT OF MATTHEWS SOUTHWEST (MSW) HAS OVER 35 YEARS OF MARKET RATE MULTIFAMILY HOUSING AND COMMERCIAL DEVELOPMENT EXPERIENCE; CURRENTLY CITY OF DALLAS DEVELOPER FOR NEW OMNI CONVENTION CENTER HOTEL;
- CASA LINDA DEVELOPMENT CORPORATION – TEXAS HUB; HTC DEVELOPER CERTIFICATION
- PRELIMINARY DISCUSSIONS WITH EQUITY AND DEBT PARTNERS INCLUDING HUD INDICATE NO ISSUES.

**NEXT STEP: AWARD OF FORWARD COMMITMENT**



Region 3 - TDHCA #11127 - 1400 Bellevue

Omni Dallas



Dallas Heritage Village



MSW

Convention Center Dart Station

1400 Bellevue

Union Lot

MSW

MSW



Dallas Music Complex

MSW

DART Cedars Station



Beat Condos

Gilley's/Palladium

Cedars Social

Mix Master

MSW

NYLO

DPHQ



South Side on Lamar



DCCCD HQ



1300 Corinth

MSW = Holdings by Matthews Southwest



September 28, 2011

TDHCA Board Members  
221 East 11<sup>th</sup> Street  
Austin, TX 78701

RE: **Allegre Point, Austin, Travis County, Texas (Region 7 Urban);  
TDHCA File No: 11123  
Request for Forward Commitment.**

Dear TDHCA Board Members:

I am writing to request a forward commitment for Allegre Point, a proposed 184-unit **family** development proposed to be built at I-35 and Fleischer Road in Austin's ETJ (Wells Branch area). Allegre Point is the highest-scoring application in Region 7 that did not receive funding. Region 7 received two awards – a senior development in Kyle, Texas (Urban) and a senior development in Taylor, Texas (Rural). As a result of the regional collapse, Region 7 did not have sufficient credits available for any family project whatsoever.

Enclosed is an analysis of the Urban and Rural subregion allocations and the awards actually made. Please note that Region 7 with a \$1,979,019 Urban allocation only received a single \$962,282 award for the Urban subregion – providing the subregion with only 49% of its allocation as determined under the Regional Allocation Formula. When you compare this information with that for the other subregions, it is clear that **Region 7 Urban, with 49% of its allocation awarded, is the most underfunded subregion in the State.** The circumstances of the scoring resulted in only one senior project being funded in the Urban subregion, and only one senior project being funded in the Rural subregion. The entirety of Region 7 will have no affordable family development in 2011, unless a forward commitment is granted to redress this inequity. There were no forward commitments granted to Region 7 last Fall, so it cannot be said that the Region is merely suffering from prior excess awards of tax credits. In fact, there has not been a conventional 9% new construction family project awarded in Austin since 2004.

Allegre Point is the application most worthy of a forward commitment in Region 7:

- It is the highest-scoring project in the Region that did not receive funding (208 points).
- It provides some much-needed family units available across a wide spectrum of income levels, as follows:

18 units @ 30% AMGI

63 units @ 50% AMGI

99 units @ 60% AMGI

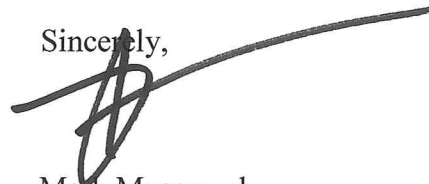
4 units @ market rate

- Full neighborhood support (24 points for Quantifiable Community Participation).
- Full local governmental support:
  - Travis County unanimous resolution of support including participation in a \$900,000 local political subdivision loan.
  - Both State Senator and State Representative support letters.

It is seldom that a 9% new construction family tax credit project is able to garner the community and governmental support that Allegre Point was able to obtain in Austin and the Austin ETJ.

We strongly urge you to consider the benefits of providing these additional family units to Region 7 which has been the subject of such devastating wild fires within the last few months.

Sincerely,

A handwritten signature in black ink, appearing to be 'Mark Musemeche', written over a horizontal line.

Mark Musemeche  
MGroup, LLC

Enclosure – Analysis of 2011 Allocations/Awards

cc: Tim Irvine  
Tom Gouris  
Cameron Dorsey  
Raquel Morales

### Urban allocation as proposed for Oct 4th Board Meeting

Region	Urban Amount	award	balance	% allocation
1	\$ 1,189,699	\$ 1,865,935	\$ (676,236)	157%
2	\$ 703,775	\$ 1,395,109	\$ (691,334)	198%
3	\$ 9,187,049	\$ 9,087,582	\$ 99,467	99%
4	\$ 795,395	\$ 1,964,020	\$ (1,168,625)	247%
5	\$ 786,646	\$ 1,962,797	\$ (1,176,151)	250%
6	\$ 10,145,991	\$ 9,241,814	\$ 904,177	91%
<b>7</b>	<b>\$ 1,979,019</b>	<b>\$ 962,282</b>	<b>\$ 1,016,737</b>	<b>49%</b>
8	\$ 1,991,475	\$ 1,038,574	\$ 952,901	52%
9	\$ 2,966,715	\$ 1,638,351	\$ 1,328,364	55%
10	\$ 1,202,967	\$ 655,519	\$ 547,448	54%
11	\$ 2,655,037	\$ 1,348,738	\$ 1,306,299	51%
12	\$ 1,054,563	\$ 1,315,954	\$ (261,391)	125%
13	\$ 1,384,139	\$ 2,000,000	\$ (615,861)	144%
	\$ 36,042,470	\$ 34,476,675	\$ 1,565,795	

### Rural allocation as proposed for Oct 4th Board Meeting

region	Rural Amount	award	balance	% allocation
1	\$ 864,456	\$ 760,840	\$ 103,616	88%
2	\$ 564,998	\$ 866,446	\$ (301,448)	153%
3	\$ 1,170,054	\$ 1,198,131	\$ (28,077)	102%
4	\$ 1,287,725	\$ 941,119	\$ 346,606	73%
5	\$ 1,692,128	\$ 927,326	\$ 764,802	55%
6	\$ 1,197,609	\$ 1,047,374	\$ 150,235	87%
7	\$ 595,439	\$ 1,061,857	\$ (466,418)	178%
8	\$ 595,744	\$ 871,034	\$ (275,290)	146%
9	\$ 656,029	\$ 690,483	\$ (34,454)	105%
10	\$ 766,616	\$ 682,682	\$ 83,934	89%
11	\$ 1,459,716	\$ 1,010,136	\$ 449,580	69%
12	\$ 565,061	\$ 645,907	\$ (80,846)	114%
13	\$ 580,872	\$ 1,056,218	\$ (475,346)	182%
	\$ 11,996,447	\$ 11,759,553	\$ 236,894	

### At risk/USDA allocation as proposed for Oct 4th Board Meeting

Set-aside amount	award	Balance	% allocation
\$ 8,182,646	\$ 9,113,294	\$ (930,648)	111%

Region: 9, Urban  
Project #: 11090  
Project Name: Sutton Oaks II



## The Legislature State of Texas

Mr. J. Paul Oxer  
Chairman of the Board  
Texas Department of Housing & Community Affairs  
221 E. 11th Street  
Austin, Texas 78701

Dear Chairman Oxer,

August 26, 2011

The Bexar County legislative delegation respectfully urges the TDHCA board to grant the request for a 2012 forward commitment of tax credits to the Sutton Oaks II project. This development is a critical part of the enormous expansion at Fort Sam Houston which is a result of the 2005 Base Realignment and Closure Act that is bringing more than 12,000 new military and civilian positions to the base. The project is a key component in meeting the rapidly expanding affordable housing needs in this part of the community which San Antonio has designated a major revitalization initiative.

Sutton Oaks II will be the second phase of a 194 unit mixed income development that opened in April of 2011 and is already at 100% occupancy. The demand for market rate, public and affordable housing in this rapidly changing part of San Antonio is growing faster than the supply of properties can keep pace and the award of a forward commitment will ensure this development is available to meet the increasing needs of our lower income military families who are already arriving in significant numbers.

The San Antonio Housing Authority has pledged over \$2.7 million in Replacement Housing Factor Funds for the project which will revert back to HUD if this forward commitment is not made. In addition, as you are aware, no urban projects were awarded an allocation in the 2011 round for Region 9, beyond the previously granted forward commitment from 2010. As a result, over \$1.5 million of the region's prescribed allocation went to other regions. Without the award of this forward commitment, San Antonio will lose over \$4.7 million in state and federal housing funds at a critical stage in the overall revitalization effort.

We strongly recommend that a forward commitment be made for the Sutton Oaks II project in order that the rapidly growing demand for affordable housing in Region 9 is accorded an equitable distribution of tax credits. We are very proud of our delegation's support for affordable housing developments and we appreciate your favorable consideration of this request as we work together to ensure that these opportunities continue to serve the hard working families of Texas.

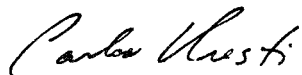
Respectfully yours,

Handwritten signature of Leticia Van de Putte in black ink.

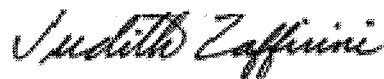
Senator Leticia Van de Putte

Handwritten signature of Jeff Wentworth in black ink.

Senator Jeff Wentworth



Senator Carlos Uresti



Senator Judith Zaffarini



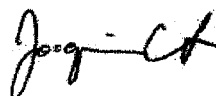
Rep. Ruth Jones McClendon



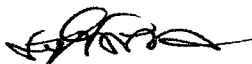
Rep. José Menéndez



Rep. Mike Rep Villarreal



Joaquin Castro



Rep. Lyle Larson



Rep. Roland Gutierrez



Rep. Joe Farias



Rep. John Garza



TEXAS HOUSE OF REPRESENTATIVES

**RUTH JONES McCLENDON**

State Representative, District 120

**COMMITTEES:**

*Rules and Resolutions - Chair*  
*Appropriations*  
*Transportation*  
*Sunset Advisory Commission*

**TEXAS LEGISLATIVE ORGANIZATIONS:**

*Mexican American Legislative Caucus*  
*Texas Legislative Sportsman's Caucus*  
*Texas Tourism Caucus*  
*Texas Legislative Black Caucus*

July 26, 2011

Mr. C Kent Conine, Chair  
Texas Department of Housing and Community Affairs  
Governing Board  
221 East 11<sup>th</sup> Street  
Austin, Texas 78701

RE: Support of forward commitment  
Sutton Oaks II, TDHCA #11090

Dear Chairman Conine,

It was extremely disappointing to learn that an allocation of credits for Sutton Oaks II, a project that finished first in its region with 206 points, was not awarded, and that no 2011 urban developments were recommended in Region 9. San Antonio has an estimated 200,000 households that will benefit from affordable housing; therefore, I respectfully request that Sutton Oaks II (TDHCA #11090) be issued a 2011 forward commitment of tax credits.

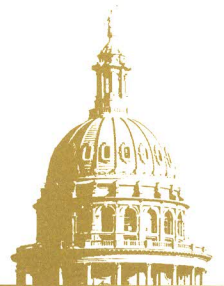
Sutton Oaks II is the second phase of a successful 194-unit, 100% occupied, mixed-income community that opened in April, 2011. This project is a key element in the overall plan for revitalization near Ft. Sam Houston (San Antonio) due to the Base Realignment and Closure (BRAC), which has resulted in more than 12,000 jobs flooding the area. The Sutton Oaks II project will add needed market rate, public housing and affordable rental housing for working families to an area identified by the City of San Antonio for redevelopment.

It is critical that the construction of Sutton Oaks II begin in 2011 because of the uncertainty of the future funding environment. As a supporter of Sutton Oaks I and II, I strongly urge the Board to issue a forward commitment of tax credits for this project.

Sincerely,

A handwritten signature in black ink that reads "Ruth Jones McClendon".

Ruth Jones McClendon  
State Representative, District 120





# The Senate of The State of Texas

Senator Leticia Van de Putte, R. Ph.

