




# Public Facility Corporations (PFC) Pre-June 18, 2023

March 2025

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## Contact Information



**Mailing Address:**  
TDHCA  
PO Box 13941  
Austin, TX 78711-3941

**Physical Address:**  
TDHCA  
221 East 11<sup>th</sup> Street  
Austin, TX 78701

**Website:** <https://www.tdhca.texas.gov>

**Division Phone Number:** (512) 305-8869  
or (800) 525-0657 (toll free in Texas only)

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## Announcements

### Schedule:

- The training will run from 9:00 am until approximately 11:30 am
- We will take a break mid-morning to shift from the webinar to the open forum
- Staff will be present to answer any questions

### Housekeeping:

- Certificates **will not** be emailed but you will receive an email confirming your attendance, usually within 24-hours in an email from the GoTo Platform, please check your “junk” folders as we cannot reissue these emails
  - If you did not use your emailed link for the training from your registration you will not receive a follow-up email or show as having attended the webinar
- We suggest you silence your phones and put an “out of office” email response to help avoid distractions during the training
- Please pose questions and comments to the “Questions Box”



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## Department Resources

- **Compliance Forms**
  - <https://www.tdhca.texas.gov/compliance-forms>
- **Manuals and Rules**
  - <https://www.tdhca.texas.gov/compliance-manuals-and-rules>
- **Utility Allowance Information**
  - <https://www.tdhca.texas.gov/compliance-utility-allowance-information>
- **Income and Rent Limits**
  - <https://www.tdhca.texas.gov/income-and-rent-limits>
- **Compliance Presentations**
  - <https://www.tdhca.texas.gov/compliance-program-training-presentations>
- **Contact List**
  - <https://www.tdhca.texas.gov/compliance-division-staff>



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## Public Facility Corporations (PFC) Pre-June 18, 2023

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### PFC Monitoring



- Pre – 6/18/2023**
  - Developments that were approved by a PFC or PFC sponsor prior to then enactment of HB 2071
- Post – 06/18/2023**
  - Developments that were approved by a PFC or PFC sponsor after the enactment of HB 2071

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## Reporting Requirements

Reports are due to the Department by June 1<sup>st</sup> each year.

Recommended practice is to report for the previous calendar year as of 12/31.

Example: Reports submitted on June 1, 2025, should reflect reporting year 2024.

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## Reporting Requirements

### PFC User

Must engage a qualified Auditor to conduct the Audit Report

Must provide Auditor all relevant documents and access to tenant files

### Auditor

Must hold a Certified Occupancy Specialist (COS) or equivalent designation

Cannot be a current or previous Management Agent that has or had oversight of the Development or is/was responsible for reviewing and approving tenant files

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## Reporting Requirements

Demonstrating its eligibility to continue under the former law

- The Audit Report should reflect compliance with the development’s Regulatory Agreement.
- Regulatory Agreement = Ground Lease, Land Use Restriction Agreement, Deed Restriction

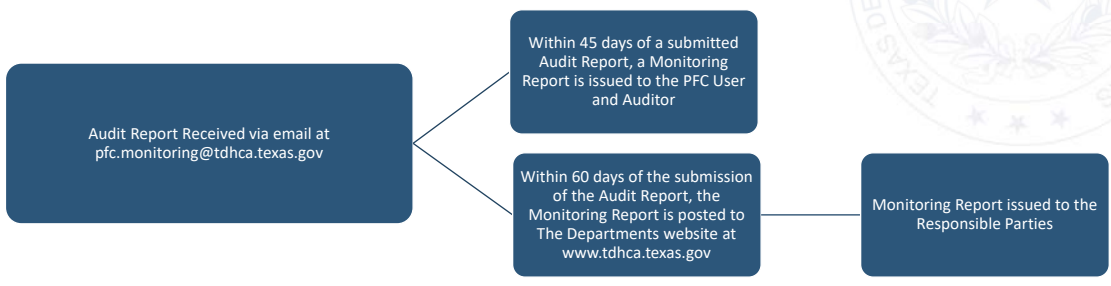
Identifying the difference in rent charged for income-restricted residential units and the estimated maximum market rents that could be charged for those units without the rent or income restrictions

- The Audit Report should reflect the amount of restricted rent charged, or restricted rent published for each restricted unit.
- The Audit Report should reflect the amount of market rent charged on the same type of unit.