District 26

July 27, 2011

Mr. C Kent Conine, Chair  
Texas Department of Housing and Community Affairs Governing Board  
221 East 11<sup>th</sup> Street  
Austin, Texas 78701

RE: Support of forward commitment  
Sutton Oaks II, TDHCA #11090

Dear Chairman Conine:

It is extremely disappointing to learn that an allocation of credits for Sutton Oaks II, a project that finished first in its region with 206 points, was not awarded, and that no 2011 urban developments were recommended in Region 9. San Antonio has an estimated 200,000 households that will greatly benefit from affordable housing; therefore, I respectfully request your consideration that Sutton Oaks II (TDHCA #11090) be issued a 2011 forward commitment of tax credits.

Sutton Oaks II is the second phase of a successful 194-unit, 100% occupied, mixed-income community that opened in April, 2011. This project is a key element in the overall plan for revitalization near Ft. Sam Houston (San Antonio) due to the Base Realignment and Closure (BRAC), which has resulted in more than 12,000 jobs flooding the area. The Sutton Oaks II project will add needed market rate, public housing and affordable rental housing for working families to an area identified by the City of San Antonio for redevelopment.

It is critical that the construction of Sutton Oaks II begin in 2011 because of the uncertainty of the future funding environment. As a supporter of Sutton Oaks I and II, I strongly urge the Board to issue a forward commitment of much needed tax credits for this project.

Sincerely,

A handwritten signature in black ink that reads "Leticia Van de Putte".





CITY OF SAN ANTONIO

JULIÁN CASTRO

MAYOR

July 27, 2011

Mr. C Kent Conine, Chair  
Texas Department of Housing and Community Affairs  
Governing Board  
221 East 11<sup>th</sup> Street  
Austin, Texas 78701

RE: Support of forward commitment  
Sutton Oaks II, TDHCA #11090

Dear Chairman Conine,

It was disappointing to learn that an allocation of credits for Sutton Oaks II, a project that finished first in its region with 206 points, was not awarded, and that no 2011 urban developments were recommended in Region 9. San Antonio has an estimated 200,000 households that will benefit from affordable housing; therefore, I respectfully request that Sutton Oaks II (TDHCA #11090) be issued a 2011 forward commitment of tax credits.

Sutton Oaks II is the second phase of a successful 194-unit, 100% occupied, mixed-income community that opened in April, 2011. This project is a key element in the overall plan for revitalization near Ft. Sam Houston (San Antonio) due to the Base Realignment and Closure (BRAC), which has resulted in more than 12,000 jobs flooding the area. The Sutton Oaks II project will add needed market rate, public housing and affordable rental housing for working families to an area identified by the City of San Antonio for redevelopment.

It is critical that the construction of Sutton Oaks II begin in 2011 because of the uncertainty of the future funding environment. As a supporter of Sutton Oaks I and II, I strongly urge the Board to issue a forward commitment of tax credits for this project.

Sincerely,

A handwritten signature in blue ink, appearing to read 'Julian Castro', written over a blue horizontal line.

Julián Castro  
MAYOR



# CITY OF SAN ANTONIO

**IVY R. TAYLOR**  
CITY COUNCILWOMAN  
DISTRICT 2

July 26, 2011

Mr. C. Kent Conine, Chair  
Texas Department of Housing and Community Affairs  
Governing Board  
221 East 11<sup>th</sup> Street  
Austin, TX 78701

Re: Support of Forward Commitment  
Sutton Oaks II, TDHCA #11090

Dear Chairman Conine,

I am writing this letter to express my support to issue a 2011 Forward Commitment of tax credits for Sutton Oaks II, TDHCA #11090. I was disappointed to learn that while Sutton Oaks II finished first in the Region with 206 points, that an allocation of credits is not being recommended to the Board and no 2011 Urban developments were recommended in Region 9. San Antonio has an estimated 200,000 households who would benefit by affordable housing. We strongly urge the Board to issue a Forward Commitment.

Sutton Oaks II is a unique project that is highly supported within the community and is a critical element to the overall success of the revitalization of San Antonio's East side. This development is the second phase of Sutton Oaks I, a successful 194 unit mixed used development in my District. Sutton Oaks II is an integral part of the overall plan to revitalize this critical area near the gates of Ft. Sam Houston. Phase II will bring needed Market Rate units as well as Public Housing and affordable rental housing for working households to an area that has been specifically targeted by the City for redevelopment. In fact, the City provided over \$1,500,000 in funding to Phase I in an effort to facilitate economic growth. Currently, Phase I is 100% occupied, with a waiting list. With the BRAC realignment and approximately 12,000+ jobs flooding San Antonio and Ft. Sam Houston, the Phase II development will continue with the vision of Phase I and be a catalyst for continued investment in the area.

It is critically important we begin Sutton II in 2011 as the uncertainty in future funding sources is of great concern. As a partner in Phase I and an ardent supporter of Phase II, we strongly urge the Board to issue a Forward Commitment of tax credits to Sutton Oaks II, TDHCA #11090.

Sincerely,

A handwritten signature in blue ink that reads 'Ivy R. Taylor'.

Ivy R. Taylor  
Councilwoman  
District 2



**TOMMY ADKISSON**  
COMMISSIONER, PRECINCT 4  
BEXAR COUNTY COURTHOUSE  
SAN ANTONIO, TEXAS 78205-3036  
(210) 335-2614 - FAX: (210) 335-2644  
www.co.bexar.tx.us  
Email: tadkisson@co.bexar.tx.us

July 27, 2011

Mr. C. Kent Conine, Chair  
Texas Department of Housing and Community Affairs  
Governing Board  
221 East 11<sup>th</sup> Street  
Austin, TX 78701

Dear Chairman Conine,

This letter serves as my official support to continue the 2011 Forward Commitment of tax credits for Sutton Oaks II, TDHCA #11090. It is my understanding that while Sutton Oaks II finished first in the Region with 206 points, that an allocation of credits is not being recommended to the Board and no 2011 urban developments were recommended in Region 9.

Sutton Oaks II is a unique project that is highly supported within the community and is a critical element to the overall success of the revitalization of San Antonio's East side. This development is the second phase of Sutton Oaks I, a successful 194 unit mixed used development in my Precinct. Sutton Oaks II is near the gates of Ft. Sam Houston and this project would bring needed Market Rate units as well as Public Housing and affordable rental housing for working households to an area that has been specifically targeted by the City and County for redevelopment. Currently, Phase I is 100% occupied, with a waiting list that clearly shows there is a need to move forward with Phase II. With the BRAC realignment and approximately 12,000+ jobs flooding San Antonio and Ft. Sam Houston area, the Phase II development will continue with the vision of Phase I and be a catalyst for continued investment in the area.

It is in my opinion, that it is critically important that we begin Sutton II in 2011 as the uncertainty in future funding sources is of great concern. As a partner in Phase I and an ardent supporter of Phase II, I strongly encourage the Board to issue a Forward Commitment of tax credits to Sutton Oaks II, TDHCA #11090.

Sincerely

A handwritten signature in blue ink that reads "Tommy Adkisson". The signature is written in a cursive style with a large, sweeping initial "T".

Tommy Adkisson

*Region II, Project # 11089, Parkstone Senior Village Phase II*

*Parkstone Senior Village Phase II*

*Region II*

*Project Number 11089*



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STATE REPRESENTATIVE  
LANHAM LYNE

---

DISTRICT 69  
ARCHER & WICHITA COUNTIES

September 8, 2011

Ms. Robbye Meyer  
Director of Multifamily Programs  
Texas Department of Housing & Community Affairs  
221 East 11<sup>th</sup> Street  
Austin, TX 78701

Re: Application by UAH Parkstone II, LP to build Parkstone Senior Village Phase II (TDHCA APP# 11089) at Approx. Intersection of Professional Drive and Rathgeber Rd in Wichita Falls, Wichita County, Texas 76310

Dear Ms. Meyer:

I have been advised that UAH Parkstone II, LP has plans to construct a cost effective apartment community for our senior population comprised of 64 units in Wichita Falls, Wichita County, Texas.

The very real necessity to help supply quality, cost effective housing for all residents presents a challenge. The fact that Wichita Falls is attempting to remedy one sector of its needs with a multifamily housing project for low-income citizens is indicative of its desire to provide help to all of its citizens wherever possible. An award of a 2011 tax credit allocation to UAH Parkstone II, LP will provide much needed affordable housing for our elderly citizens in an area of our city where there is currently a shortage of such residential facilities.

On behalf of Wichita Falls and its citizens, I support this project and respectfully request your most ardent consideration of this application.

Sincerely,

A handwritten signature in black ink that reads "Lanham Lyne".

Lanham Lyne  
State Representative  
District 69

cc: Randy Stevenson, UAH Parkstone II, LP



**OFFICE OF THE MAYOR**

September 6, 2011

Attn: Director of Multifamily Housing  
Texas Department of Housing and Community Affairs  
221 East 11<sup>th</sup> Street  
Austin, TX 78701

Re: Parkstone Senior Village Apartments, Wichita Falls, TX  
TDHCA # 11089

The City of Wichita Falls wishes to express its support for Phase II of the Parkstone Senior Village Apartment project. Phase I has proven to be an asset to our community by providing much needed affordable housing units to our growing elderly population. Phase I has a very low vacancy rate proving the need for an expansion of this facility. The proposed Phase II project is in conformance with the Consolidated Plan for Housing and Community Development, Program years 2010-2015, that encourages and promotes the development of affordable housing opportunities.

On June 7, 2011, the City of Wichita Falls annexed 4.78 acres of land to the south of the existing complex. This newly annexed area was zoned Multifamily Residential. It is our desire that this area is developed with the Phase II expansion of the Parkstone Senior Village Apartments.

A handwritten signature in black ink, appearing to read "Glenn Barham".

Glenn Barham  
Mayor

**CITY OF WICHITA FALLS**

1300 7<sup>th</sup> Street • P.O. Box 1431 • Wichita Falls, Texas 76307 • T: (940) 761-7404 • F: (940) 761-8833  
[www.wichitafallstx.gov](http://www.wichitafallstx.gov)

# Parkstone Senior Village II

<p><b>Contact Information:</b></p>	<p>Randy Stevenson (Principal Partner)          United AF Management, LLC          2400 A Roosevelt Dr          Arlington, TX 76016          817-261-5088 phone          817-261-5095 fax</p>	<p>Mr. Randy Stevenson (Developer)          United Affordable Housing Development, L.P.          2400 A Roosevelt Dr          Arlington, TX 76016          817-261-5088 phone          817-261-5095 fax  <a href="mailto:Randy@swrealtors.net">Randy@swrealtors.net</a></p>
<p><b>Project Owners:</b></p>	<p>UAH Parkstone II, LP (to be formed)          United AF Management, LLC-General Partner          Kent Hance and Randy Stevenson-- Managers</p>	
<p><b>Development Location and Information:</b></p>	<p>The proposed Parkstone Senior Village Phase II will be located on approximately 6.3 acres on the corner of Professional Drive and Rathgeber Rd. The physical address will be on (TBD) Rathgeber Rd, Wichita Falls, TX. The community will be comprised of a 64 Units in 8 residential buildings set in a park-like setting with a gazebo, picnic tables and BBQ grills.</p>	
<p><b>Rental Information:</b></p>	<p>The Community will contain:</p> <ul style="list-style-type: none"> <li>• 44 one bedroom, one bathroom units of approximately 716 square feet, with monthly rents of \$251-\$551</li> <li>• 16 two bedroom, one bathroom units of approximately 862 square feet, with monthly rents of \$300-\$659</li> <li>• 4 two bedroom, two bathroom units of approximately 907 square feet, with Monthly rent of \$659</li> <li>• Parkstone Senior Village II will pay for its residents Water, Sewer, and Trash collection</li> </ul>	
<p><b>Tenant Information:</b></p>	<p>Parkstone Senior Village II will be income restricted under the requirements of the 9% Housing Tax Credit Program. This income level is determined by HUD on an annual basis, and is based upon the number of persons in the household.</p> <ul style="list-style-type: none"> <li>• Ten (10) units will be reserved for tenants earning less than <b>30%</b> of the Wichita Falls Median Income. For the year of <b>2011</b>, this translates to annual income of up to <b>\$11,190</b> for a single-person, and up to <b>\$15,960</b> for a Four-person Household</li> <li>• Twenty-Nine (29) units will be reserved for tenants earning less than <b>50%</b> of the Wichita Falls Median Income. For the year of <b>2011</b>, this translates to annual income of up to <b>\$18,650</b> for a single-person, and up to <b>\$26,600</b> for a four-person Household</li> <li>• Twenty-Five (25) units will be reserved for tenants earning less than <b>60%</b> of the Wichita Falls Median Income. For the year of <b>2011</b>, this translates to annual income of up to <b>\$22,380</b> for a single-person, and up to <b>\$31,920</b> for a four-person Household</li> </ul>	

# Parkstone Senior Village II

	<ul style="list-style-type: none"> <li>• The residential units will be designed in accordance with Fair Housing Standards. The project owner will provide reasonable accommodations or modifications to a residential unit on a one-time basis as requested by a tenant with a disability.</li> <li>• Resident assistance to be determined and in compliance with HUD Handbook Consistent with P.B.V. assistance requirements.</li> </ul>
Unit Amenities:	<p>The residential units will be provided with a full range of appliances, which will include a Frost-free refrigerator, range and oven, dishwasher, garbage disposal. Additionally, each unit will contain a utility room including provisions for a tenant-installed full-size washer and dryer, as well as a patio with exterior storage space.</p> <p>The development will be equipped with energy saving devices such as energy star rated appliances and efficient HVAC units.</p>
Project Amenities:	<p>The community will be elegant in appearance, functional in layout and will provide tenants with a park like setting, outdoor entertainment areas consisting of a gazebo, picnic tables, BBQ Grills, and the planned sharing of a furnished community building attached to the 140-unit phase I senior project consisting of a residential kitchen, exercise and activities room, computer room, and community laundry facility.</p>

## **Information about the 9% Housing Tax Credit Program**

The tax credit program was created by the Tax Reform Act of 1986, and is one means of directing private capital towards the creation of affordable rental housing. The tax credits provide developers with a benefit that may be used to offset federal tax liability in exchange for the production of affordable rental housing. A "credit" is a dollar-for-dollar reduction on the tax liability of tax bill for the property owner or investor. Investors in a tax credit property exchange initial equity for the benefits of the tax credits over time ~ usually ten years.

To be considered in the State of Texas, a project Owner must submit an application to the Texas Department of Housing and Community Affairs, the only entity in the State that has the authority to allocate tax credits under this program. Applications are accepted only once per year, and credits are awarded on a competitive basis.



**2011 MULTIFAMILY DOCUMENT & PAYMENT RECEIPT**

Texas Department of Housing & Community Affairs (TDHCA)  
 Mailing Address: P.O. Box 13941, Austin, TX 78711-3941  
 Physical Address: 221 East 11th Street, Austin, TX 78701

This form must be submitted with any documents or payments listed below to obtain proof of delivery and/or ensure that the payment is credited to the appropriate application. The contact and document description information should be completed prior to submission. Receipt of this form with valid "date received" stamp and appropriate program staff execution indicates that the document and/or fee has been received. This receipt does not attest to the sufficiency of the documentation provided, to fulfill the Program's requirements.

Development Name:	<u>Parkstone Senior Village Phase II</u>		
Development Owner Name:	<u>UAH Parkstone II, LP</u>		
Contact Name:	<u>Randy Stevenson</u>		
Contact Address:	<u>2400 A Roosevelt Dr.</u>		
	City: <u>Arlington</u>	State: <u>TX</u>	Zip: <u>76016</u>
Development Owner Phone:	<u>817-261-5088</u>	Fax:	<u>817-261-5095</u>

TDHCA Application Number: (TDHCA number should be used in all future correspondence with the Department)  <div style="font-size: 2em; text-align: center;">11089</div>	TDHCA Date/Time Stamp:  
--	--------------------------------

**Select Program for which Documents/Payments are being submitted:**

<input checked="" type="checkbox"/> Housing Tax Credits (HTC) - Competitive 9%	<input type="checkbox"/> HOME Partnership Program (HOME)
<input type="checkbox"/> Rural Rescue Housing Tax Credits (HTC) - 9%	<input type="checkbox"/> Housing Trust Fund (HTF)
<input type="checkbox"/> Housing Tax Credits (HTC)- 4% Tax Exempt Bond for TDHCA	<input type="checkbox"/> Community Development Block Grant (CDBG)
<input type="checkbox"/> Housing Tax Credits (HTC) - 4% Tax Exempt Bond for Local Issuers	

**Documentation Description**

<input type="checkbox"/> Pre-Application	<input type="checkbox"/> 10% Test
<input checked="" type="checkbox"/> Application	<input checked="" type="checkbox"/> Construction Loan Closing
<input type="checkbox"/> Supplemental Third Party Reports:	<input checked="" type="checkbox"/> Commencement of Substantial Construction
<input checked="" type="checkbox"/> Phase I Environmental Site Assessment (ESA)	<input checked="" type="checkbox"/> Cost Certification
<input type="checkbox"/> Appraisal	<input checked="" type="checkbox"/> LURA or LURA Amendment
<input type="checkbox"/> Property Condition Assessment (PCA)	<input type="checkbox"/> Extension Request
<input type="checkbox"/> Market Study	<input type="checkbox"/> Amendment Request
<input type="checkbox"/> Commitment/Determination Notice	<input type="checkbox"/> Other: _____
<input type="checkbox"/> Carryover	

**Payment Description**

Check Amount : \$ 1,280.00

Check #: 1479

<input type="checkbox"/> Pre-Application Fee (identify Program): _____	<input checked="" type="checkbox"/> Commitment/Determination Fee
<input type="checkbox"/> Pre-Application Fee (identify Program): _____	<input type="checkbox"/> Compliance Monitoring Fee
<input type="checkbox"/> Pre-Application Fee (identify Program): _____	<input type="checkbox"/> Building Inspection Fee
<input checked="" type="checkbox"/> Application Fee (identify Program): <u>HTC- 9%</u>	<input type="checkbox"/> Extension Fee
<input type="checkbox"/> Application Fee (identify Program): _____	<input type="checkbox"/> Amendment Fee
<input type="checkbox"/> Application Fee (identify Program): _____	<input type="checkbox"/> Copying Charges
<input type="checkbox"/> Other: _____	

**NOTE:** Housing Tax Credit Program Applicants that are CHDOs or Qualified Nonprofit Organizations, and are requesting a fee reduction based on that status, must attach a copy of their CHDO certificate or evidence of 501(c)(3) or (4) status to this receipt.

**PART A. ACTIVITY OVERVIEW**

**1. Multifamily Rental Development Name and Location**

Development Name: Parkstone Senior Village Phase II Region: 2  
 Address: Approx 1401 W. Rathgeber Rd  
 City: Wichita Falls County: Wichita ZIP: 76310  
 If a Pre-Application was submitted, enter TDHCA assigned Development number: 11089

**2. Target Population (Select by Placing a "x"):**

General  Supportive Housing  
 Elderly

**3. Construction Type (Select Only One by Placing a "x"):**

New Construction  Adaptive Reuse  
 Rehabilitation  Single Room Occupancy  
 Reconstruction

**PART B. APPLICANT INFORMATION**

Provide the contact information of the Applicant's staff person who is responsible for Application and contract administration. This primary contact will not be the consultant or the end service provider.

**1. Applicant Contact Information**

Applicant Legal Name: UAH Parkstone II, LP  
 Applicant Contact Name: Randy Stevenson  
 Mailing Address: 2400 A Roosevelt Drive  
 City: Arlington State: Texas Zip: 76016  
 Phone: 817-261-5088 Fax: 817-261-5095 Email: Randy@swrealtors.net

If Applicant's "Physical Address" is different from the "Mailing Address," provide physical address below:

Physical Address: \_\_\_\_\_  
 City: \_\_\_\_\_ State: \_\_\_\_\_ Zip: \_\_\_\_\_  
 2nd Contact Name: Sharon Laurence  
 Phone: 817-261-5088 Fax: 817-261-5095 Email: Sharon@swrealtors.net

**2. Applicant Legal Description**

Is Applicant Legally formed? No  
 Legal form of Applicant is/will be a (select only one.) Limited Partnership  
 Other Designation (select all that apply): \_\_\_\_\_  
 Applicant is in good standing with the Secretary of State? \_\_\_\_\_ State Filing # \_\_\_\_\_

**3. Application Technical Assistance and Capacity Building**

Has the Applicant or its Principals received technical assistance or capacity building training for their organization in completing this Application or for the activity for which this Application is being made? Yes  
 If "Yes" it was sponsored by: TDHCA  
 If "Other Sponsor" provide name here: \_\_\_\_\_  
 The activity was: Workshop  
 If "Other" describe activity here: \_\_\_\_\_  
 Was a Consultant or Administering Agent used to complete the Applicant? No  
 If "Yes" provide Consultant/Agent Name here: \_\_\_\_\_  
 Phone: \_\_\_\_\_ Fax: \_\_\_\_\_ Email: \_\_\_\_\_



UAH PROPERTY MANAGEMENT, L.P.

10670 North Central Expressway  
Suite 505  
Dallas, TX 75231  
214.265.7227 ph  
214.265.0722 fax

**Via Internet**

September 1, 2011

Randy Stevenson  
President  
**United Affordable Housing, LP**  
2400-A Roosevelt  
Arlington, Texas 76016

Re: ***Parkstone Senior Village Apartments***  
***Wichita Falls, Texas***

Dear Randy:

UAH Property Management, LP, was the original leasing-management company for this community. As you know, ***Parkstone Senior Village*** leased up faster than any other of our thirty-five (35) senior community LIHTC-Section 42 communities. Over the past nine (9) years, ***Parkstone Senior Village*** has operated with less than 2% vacancy losses. Turnover has always been the result of our residents becoming infirm to remain in an independent living status or their "passing."

***Parkstone Senior Village*** turns away, on a daily basis, qualified senior citizens seeking affordable rental housing. As a result, we have repeatedly suggested that you construct a second phase that would offer additional ***affordable*** rental homes for the area's senior citizens.

***Parkstone Senior Village*** is the most desirable ***affordable*** senior community in Wichita Falls and an expansion of the available units would be most welcome.

Sincerely yours,

Michael V. Clark, CPM  
President

# *Resident Letters*

August 13, 2011

To Whom It May Concern:

When my husband, Jim, died suddenly in July 2007, my Corgi, Codi, and I were left behind in an apartment complex from which, I recently had learned, a young man had vanished, never to be found, and a young woman had been attacked in the laundry and raped. This was considered one of the nicest facilities in Wichita Falls. I was 71 and alone, except for Codi. And scared.

Jim and I had looked at Parkstone Senior Village when we moved back to Wichita Falls in 2005. Our combined income, while modest, kept us from qualifying. When I reinvestigated Parkstone as a widow, I felt as though I'd found heaven on earth. I moved in here in September 2007, and I hope never to locate anywhere else.

Because we are a gated community, I walk Codi night and day without fear of being accosted. Neighbors look out for each other - some more than others - and because we mostly are seniors, there is a wonderful sense of companionship. I cannot sing too highly the praises of this place.

I can't tell you how many times I have heard the following words (or some similar) from other seniors in Wichita Falls: "I tried to get into Parkstone but the waiting list was just too long. I'm not happy where I am."

The population of Wichita Falls is aging. Too, communities nearby are losing population and businesses are closing; shopping is done in Wichita Falls at Wal-Mart, the mall and elsewhere. Elderly people are looking for a safe, secure and reasonably priced place to live.

Is there a need for more housing such as Parkstone Senior Village. Yes!

I do not know how I would have survived, with my sanity intact, had I not been able to move here.

Please give other widows - and widowers - a chance.

Sincerely,

Katricia Cochran

#3104

8-7-11

To whom it may concern,  
I have been a resident of Parkstone Senior  
Village Apts., at 1727 W. Rathgeber Rd, Wichita  
Falls, TX 76310, since June of 2006.

I've enjoyed my time here; location, neighbors,  
& management.

Thank You  
Ruth Eggers

August 9, 2011

My name is Robert Yarbrough and I've lived at Parkstone Senior Village for less than one year.

I've lived in other places and Parkstone is ideal for me and the elderly. My neighbors become my friends and we get together for Pat Luck at the Club House. We kinda keep track of each other's needs.

The Office is there if anything comes up or something needs fixing.

I am so thankful for my nice apartment.

To whom it may concern:

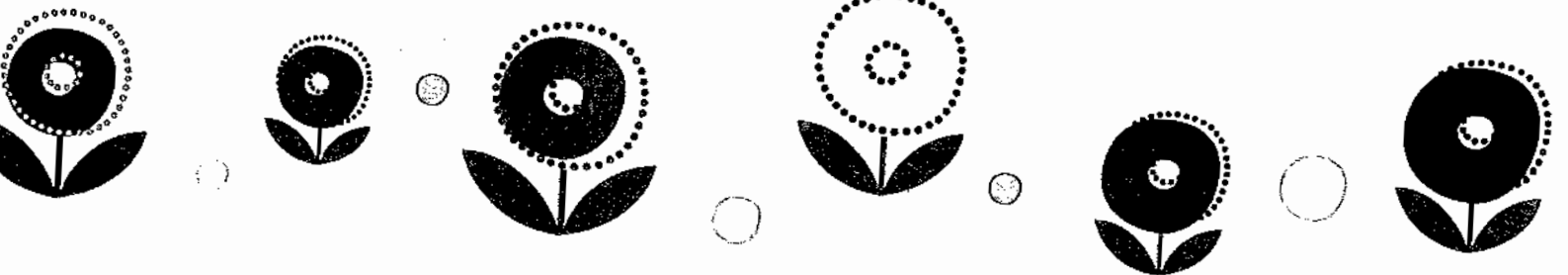
I moved here to Parkstone three years ago 2008.

It is a quiet, peaceful, secure and friendly place.

Neighbors looking out for each other.

We need more places like this in Wichita Falls, Texas, a community of caring people

Sincerely  
Tharon Guilds





Parkstone Dr Village  
Wichita Falls Texas

To whom it may concern,  
I Lucy Collier have lived in this  
Complex since 2004.

It is a wonderful Place to live  
I feel real secure at Parkstone.

I feel like we need more apartments  
like Parkstone.

Lucy Collier  
apt 702

August 16, 2011

To Whom It May Concern:

When my husband died I was in my 70s and living alone in a house that was much too big for me; not to mention the yard which required more upkeep than I was able to do. A friend was living at Parkstone Senior Village and I knew she was very happy with her apartment. She encouraged me to visit her and check out the facilities.

I knew almost at once that this was the place for me to be. I moved in here in January of 2006, and I have been very satisfied. The rent is reasonable, the people (most of them anyway) are friendly, I feel secure with our fence and gated entry and I really enjoy the peaceful and quiet atmosphere.

I would recommend Parkstone Senior Village to any widow or widower or any elderly person or couple, even. It is a wonderful, safe, pleasant place to live, and Wichita Falls definitely needs more such apartments.

Thank you for your consideration.

Sincerely, 

Sylvia Mitchell

8-15-11

To Whom It May Concern:

I have lived in Wichita Falls for many years, and I want you to know that I never have felt safer or happier than I have in the past eight years I have resided at Parkstone Senior Village. Not only is it safe here, with our gate that keeps out unwanted traffic and riffraff, Parkstone is a nice, quiet, comfortable place for a single woman who hates to admit it, but is, indeed, a senior citizen.

Since Parkstone does not need to advertise for renters because there always is a waiting list, I did not even know this place existed until it was discovered by my daughter. I am still thanking her.

Before our drought, I could say something nice about our landscaping. Sadly the hot, dry summer has damaged shrubs, grass and trees. It will rain, in God's own time, and we will be beautifully landscaped again.

Our monthly potlucks are a lot of fun, too!

I wish all the people who need/want to live here could do so. Please make it possible for other seniors to enjoy such good, affordable housing.

Thank you.

Sincerely,

A handwritten signature in cursive script that reads "Toni Wood".

Toni Wood  
Apt. 3103

To Whom it May Concern:  
As a resident of Park Stone, I like all of my neighbors and friends have patiently watching for the equipment to start on Park Stone no. 2 next door. I have several friends waiting to live at Park Stone. They have seen how all of the Personal and the maintenance treat everyone like family. The office is always open to anyone with a problem or just to chat. They all enjoy the beautiful library, exercise room or a Cup of Coffee with a neighbor or friend in the large equipped kitchen. How wonderful it is to not do yard work. The yards are well kept. They don't even have to change a light bulb. The location is superb, close to a shopping center. As a senior citizen security is important. They have a security gate, also a night watchman. No one has to be afraid. I have several friends that want to live at Park Stone but the list is so long. I would not dream of living anywhere else but at Park Stone.

H. L.

To Whom it May concern

I have never lived in an apartment but I love Parkstone Senior Village. There is no other apartment that I love to live in other than Parkstone Senior Village. I enjoy the Potluck dinners that we have. I think Parkstone Senior Village is very nice apartments.

Friday 8-26-2011

Thank You  
Wanda Walden

NOTE OF APPRECIATION 11-19-11

I HAVE LIVED AT THESE APARTMENTS  
(PARKSTONE SENIOR VILLAGE)  
FOR 11 YEARS OR SO, ACTUALLY SINCE  
IT OPENED.

I HAVE ENJOYED THE PEACE AND  
QUIET OF THESE APARTMENTS.

I UNDERSTAND THERE HAS BEEN  
A WAITING LIST OF PEOPLE LIKE  
ME TO RENT THESE DESIRED  
LIVING UNITS SINCE THE OPENING  
DAY. THESE WERE THE ONLY  
APARTMENTS LIKE THIS IN WICHITA  
FALLS FOR ALL THESE YEARS.

WE NEED MORE UNITS LIKE  
THIS FOR PEOPLE OVER 55 YEARS  
OLD.

SIGNED  
Gene Gerkins  
APT. #601.

I am Sarah F. Wade and I have lived  
at Parkstone Senior Village for 10 years.

Our home (which became my "home") has been a  
God send to my late husband and myself.

I have come to appreciate, more and more,  
every year, for the ones who made these apart-  
ments available for the elderly and needy.  
Family and friends say what a great place  
I have to live.

We all count our blessings as we have  
become a family, to look after each other and  
share with each other.

Thank you and may God Bless you  
Sarah F. Wade

8-26-2011

I have lived here at  
Senior Village for  
10 years. I love our  
location. we have  
every thing we need  
close by so we can  
go shopping and get  
the things we need  
I have always felt  
safe and secure  
living here. I wish  
Seniors had more  
places like this complex  
to live.

Marilyn Emerson  
apt # 2101



To: Parkstone Village  
Nichita Falls, Tx.

To whom it may concern:

My name is Margaret Rawlings.  
I have lived here for 3 years.

You know, I feel God  
brought me here to live out the  
rest of my days. (a year)

My daughter brought me here  
because she felt it would be a  
secure place for me to live and  
so it is a very secure and  
comfortable place to live out the  
rest of my life + close to her.

I wish we had more  
available. It's such a friendly  
place.

Thanks for Parkstone!

Margaret Rawlings

Apt # 1801

To Whom It May Concern

I like living here. Sure enjoy the  
Pot Luck dinner. I like visiting with  
my neighbors and they are wonderful  
apartments to live in.

Alan Fairley

To Whom it may concern,  
In appreciation of living in a decent  
place. I feel at ease here and safe.

Geraldine Maherry

2303 Apt.

1727 W. Rattigebur Rd.

We do need some improvement here.

Saturday  
September 3, 2011

To whom it May Concern

My name is Dolores Tatro. I live in apartment 1503 Parkstone Senior Village. I've lived out here ever since the apartments were built, in fact I moved in before they were all finished. I made an excellent decision by moving here. I have two daughters and they both think it's a real safe place for me to live. I like living out here for several different reasons. The apartments have a lot of lights all through them at night making it easy to see & get around. They have covered parking if you want it & it sure is nice

to go out & get in your car  
& the windows are not frosted  
over or got snow all over them.  
There also close to shopping  
centers, grocery stores, fire  
stations, banks, & etc. I  
like my apartment because I  
have a lot of smoke alarms,  
built in microwave oven, and  
ice maker, bedroom doors that  
lock, ceiling fans in the  
bedrooms & living rooms, &  
both of our porches are  
covered. We also have a place  
for a washer & dryer & some  
apartments don't have this.  
I lived in an apartment  
for nearly 30 yrs & I had  
to go to a laundry mat.  
I also like the way our  
mail boxes is in a covered  
area & it's a gated  
apartment complex.

August 28, 2011

To Whom It May Concern,

I'm Ramona Harne, Apt. 1504 of the Parkstone Senior Village Apartments.

I'm happy to write this letter to let you know how much these apartments mean to me and many others.

I've never lived in apartments before and when my second husband passed away in 2010, my children found these with a security system.

They are for seniors citizens only. I feel comfortable & safe.

We're like a community looking after each other.

With some of our incomes we would not be able to live in a nice place to live out our lives.

There's so many more that need a decent place to live.

Sincerely Yours  
Ramona Harne

We have excellent people  
that manage the apartments  
The manager, assistant  
manager & maintenance man  
do a fantastic job managing  
& keeping the place up. They  
always fix any thing I  
need in my apartment. If I  
ever had to make a decision  
again to choose these same  
apartments. I think these  
apartments are the safest  
place to live for Senior  
Citizens. I think we need  
a lot more apartments here  
in Wichita Falls for Senior  
Citizens.

Sincerely  
Dolores Tate

*Petition Signatures*



We want the Parkstone Senior Village Phase II addition.

We need more affordable housing for seniors in and around  
Wichita Falls, Texas. Please voice your opinion by signing this  
petition.

1. Malz
2. James
3. Phillips
4. Brenda
5. Everett
6. CHRISTY MANSON
7. RYAN LOPEZ
8. Carol Hudson
9. James Cashley
10. James Cashley
11. Olivia
12. Rhena Saucedo
13. Ashly Saucedo
14. Sam
15. Rhena Saucedo
16. Gerathan Saucedo
17. Beth
18. Gerathel
19. Sue Chandler
20. John Chandler
21. Cory
22. Ken
23. Ed
24. Frank
25. Sum

We want the Parkstone Senior Village Phase II addition.

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1. Vanessa E. Weatherford
2. Della Taylor
3. ~~William Stewart~~
4. Stephanie A. Jones
5. Pablo Simons
6. Selma Carter
7. ~~[Signature]~~
8. ~~[Signature]~~
9. ~~[Signature]~~
10. Tranda Brown
11. ~~[Signature]~~
12. ~~[Signature]~~
13. ~~[Signature]~~
14. ~~[Signature]~~
15. Delon [Signature]
16. Doree Smith
17. Sylvia Puga
18. Casey Perez
19. Jennifer Brumley
20. Brenda Newman
21. ~~[Signature]~~
22. Nalie Dorton
23. ~~[Signature]~~
24. ~~[Signature]~~
25. ~~[Signature]~~

We want the Parkstone Senior Village Phase II addition.

We need more affordable housing for seniors in and around Wichita Falls, Texas. Please voice your opinion by signing this petition.

1. Stanford
2. Donna Salazar
3. Blaine Watson
4. [Signature]
5. [Signature]
6. Johnatson Bell
7. Mary [Signature]
8. [Signature]
9. [Signature]
10. JESSE HARRIS
11. John Pruitt
12. John Pruitt
13. Shane Stoughton
14. Gladys Vogel
15. Cindy Sherman
16. Walter Howard
17. Kurtz Korman
18. Crystal Spicard
19. Salma Hibon
20. Jillany Rodriquez
21. [Signature]
22. Rosa Davis
23. [Signature]
24. Berta Shays
25. Brandy Lamine

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petition.

1. Billie Geis
2. Marvin Geis
3. Beth Adgin
4. Robert Armstrong
5. Liz New
6. Eugene Skinner
7. Betty Parrison
8. Jake Morrison
9. Stella Stanton
10. Donna Stanton
11. Carl
12. Ray R. Marshall
13. David Martin
14. Shelby Dillard
15. Greg
16. Tracy A. L. L. L.
17. John Kirk
18. Michelle Brock
19. Sharon
20. Sandra
21. Laura Harbuck
22. Bessie Harbuck
23. Deon Harbuck
24. Bucky Harbuck
25. Patricia Ponzey

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1. Charles O. Hallford
2. Wanda Walden
3. Mary Dalbey
4. Evelyn Redder
5. Allen Fairley
6. Lydia Westinghouse
7. Linda Dickerson
8. Jan Dalbey
9. Leona Boyd
10. Jan Dalbey
11. Marie Johnson
12. Eileen Kluck
13. Margaret Rawlings
14. Rose Enriquez
15. Lauretta Lane
16. Bobby Hobby
17. Joe Smith
18. Ramona Horne
19. J.W. Sturm
20. Rae Ann Balwell
21. Hilma Loffler
22. Leona P. Bacher
23. Rosa Lee Cummings
24. Opal Strawn
25. Eleana Pechin

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1. Neata McAden
2. Mary Faith Grand
3. Kenneth Bowman
4. David Hifford
5. Samuel M.
6. Eileen Tubbs
7. Greg Berkey
8. Mattha Newman
9. Stephen A. Sells
10. Willie Lee Black
11. Jean A. Uiti
12. Allen Sullivan
13. Alan M. Rinschel
14. Daryl F. Wade
15. Sharon Gilder
16. Shirley Gillbreath
17. Barbara Wallace
18. Kevin D.
19. Patricia Cochran
20. Paul Meyer
21. Francis Carpenter
22. Betty Walton
23. Jack Adams
24. Ophelia Newcomb
25. Shelonda Gentry

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Wichita Falls, Texas. Please voice your opinion by signing this  
petition.

1. Jannetta Ferguson
2. Bonnie Egan
3. Fred P. McCard
4. M. R. Rorman
5. Mary Johnson
6. Becky Anderson
7. Walt Benison
8. Conne Joyce
9. Carol M. Robertson
10. Bettie L. Seeds
11. Sylvia Mitchell
12. Marian Suttle
13. Maryne Emerson
14. Hedra Cohen
15. May Frost
16. Rat Fickens
17. Julia Shearman
18. Juanita Holder
19. Meth Sanders
20. Ranae Mills
21. Vivian L. Martinez
22. Lora Smith
23. Billie Clark
24. Tracie Giesema
25. Gail Rankford
24. Gail Byggestaff

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1. Dolores A. Tate
2. ~~Tommy D. Deane~~
3. Tom Allen
4. Luizita Johnson
5. Merle Bumgardner
6. Allen Bennett
7. Alton Bennett
8. Stephanie Jones
9. Beverly Fair
10. Betty Hubbard
11. Edith Petty
12. Alice Yarbrough
13. Willie Hart
14. Marie A. Owens
15. Nanda Beagles
16. Patsy Hunt
17. Clifton Weaver
18. K. Kingston
19. F. Bacon
20. Jamie Spain
21. Edie Wallace
22. Chad Gore
23. Jerry Daily
24. Delba Wallace
25. Jamie Daily



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1. Hannalore Cook 3401
  2. Jimmie Martin 3403
  3. Senaka Moss 2702
  4. Judy Collier
  5. Daniel Henrich
  6. Debbie Knight
  7. Faye Baker 401
  8. Edith Barrett
  9. Betty Taylor
  10. Paul Cook
  11. Minnie Hunter
  12. Kais Jo Childers
  13. Linda Coach 2807
  14. Dorothy Witherspoon
  15. Barbara A. Babel #2502
  16. Margaret Aeste 2503
  17. # 370
  18. Myra Fox
  19. Harley Diamond
  20. Sarah Long 304
  21. Shirley Quarles
  22. Jahmie Cook
  23. Shirley Williams
  24. Luda J. J. Jassi
  25. Mike [unclear]
- Mr. Danny Cary

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1. Marita English
2. Samara Moss
3. Michelle Lacey
4. Beraldine Underrey
5. Ruth Eggers
6. Pete Kuyte
7. Conrad Lyle
8. Shawn Rife
9. Austin Cackof
10. James Cates
11. Carol M. Braune
12. Harry Braune
13. Heather Dockum
14. Ginega DePalma
15. SAM Brunby
16. Nolly Furston
17. Shawn Scrogum
18. Joey Gilbert
19. Bob Hillert
20. Elmer Dodd
21. D. Lisa Kenner
22. Barry Boole
23. Big Mike
24. Eddy Hartz
25. New Curtis

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1. Kassi Craig
2. Bruce Brown
3. Patricia Schenk
4. ~~Jerry Smith~~
5. ~~Tom Nunn~~
6. Vicki Tucker
7. ~~Shirley G. Baker~~
8. ~~Steve Shannon~~
9. Sidney Armagnac
10. ~~Walter Garcia~~
11. Jerry BRADLEY
12. Lisa Patterson
13. Sharon Guin
14. ~~Monica Sellers~~
15. ~~John Crum~~
16. Judy Marakova
17. ~~John Gully~~
18. ~~Frank Kinton~~
19. Vicki Wilson
20. ~~Henry Abago~~
21. ~~Gregory Maguire~~
22. ~~Just Melton~~
23. ~~Boyd Manning~~
24. ~~Raymond~~
25. ~~Michelle West~~

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petition.

1. *LeAnnita Vaughan*
2. *Angela Felder*
3. *Michelle Rivers*
4. *Ray Thomas*
5. *John D. Jones*
6. *William Shubin*
7. *David K. Kline*
8. *James D. Dyer*
9. *Janice R. Crane*
10. *Diana Kurtz-Linn*
11. *Michelle Rivers*
12. *Debbie Scott Wright*
13. *Angela Felder*
14. *Grace A. F. Lagg*
15. *Christa Meyer*
16. \_\_\_\_\_
17. \_\_\_\_\_
18. \_\_\_\_\_
19. \_\_\_\_\_
20. \_\_\_\_\_
21. \_\_\_\_\_
22. \_\_\_\_\_
23. \_\_\_\_\_
24. \_\_\_\_\_
25. \_\_\_\_\_

# *Wait List*

PARKSTON SENIOR VILLAGE  
WAITLIST:

JOHN GERJELINE	2BED
MARTY COX	1BED
WILMA BLAKLOCK	1BED
MONIKA CLARK	2BED
INEZ SHIVER	1BED
JERRY DUNN	1BED
MILLIE CADEALLADER	1BED
WILL RASMUSSEN	2BED
JERRY PINSON	1BED
MARTHA JOHSTON	2BED
CATHERINE HAWN	2BED
GLORIA STARNES	2BED
BRENDA WALKER	2BED
RICHARD WILSON	1BED
IRIS EVANS	1BED
MARILYN HUNTER	1BED
PATTY NEAL	1BED
MARILYN BREWER	1BED
MARY BARKER	1BED
THERINA LUCERA	2BED
LUCARD TOLLETTE	1BED
MIKE LEE	2BED
GORDAN L SMITH	1BED
BENE SELHEIM	1BED
PATSY HANNAH	1BED
BOBBI J WILLIS	2BED
DEBBY LEE	2BED
ROBERT RICHARDSON	1BED
EARL ENGLAND	1BED
BETTY EDWARDS	1BED
LINDA DAVIS	1BED
GIDEON SEDBURY	1BED
BARBARA WILLIAMS	1BED
KATHY HEINY	1BED
AURORA RODRIQUEZ	2BED
PAUL SMITH	2BED
KEN KIRKLAND	2BED
NORAH BRORAUGH	2BED
ESTHER SMITH	1BED
NONA FRANKE	1BED
DALE SHUFFLIN	1BED

PATTY HEAL	2BED
GLADYS WOOD	2BED
HAROLD SCOTT	2BED
FREDNA YATES	2BED
MILDRED DUNBAR	2BED
WYNELL THOMAS	2BED
ANTONIO ROBLEDO	2BED
JANICE WATERS	1BED
FRED EVERETT	2BED
STEPHEN CHANCELLOR	2BED
DEELLEN SILVA	2BED
OSCAR BAXTER	1BED
VIRGINIA BRYANT	1BED
SHARON JOHNSON	2BED
MONIQUE FEAGINS	2BED
ROBIN PATSENKI	2BED
SARA OUTERIEGER	2BED
CHRISTEN HARRIS	2BED
SHARLA UNDERWOOD	2BED
ANITA MARTINEZ	1BED
RACHEL DENTON	2BED
BRANDON GARNER	2BED
TARA PURSEL	1BED
SHANE CANTRELL	2BED
CAROYLYN JUNMANN	2BED
ANGELICA EWELL	2BED
RENA CUTTER	2BED
SARAH THOMAS	2BED
MORGAN EDWARDS	1BED
APRIL BRADFORD	1BED
ASHLEY ANDERS	1ED
MAKAYLA BOLF	2BED
ROBYN BURR	2BED
ALISHA CATY	1BED
YAHIDA MARTINEZ	2BED
LEONA BOYD	2BED
CATHERINE DENTON	2BED
DEMETRIA MCDONELL	2BED
KAYLA MCKEE	2BED
YESHAY JACKSON	2BED

*Photographs*





30  
2014









01/04/2006



01/04/2006



01/04/2006



01/04/2006





01/04/2006



01/04/2006



01/04/2006



4031

01/04/2006



# TIDWELL LAKES RANCH, TDHCA #11087

## Hettig/Kahn Development

Single-Family Development

---



**Gated Entries/Exits**



**Leasing Centers and Clubrooms**



**Four Bedroom Home**



**Single Family Rental Homes**



For a complete list of all developments and managed communities, please visit our website at [www.hettigmanagement.com](http://www.hettigmanagement.com) or call 713.871.0063 for more information.



## AMENITIES



**BBQ Areas**



**Playgrounds**



**Bus Depot**



**Sparkling Beach Pools**



# Certificate of Special Congressional Recognition

Presented to

## South Acres Ranch Homes

*In Celebration of the Grand Opening of South Acres Ranch Homes.*

November 4, 2010

Al Green, Member of Congress

### LANDMARK AWARDS

## JUDGES' SPECIAL RECOGNITION AWARD

### South Acres Ranch

11409 Scott St.  
Houston, Texas 77047

An affordable housing development in south Houston, South Acres Ranch is the result of a strategic partnership between Capital One Bank and Hettig/Kahn Development Corp.

The \$30 million complex of 81 rental units was completed in November 2010. To honor the neighborhood's hometown heroes, Hettig/Kahn named several of the streets after citizens who made a positive difference within their communities, such as Sunnyside resident Bessie Swindle, who has long promoted economic and residential development in the area.

U.S. Rep. Al Green presented a Certificate of Special Congressional Recognition to the South Acres Ranch community in honor of the property's grand opening and dedicated a flag that flew over the U.S. Capitol at the grand opening ceremony — the only time that such a distinction has been presented to an affordable housing development.

In an area devastated in 2008 by Hurricane Ike, the development of South Acres Ranch brought clean, affordable housing to low-income residents. Located on an 18-acre parcel along Scott Street, the project includes all of the amenities of a top-tier subdivision.

With more than 400 people on a waiting list, Phase 2 of the project is expected to be fully leased before its completion later this year.

#### DEALMAKERS

**DEVELOPER:** Hettig/Kahn Development Corp.

**LENDER/INVESTOR:** Capital One Bank of Texas

**SYNDICATOR:** Hudson Housing Capital LLC

**ARCHITECT:** JRM Architects Inc.

**ENGINEER:** Lin Engineering Ltd.

**LAW FIRM:** Locke Lord Bissell & Liddell LLP



PHOTO COURTESY OF HETTIG/KAHN DEVELOPMENT CORP.

---

# HUDSON

## HOUSING CAPITAL

SAM GANESHAN  
MANAGING DIRECTOR

September 13, 2011

Board of Directors  
Texas Department of Housing and Community Affairs  
221 East 11<sup>th</sup> Street  
Austin, TX 78701

Ladies and Gentlemen:

The Hettig-Kahn development team is one of our top-tier, if not the top-top tier, developers in Texas with whom we have closed 12 developments to date. Hudson Housing Capital is tax credit syndicator with a very active presence in the Texas market since our founding in 1998. Hettig-Kahn's exceptional product has received an extremely strong response from the communities they serve, as illustrated by the various awards they have received including a **US Congressional Recognition Award**, the only known affordable housing development to have received this recognition, and a **Houston Business Journal Special Recognition Landmark Award**.

Their integrity and industry reputation is legendary within the investor community that we serve as a syndicator. Even in the challenging credit market of 2008, our investors were competing with strong pricing for the Hettig-Kahn transactions. Here are a few things we'd like you to know about Hettig-Kahn and their developments.

- Only Texas developer actively targeting larger families, particularly those living in congested conditions, with the new construction of four-bedroom single family homes for which shortages exist.
- Create award-winning, innovative, well-thought out, quality-constructed, safe, and desirable housing communities to last for the long term.
- Treat their developments as real estate with a long term hold objective.
- Use conservatively structured financing to assure long term financial feasibility.
- Performance of their single family properties has exceeded our expectations and consistently outperforms our Greater Houston portfolio.
- Help revitalize neighborhoods and the surrounding areas with its high-quality developments.
- Win over neighborhoods with their excellent product.
- Meet the housing needs of the community rather than constructing one and two bedroom units or senior units, which often encounter the least community opposition and are the most overbuilt transactions.
- Have a unique understanding of all facets of the business as developers, contractors, and long term property managers as supported by their 18 year successful performance in LIHTC industry.
- Contribute to the industry by participating actively at federal, state and local levels with recognition.
- Consistent advocate for the betterment of the industry and improvements to the program.
- Contribute to the communities in which they participate.

We offer our strongest support for Hettig-Kahn Companies and request that you issue a forward commitment of 2012 low-income housing tax credits for either Genoa Ranch or Tidwell Lakes Ranch. Please feel free to contact me if you have any questions.

Sincerely,



Sam Ganeshan





September 6, 2011

Board of Directors  
Texas Department of Housing and Community Affairs  
221 East 11th Street  
Austin, TX 78701

Re. Hettig/Kahn Holdings, Inc.

Ladies and Gentleman:

As an investor/lender in five Hettig/Kahn developments, Capital One Community Development Finance is totally supportive of Hettig/Kahn Holdings, Inc. as a top tier customer who has performed consistently at the highest levels. Hettig/Kahn is a highly-competent, creative, and well-managed affordable housing developer with a highly reputable and reliable development team. They excel and lead in all aspects of affordable housing development, property management, asset management, financing and construction. Hettig/Kahn provided Capital One with its first propriety transaction in Texas and exemplifies the kind of customer that we seek across the country.

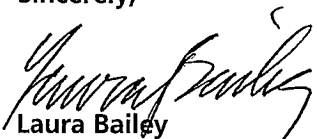
In our experience, the Hettig/Kahn team has completed their affordable housing communities on time and on budget. In addition, their rate of lease-up and occupancy are among the fastest and most consistent in the industry.

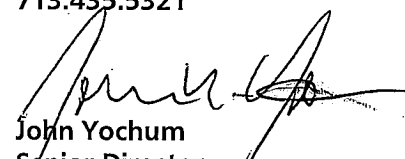
Besides excelling as developer/borrowers, they have also helped with process, program, and documentation improvement. Hettig/Kahn is uniquely talented and, as a result, Capital One has learned a great deal through its association with them. They are also helping us develop an innovative resident program called Social Purpose which provides long term capital from us to enhance existing resident programs such as financial literacy, IDA accounts, and English fluency.

We strongly recommend either Genoa Ranch or Tidwell Lakes Ranch for a forward commitment. Both of these Houston neighborhoods desperately need affordable housing and would greatly benefit from a Hettig/Kahn single-family rental master-planned affordable community given the outstanding results of their prior developments.

Please call either of us if we can answer any questions, or provide additional information.

Sincerely,

  
Laura Bailey  
Managing Vice President  
713.435.5321

  
John Yochum  
Senior Director  
713.435.5324.



STATE of TEXAS  
HOUSE of REPRESENTATIVES

**Harold V. Dutton, Jr.**  
District 142

*Committees:*  
Urban Affairs, Chair  
Public Education

March 15, 2011

Tax Credits Division  
Texas Dept. of Housing and Community Affairs  
221 E. 11th Street  
Austin, Texas 78701-2410

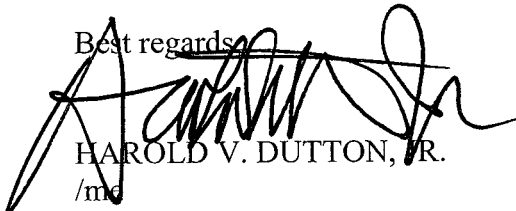
Re: Tidwell Lakes Ranch, Ltd.  
TDCACA #11087

TO WHOM IT MAY CONCERN:

Let me express my enthusiastic support for the proposed Tidwell Lakes Ranch single-family development, located within the boundaries of my Legislative District. When completed the development promises to add to the source of multi-family housing for those families desiring greater square footage.

I am pleased to support this application and any additional information you may require from me will be gladly provided.

Best regards,

  
HAROLD V. DUTTON, JR.

/md

cc: W. Barry Kahn  
5325 Katy Freeway, Suite One  
Houston, Texas 77007

**TROPICANA BUILDING CORPORATION**  
**4655 COHEN AVE., EL PASO, TX 79924**  
**(915) 821-3550**

September 30, 2011

TDHCA Board of Governors  
**Sent Via E-Mail**

Dear Board,

At this time, we wish to formally withdraw our request for a forward commitment for North Desert Palms (TDHCA #11068) in Region 13.

After listening to about 4 hours of testimony in Austin a few weeks ago, we have determined that we cannot in good conscience make a case that a special situation exists in Region 13 (El Paso). You have heard testimony about the need for more apartments in El Paso due to our local military base expansion (through BRAC), however, the fact of the matter regarding our heroic young soldiers is that in almost all circumstances, they do not qualify for tax credit housing in El Paso because they simply earn too much money.

It is our opinion that forwards do have a place in very special circumstances, such as when there is an emergency situation such as the fires in Bastrop this year, or even some instances where a points dispute or competition within a Region creates an inequity. However, Region 13 has no such emergency and the city of El Paso is the only city in Urban Region 13—hence, there is no other competition within our region from another city.

Also regarding past forwards, there have been special circumstances in prior years where market forces placed almost every LIHTC project in the state in jeopardy of acquiring funding, such as was the case in both 2008 (when the bottom fell out of the market and no one knew the Federal Government would save almost every project with the TCAP and TCEP programs) and in 2010 (when the government announced there would be no extension of TCAP or TCEP and market prices were still in the 64-cent range). However, no such situation exists at this time as market prices for tax credits have shockingly gained 20 cents in the last year and are in the mid-80's now, which is the average historical range for tax credits.

Finally, it is important to note that each applicant before you in Region 13 for 2011 has received exactly 1 project through the forward commitment process in the last several years—Desert Villas (Ike Monty) in 2008 and Canutillo Palms (us) in 2010. Hence, there is fairness and balance in this region currently with regard to “off the books” non-competitive forward awards.

Please let us just re-submit our applications and compete against each other with a full allocation of credits for 2012 in Region 13.

Sincerely,

A handwritten signature in black ink, appearing to read 'R. L. 'Bobby' Bowling IV'. The signature is stylized and cursive.

R. L. "Bobby" Bowling IV  
President

# ANSON PARK III

8455 Lyndon Lane  
Austin, TX 78729  
Office (512) 249-6240 Fax (512) 249-6660

## REGION 2, TDHCA 11066, ANSON PARK III

September 15, 2011

Texas Department of Housing & Community Affairs  
Board of Directors  
221 E. 11<sup>th</sup> Street  
Austin, TX 78701

Dear Chairman and Board Members,

Anson Park III requests consideration of the Texas Department of Housing & Community Affairs' Board of Directors for a forward commitment allocation for TDHCA 11066, Anson Park III to be located at 2820 Old Anson Road, Abilene, Texas 79603. This proposed new construction apartment community is an 80-unit family development.

### **ANSON PARK III** **FORWARD COMMITMENT REQUEST** **JULY 28, 2012**

- This proposed development is a third phase of a very successful development of affordable housing (Anson Park I was built in 2004 and Anson Park II in 2005) which is located in the northwest portion of Abilene. The development has had many years of enthusiastic support from the Sears Park Neighborhood Association, as they know the value that these homes provide to their neighborhood by allowing families to remain in close proximity to their roots. This is a largely Hispanic population and the area that they choose to reside, as opposed to other parts of the city.
- This development meets the goals of the Sears Neighborhood Revitalization Plan, a true revitalization plan created by the Sears Neighborhood Association and adopted by the Abilene City Council.
- Anson Park III is in a QCT which has a 29.6% poverty rate and scores as well as it possibly can but will likely never receive an award based on the existing phases already in the census tract and the points that are associated with no currently existing developments in the census tract.
- The first two phases have maintained high occupancies for several years and there remains a very strong demand for certain unit types as it has close proximity to Dyess Air Base, which this development will provide.
- The developer's equity and construction partners are ready to move forward on this proposed development, and with a forward commitment Anson Park III can be completed and placed in service by December 31, 2012.

Please contact our office at 512-249-6240 with any further comments or questions.

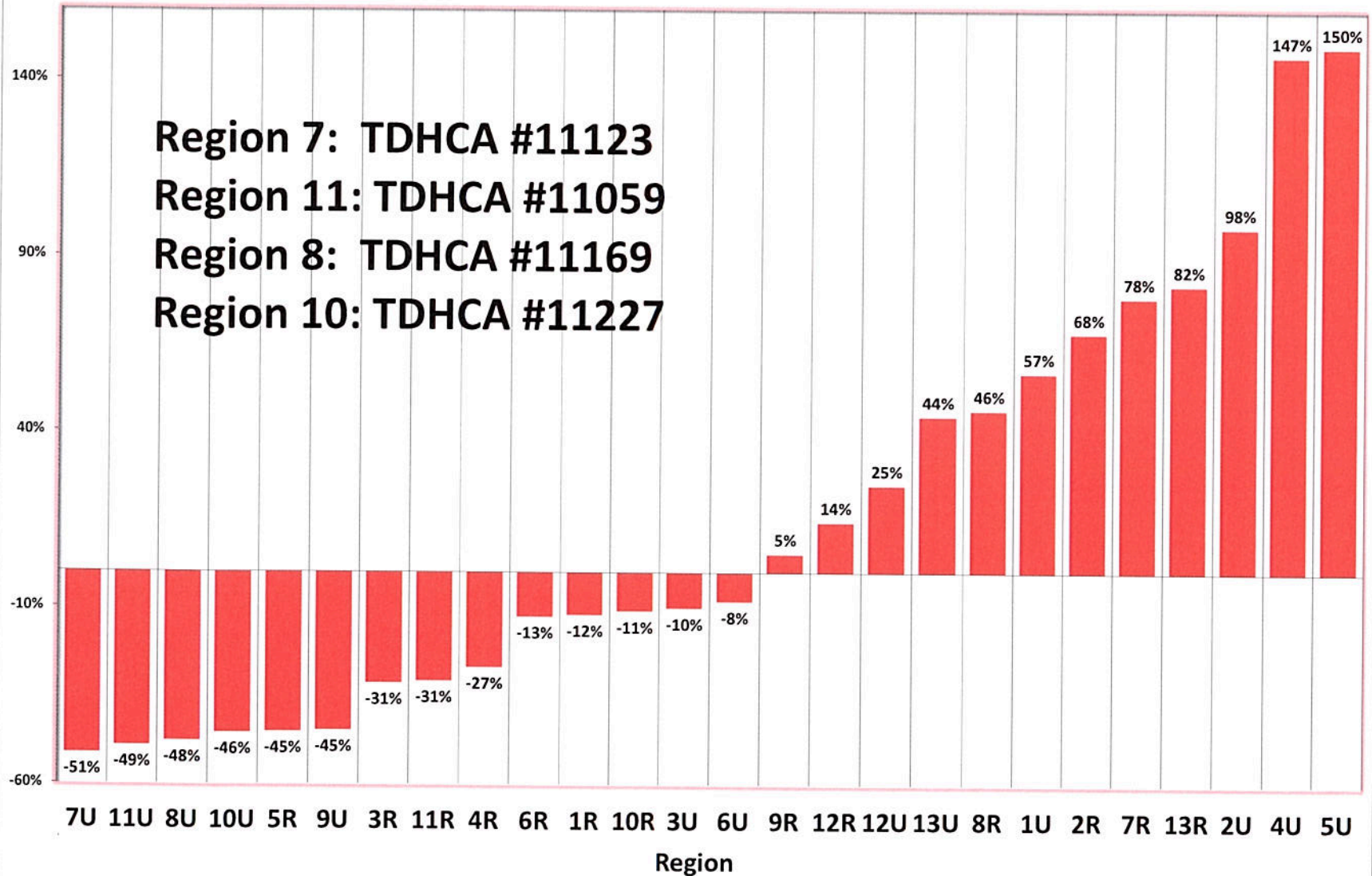
Thank you,

  
Jay Collins  
President of General Partner

I, Laura Llanes, will be presenting at the October 4, 2011 TDHCA meeting on behalf of the Laredo Housing Authority, Region 11, project #11059, Redevelopment Project Colonia Guadalupe.

Thank you

## 2011 Regional Award Over/Under Funded Analysis



Chair, Higher Education Committee  
Legislative Budget Board



**Judith Zaffirini**  
State Senator, District 21  
President Pro Tempore, 1997

**Committees**  
Administration  
Economic Development  
Finance  
Health and Human Services  
Redistricting

March 28, 2011

Robbye Meyer, Director  
Multifamily Finance Division  
Texas Department of Housing and Community Affairs  
P.O. Box 13941  
Austin, Texas 78711-3941

Dear Ms. Meyers:

This is to support strongly the Laredo Housing Authority's application # 11059 for the Housing Tax Credit Program. I am delighted that the city is interested in participating in the department's program. Because Laredo is my home, I understand how this program could benefit low-income families in our community..

Feel free to call upon me or my staff via 512/463-0121 for additional information or whenever we may be of assistance. May God bless you.

Very truly yours,

A handwritten signature in cursive script that reads "Judith Zaffirini".

Judith Zaffirini

JZ/nl

XC: Raul Salinas, Mayor, City of Laredo  
Michael Gerber, Executive Director, TDHCA  
Laura Llanes, Executive Director, Laredo Housing Authority



Chair, Higher Education Committee  
Co-Chair, Joint Oversight Committee  
on Higher Education Governance,  
Excellence, and Transparency  
Legislative Budget Board



**Judith Zaffirini**  
State Senator, District 21  
President Pro Tempore, 1997

**Committees**  
Administration  
Economic Development  
Finance  
Health and Human Services  
Redistricting

September 7, 2011

The Board of the Texas Department of Housing and Community Affairs  
Texas Department of Housing and Community Affairs  
c/o Chair J. Paul Oser  
221 East 11<sup>th</sup> Street  
Austin, TX 78701-2410

Re: Colonia Guadalupe, TDHCA #11059  
Proposed 144 Unit Reconstruction Development  
Laredo, TX 78040

To Board Members:

This is to respectfully request that you issue a forward commitment to Colonia Guadalupe, TDHCA #11059. A forward commitment is warranted for numerous reasons.

Of 138 applications that were eligible for an award of tax credits, the Laredo Housing Authority's Colonia Guadalupe application scored the second highest in the state with a score of 214. Only two other applications scored higher with a score of 215. While two other applications in the urban region 11 also scored 214, Colonia Guadalupe out-scores them based on the tie breaker factors in the QAP, with Laredo having a lower tax credit units per capita ratio.

Region 11 is the only region in Texas that did not have any 2011 applications funded in either the urban or rural subregions.

More money was pulled from region 11 and funded to other areas of the state than from any other region. More than \$1,700,000, approximately 43 percent, was pulled from region 11 in the rural and statewide collapse and funded to other areas of the state.

Capitol Office: P.O. Box 12068 • Austin, Texas 78711 • 512/463-0121 • Fax 512/475-3738 • Dial 711 For Relay Calls  
South District Office: P.O. Box 627 • Laredo, Texas 78042-0627 • 956/722-2293 • Fax 956/722-8586  
North District Office: 12702 Coeppertwein Road #214 • San Antonio, Texas 78233 • 210/657-0095 • Fax 210/657-0262

Letter to The Board of the Texas Department of Housing and Community Affairs  
September 7, 2011  
Page Two

Colonia Guadalupe was the Laredo Housing Authority's first Public Housing development. It is 70 years old, functionally obsolete, and cannot be rehabilitated and modernized. Although Laredo is one of the nation's hottest communities, Colonia Guadalupe has no central air in its units. It's demolition and complete reconstruction would be possible with an award of tax credits and would greatly assist in remedying this situation.

Laredo desperately needs newly constructed affordable housing. Although the state's intent is to fund regions according to or at least close to the regional allocation formulas, region 11 was not funded at either level this year. Accordingly, I request your assistance in remedying this situation by issuing Colonia Guadalupe a forward commitment.

May God bless you and inspire you to agree with my perspective.

Very truly yours,



Judith Zaffirini

JZ/mjd

XC: Timothy K. Irvine, Interim Director, TDHCA

REGION 10, PROJECT # 11058, NAME: CONNELL VILLA

## The Senate of The State of Texas



Senator Eddie Lucio, Jr.

September 12, 2011

Mr. Tim Irvine  
Acting Executive Director  
Texas Department of Housing and  
Community Affairs  
P.O. Box 13941  
Austin, TX 78711-3941

Re: Connell Villa, Ltd Kingsville, TX

Dear Mr. Irvine:

I am writing to reiterate my support of the Housing Authority of the City of Kingsville, through Connell Villa, Ltd., application for a Tax Credit "Forward Commitment" Allocation for the construction of two developments located at 1605 E. Santa Gertrudis Street and 481 W. Caesar, Kingsville, TX 78363.

As you know, developing decent and affordable housing is of extreme importance to the welfare of South Texans, as more than 30% of our community lives in poverty. The fast-growing population in the area has led to an increasingly urgent need to develop new affordable housing and preserve the existing housing stock. The project undertaken by the Kingsville Housing Authority would help address the need for affordable housing in my district.

I ask for your strong consideration of the Housing Authority of the City of Kingsville's Connell Villa, Ltd.'s application for a possible "forward commitment." Please do not hesitate to contact me if you have any questions regarding this application.

Respectfully yours,

A handwritten signature in cursive script that reads "Eddie Lucio, Jr.".

Eddie Lucio, Jr.  
State Senator, District 27





3333 Lee Parkway, Tenth Floor  
Dallas, Texas 75219  
Telephone 214.780.1400  
Facsimile 214.780.1401  
www.shacklaw.net

**John C. Shackelford**  
Also Admitted in Florida and  
Georgia  
Direct 214.780.1414  
jshack@shacklaw.net

September 28, 2011

**VIA E-MAIL**

Mr. Tim Irvine  
Executive Director  
Texas Department of Housing and Community Affairs  
221 East 11<sup>th</sup> Street  
Austin, Texas 78701

Re: Application #11056, St. Paul Apartments (the "Development");  
Our File No.: 50968.1

Dear Mr. Irvine:

This law firm represents St. Paul LIHTC LLC ("Owner") in connection with the above Development. I am writing this letter to be submitted to the Board for consideration at the October 4, 2011 Board Meeting.

Enclosed please find four (4) letters supporting the Development from the following parties:

1. Dan Branch, State of Texas Housing Representative
2. MaryAnn Russ, President and CEO of Dallas Housing Authority
3. William Lyle Burgin, AIA, Director of Development, Brook Partners, Inc.
4. Steve Shepherd, Chair of the Downtown Residents Council

On behalf of Owner, I respectfully request that the attached letters be made part of the record for our client's request for a forward commitment to the TDHCA Board on October 4, 2011. Thank you for your assistance.

Very truly yours,

A handwritten signature in blue ink that reads 'John C. Shackelford'.

John C. Shackelford, Esq.

Mr. Tim Irvine  
September 28, 2011  
Page 2

cc: Tom Gouris (via e-mail)  
Cameron Dorsey (via e-mail)  
Raquel Morales (via e-mail)  
Jeff Pender (via e-mail)  
Ted Hamilton (via e-mail)  
John Greenan (via e-mail)  
Jeff Spicer (via e-mail)

LA50968\VTim Irvine Ltr.9.28.11.docx



STATE OF TEXAS  
HOUSE OF REPRESENTATIVES

DANIEL H. BRANCH  
MEMBER

March 29, 2011

Mr. Michael Gerber, Executive Director  
Texas Department of Housing and Community Affairs  
211 E. 11<sup>TH</sup> Street  
Austin, Texas 78701

Re: St. Paul Apartments -- TDHCA #11056

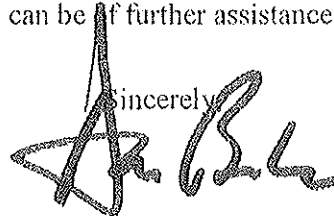
Dear Mr. Gerber:

I am writing in support of the above referenced application for tax credits to be used for the development of a 146-unit apartment property in Downtown Dallas to provide housing for formerly homeless persons. This project is an alliance of private sector joint venture with the Bridge/Metro Dallas Homeless Alliance homeless assistance center in Downtown Dallas.

This development project sits within the 108th legislative district, which includes all of Downtown Dallas, that I am privileged to represent in the Texas House. I have seen the project description and understand that the proposed project will be a benefit to both the neighborhood, the city and North Texas. It is also my understanding that this project, when completed, seeks to provide safe, modern housing in an atmosphere that will enrich the quality of life for the formerly homeless in the heart of Dallas. In addition, the project seeks to reinforce the connectivity between the Main Street District and the Farmer's Market area.

I urge you to give careful consideration to the request being presented for tax credits for this historic and important redevelopment in Downtown Dallas. Many thanks again for your consideration of this project, and if I can be of further assistance, please contact me.

Best wishes.

Sincerely,  


Dan Branch



## Dallas Housing Authority



3939 N. Hampton Rd., Dallas, TX 75212 | Phone: 214.951.8300 | Fax: 214.951.8800 | www.dhadal.com

September 13, 2011

Members of the Board  
Texas Department of Housing and Community Affairs  
221 East 11<sup>th</sup> Street  
Austin, TX 78701

Mr. Tim Irvine, Esq.  
Acting Executive Director  
Texas Department of Housing and Community Affairs  
221 East 11<sup>th</sup> Street  
Austin, TX 78701

Re: St. Paul Apartments, TDHCA No. 11056

Dear Board Members and Mr. Irvine;


The Dallas Housing Authority sets forth our enthusiastic support for St Paul Apartments. In our work with the City of Dallas and the Metro Dallas Homeless Alliance we have become convinced that the need for additional Permanent Supportive Housing for chronically homeless individuals is truly acute.

The location and design of this property are particularly well suited to the designated use. Even more significant is the linkage with long-term supportive services provided through the Bridge. It is only through the thoughtful delivery of services that chronically homeless people, who so often experience a wide array of disabilities and challenges, can succeed in housing.

It is also worth noting that the project enjoys significant support from people who live nearby in downtown and that St. Paul's developer is putting his money where his mouth is by proposing to develop this property immediately adjacent to a \$40 million non- PSH development (the Atmos Lofts).

Please feel free to contact me if you have any further questions. You can reach me at 214 951 8301.

Sincerely;



MaryAnn Russ, President and CEO  
Dallas Housing Authority



September 14, 2011

Members of the Board  
Texas Department of Housing and Community Affairs  
221 East 11th Street  
Austin, Texas 78701

Tim Irvine, Esq.  
Acting Executive Director  
Texas Department of Housing and Community Affairs  
221 East 11th Street  
Austin, Texas 78701

Re: St. Paul Apartments; TDHCA No. 11056

Dear Board Members and Mr. Irvine:

Please accept this letter as a showing of my support for St. Paul Apartments, a permanent supportive housing development in downtown Dallas, TX. Having served as Co-Chair of Downtown Dallas Inc.'s Housing Task Force, I am intensely aware of what the housing landscape in downtown Dallas urgently needs – and that's permanent supportive housing.

The developers, Central Dallas Community Development Corporation and Hamilton Properties Corporation, together have about 1,000 other downtown housing units to their credit across a broad span of income groups. This is a powerful coalition with an admirable record of success that can bring the City of Dallas meaningfully closer to achieving its goal of 700 new permanent supportive housing units.

When completed, St. Paul Apartments will provide safe, modern housing for deserving low-income and formerly homeless individuals and families in Dallas and improve an area of downtown that is in need of revival. The site is a key in-fill location between the Main Street District and the Farmer's Market District that will help knit our downtown together, creating much needed connectivity in an area beset by voids and interruptions in the urban fabric.

It is unusual that a Permanent Supportive Housing development has the unqualified support of the neighborhood residential organization, as is the case here, along with numerous other community groups and City agencies. I hope that you will help bring this development into fruition; St. Paul Apartments will be an invaluable resource in the effort to house the formerly homeless and a vibrant addition to downtown Dallas.

Sincerely,

William Lyle Burgin, AIA  
Director of Development, Brook Partners, Inc.





September 9, 2011

Members of the Board  
Texas Department of Housing and Community Affairs  
211 East 11th Street  
Austin, Texas 78701-2410

Re: St. Paul Apartments, 1818 Wood Street and 1801 Young Street, Dallas, TX 75201, Dallas County, TDHCA #11056

To Whom It May Concern:

In February of this year, the Downtown Residents Council (DRC) submitted a letter of support for the abovementioned development. We did so for a number of reasons and, as the Board considers granting a forward to St. Paul Apartments, we would like to remind you of the extensive support for this development.

First and foremost, our neighborhood – downtown Dallas – desperately needs more permanent supportive housing. Homelessness is a prevalent issue in downtown and our neighborhood stands to greatly benefit from this development. We not only support St. Paul Apartments but also implore you to select it to receive a forward tax credit commitment.

We have experienced firsthand a similar development in our neighborhood and welcome a second. CityWalk@Akard, which was awarded tax credits in 2007 and opened its doors two years later, has had a positive impact on the neighborhood in several ways including lower crime statistics. Our hope is that the St. Paul Apartments development will be able to move forward, as we anticipate it will have a similar positive impact on downtown.

Hamilton Properties and John Greenan (co-developers of St. Paul Apartments) are partners in Atmos Lofts, a mixed-use development directly across the street from St. Paul Apartments' proposed location, and we have every confidence they would only build something that would improve the area immediately surrounding that significant investment. Additionally, as we mentioned in the original letter of support, they have completed several quality developments in downtown – we trust that this one would be of equal quality in both the design and operation.

As the only organization weighing in that meets the definition of "Neighborhood Organization" and as we represent the individuals who live where the St. Paul Apartments are planned, we respectfully request that our support is seriously considered by the Board and would carry more weight than those individuals against the project who do not live downtown.

Sincerely,

Steve Shepherd, Chair  
Downtown Residents Council  
1505 Elm Street # 1502  
Dallas, TX 75201  
214-769-8501 cell

Region 6, Project # 11037, Project Name: Spring Trace

**MDC SPRING TRACE, LP**  
26302 Oak Ridge Drive, Suite 100  
Spring, Texas 77380  
(713) 906-4460  
(281) 419-1991 Fax  
[dkoogler@mark-dana.com](mailto:dkoogler@mark-dana.com)

September 28, 2011

Texas Department of Housing & Community Affairs  
State Insurance Building Annex  
221 East 11<sup>th</sup> Street  
Austin, Texas 78701  
Attn.: Board Members and Acting Executive Director

Re: Spring Trace – Housing For Seniors (TDHCA # 11037) – Request for Forward  
Commitment of Tax Credits

Ladies and Gentlemen:

As you know, we applied for Housing Tax Credits for Spring Trace – Affordable Housing for Seniors and we have made presentations at the June 30, July 18, July 28, and September 15 Texas Department of Housing & Community Affairs (TDHCA) Board meetings requesting that the Board award Spring Trace a forward commitment of Housing Tax Credits.

In addition, Barbara Thomason, President of the Houston Northwest Chamber of Commerce, spoke in support of Spring Trace at the July 18 Board meeting and Don Berglund, Board Member of the Timber Lane Utility District, spoke in support of Spring Trace at the July 28 Board meeting.

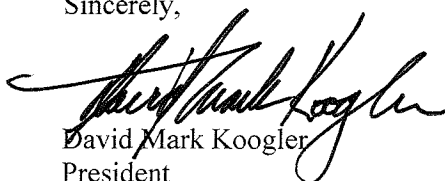
In an effort to take up as little of the Board's time as is necessary we are not reiterating all of the reasons that we believe qualify Spring Trace for consideration for a forward commitment. Instead, we refer you to our presentations made at the previous Board meetings referenced above.

I will be available at the October 4, 2011 Board meeting to answer any questions that the Board may have.

We respectfully request that the Board consider granting a forward commitment of tax credits for Spring Trace for the important reasons outlined previously. In any event, we will continue to work with our legislators and hope to convince them of the need for and benefits of affordable housing.

If you have any questions or would like more information, please let us know.

Sincerely,



David Mark Koogler  
President  
Mark-Dana Corporation,  
Developer of Spring Trace

## REQUEST FOR REASONABLE ACCOMMODATION

To: Tim Irvine, Acting Executive Director  
Texas Department of Housing and Community Affairs

### GOVERNING STATUTES

This is initiated under Title II of the American with Disabilities Act of 1990, 42 U.S.C. 121021 and 12131(2) and 28 C.F.R. 35.104) and 42 U.S.C. 3602.

The ADA applies to the Texas Department of Housing and Community Affairs because it is a “public entity as defined by Title II, 42 U.S.C. Section 12131 (1).

Zion Bayou is an aggrieved person as defined in 42 U.S.C. 3602 (i)

All the persons because of handicaps are likely to reside in the dwelling are a protected group of rights granted by the Fair Housing Act and the Americans with Disabilities Act.

### SUPPORTING FACTS

When I submitted this application, I marked the box for Supportive Housing; this is reflected in Vol. 1 Tab 1. In addition in vol. 1 tab 1 Part D, inserted was a 42 pages narration of the Supportive Housing Program,

Also included in the application in Volume 1 Tab 2 Part A (Population Served), was the following.

84 units designated from the homeless population (homelessness not covered under ADA), of the 84 units (76) units designated for victims of domestic violence( emotional disabilities covered under ADA, (4) units designated for any physical handicap( covered under ADA, and (4) units designated for persons recovered from alcohol or drug abuse (covered under ADA), Therefore the department accepted, reviewed, and scored my application in its entirety for a development that was designed for persons of handicap who are likely to reside in the dwelling. The denial to a group of persons of rights granted by the Fair Housing Act and the ADA raises an issue of general public importance under 42 U.S.C. 3614.

## THE ISSUE

The Department has released its final scoring list and according to the list the application that I (a person who is has protected rights) have submitted cannot be successful as the other individuals (who do not have protected rights) who have submitted application for the 2011 application acceptance period.

The final scoring list also reveals that the development for housing (protected under The Fair Housing Act) solely for persons with disabilities cannot be as successful as the developments that provide housing for only up to 10 percent of their population.

This issue exists due to the fact and supported by the final scoring list that the Department has already forward committed \$ 4,715,113 of tax credits or approximately 79% of the Non Profit Set Aside. This is a disparate amount compared to the \$7,991,602 or 19 % of the General Pool amount.

Although the application is non competitive with its region, it is the 4<sup>th</sup> rank application with the entire statewide and within the 10% non profit set aside amount.

But according to the “Subsequent Evaluation and Methodology for Award Recommendation to the Board” it is highly likely that the application will not be awarded funding and placed on the waiting list and therefore the application from an individual with a disability would not be successful and not be afforded the same opportunity as other participants.

## CONCULSION AND WHAT REASONABLE ACCOMMODATION REQUESTED

Under the ADA the department cannot administer a program in a manner that subjects qualified individuals with disabilities to discrimination on the basis of disability 28 C.F.R. Section 35.130 (b)(6)

Further the department must make reasonable modifications in policies, practices, or procedures when the modification is necessary to avoid discrimination on the basis of disability, unless the public entity can demonstrate that making the modification would fundamentally alter the nature of the service, program, or activity. 28 C.F.R. Sections 35.130(b) (7). Therefore it would not be unreasonable (as evidence by the forward commitments mentioned above) for the department to recommend a forward commitment for application 11024 Zion Bayou, due to the fact that the work was performed by a person with a handicap, for persons with handicap and the law is needed avoid the denial of groups of persons of rights granted by the Fair Housing Act and the American with Disabilities Act.

Respectfully Submitted

Rick Sims

**PART A. ACTIVITY OVERVIEW**

**1. Multifamily Rental Development Name and Location**

Development Name: Zion Bayou Region: 6  
 Address: 5300-5390  
 City: Houston County: Harris ZIP: 77048-0000  
 If a Pre-Application was submitted, enter TDHCA assigned Development number: \_\_\_\_\_

**2. Target Population (Select by Placing a "x"):**

General  Supportive Housing  
 Elderly

**3. Construction Type (Select Only One by Placing a "x"):**

New Construction  Adaptive Reuse  
 Rehabilitation  Single Room Occupancy  
 Reconstruction

**PART B. APPLICANT INFORMATION**

Provide the contact information or the Applicant's staff person who is responsible for Application and contract administration. This primary contact will not be the consultant or the end service provider.

**1. Applicant Contact Information**

Applicant Legal Name: Zion Bayou Ltd.  
 Applicant Contact Name: L.David Punch  
 Mailing Address: 3202 Trulley Ave.  
 City: Houston State: Texas Zip: 77004-0000  
 Phone: 832-347-0900 Fax: 713-659-7733 Email: pastorpunch@yahoo.com

If Applicant's "Physical Address" is different from the "Mailing Address," provide physical address below:

Physical Address: \_\_\_\_\_  
 City: \_\_\_\_\_ State: \_\_\_\_\_ Zip: \_\_\_\_\_  
 2nd Contact Name: \_\_\_\_\_  
 Phone: \_\_\_\_\_ Fax: \_\_\_\_\_ Email: \_\_\_\_\_

**2. Applicant Legal Description**

Is Applicant Legally formed? No  
 Legal form of Applicant is/will be a (select only one): Limited Partnership  
 Other Designation (select all that apply): \_\_\_\_\_  
 Applicant is in good standing with the Secretary of State? \_\_\_\_\_ State Filing #: \_\_\_\_\_

**3. Application Technical Assistance and Capacity Building**

Has the Applicant or its Principals received technical assistance or capacity building training for their organization in completing this Application or for the activity for which this Application is being made? Yes  
 If "Yes" it was sponsored by: TDHCA  
 If "Other Sponsor" provide name here: \_\_\_\_\_  
 The activity was: Workshop  
 If "Other" describe activity here: \_\_\_\_\_  
 Was a Consultant or Administering Agent used to complete the Applicant? Yes  
 If "Yes" provide Consultant/Agent Name here: Simco Ministry Development Inc.  
 Phone: 832-754-8090 Fax: 713-659-7733 Email: RRsims90@aol.com

**Volume 1, Tab 2**

**PART A. POPULATIONS SERVED**

Development Name: \_\_\_\_\_ City: \_\_\_\_\_

**1. Unit Composition<sup>1</sup>**

Type of Unit	# of Designated Units	% of Total Units in Development
Migrant Farm Workers		
Elderly		
Victims of Domestic Violence	76	<b>90%</b>
Persons with Disabilities	4	<b>5%</b>
Homeless Populations	84	<b>100%</b>
Intergenerational		
Persons with alcohol and/or drug addictions	4	<b>5%</b>
Persons with HIV/AIDS		
Colonia Resident		
Supportive Housing		

*NOTE: The populations are anticipated at the time of Application submission and the Applicant will not be held to this representation long-term, unless required by TDHCA Program rules and federal regulations.*

<sup>1</sup> "Type of Unit" categories are not mutually exclusive. (For a 200 unit Qualified Elderly Development with 10% of the units set-aside for Persons with Disabilities, the table would read: 200 Elderly units and 20 units for Persons with Disabilities with corresponding % of total units.)