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## Reporting Requirements



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## Reporting Requirements



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## Audit Workbook

<https://www.tdhca.texas.gov/public-facilities-corporation-compliance-monitoring>

### Public Facilities Corporation Compliance Monitoring

#### PFC Monitoring Regulations

- [House Bill 2071](#)
- [TDHCA Public Facility Corporation Compliance Monitoring rule](#)

#### Forms

- [License Certification](#)
- [Audit Workbook pre June 18, 2023](#)
- [Audit Workbook](#)
- [Latitude/Longitude instructions](#) – A copy of the instructions

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# Audit Workbook

Property Information	
Development Name:	El Paso Villas
Development Address:	25085 Mountain Drive, El Paso Texas 77786
Development County:	El Paso
Development Phone Number:	512-888-5855
Development Email:	elpasovillas@mgmtcompany.com
Development Website Address (if applicable):	elpasovillasapts.com
Development Longitude and Latitude Coordinates (instructions will be provided):	
	Latitude: 30.05325
	Longitude: -105.06656

Operator Information	
Operator's Name:	Donald Williamson
Operator's Address:	29856 Old Newport Highway, Las Cruces, New Mexico 88899
Operator's Phone Number:	859-665-8888
Operator's Email Address:	donald.williamson@operator.net

Management Company Information	
Management Company Name:	Mgmt Company
Management Company Address:	66335 Candy Lane, El Paso, Texas 77863
Management Company Phone Number:	989-332-3235
Management Company Website:	mgmtcompany.com
Management Company Contact Person's Name:	Arron Montgomery
Management Company Contact Person's Email Address:	arron.montgomery@mgmtcompany.com

Tab 1

## Development Information

Property Information = All the information pertaining to the actual property.

Operator Information = All the information should be the actual information for the owner/user of the property.

Management Company = All the information for the company managing the day-to-day operations at the property.

# Audit Workbook

PFC Sponsor's Name:	Municipality
PFC Sponsor's Address:	25085 Mountain Drive, El Paso Texas 77786
PFC Sponsor's Phone Number:	512-888-5855
PFC Sponsor's Email:	municipality@city.org
PFC Sponsor's Website (if applicable):	municipalitycity.com

List any other Responsible Parties Below	
1. Name:	Warner Price
Address:	2586 Hollywood Blvd, Monarch, ID 55555
Phone Number:	369-555-5555
Email:	warner.price@pfcgovboard.org
Website (if applicable):	responsibleparties.com
2. Name:	Warner Price
Address:	2586 Hollywood Blvd, Monarch, ID 55555
Phone Number:	369-555-5555
Email:	warner.price@pfcgovboard.org
Website (if applicable):	responsibleparties.com
3. Name:	Warner Price
Address:	2586 Hollywood Blvd, Monarch, ID 55555
Phone Number:	369-555-5555
Email:	warner.price@pfcgovboard.org
Website (if applicable):	responsibleparties.com

Tab 2

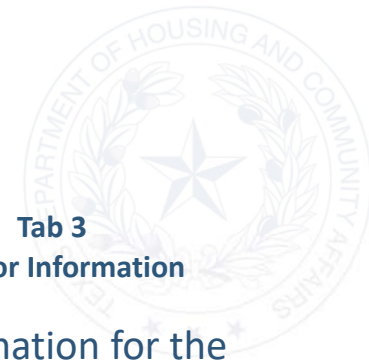
## Responsible Parties

PFC Sponsor = The entity that created the PFC. This will be a Municipality, County, or Housing Authority.

Responsible Parties = All members of the abovementioned Sponsor. Examples are Board Members or Counsel Members. Please include all email addresses.

## Audit Workbook

Auditor's Company Name:	Auditor Firm
Auditor's Name:	John Auditor
Auditor's Address:	5856 Auditor Ave, Pensacola, FL 88552
Auditor's Phone Number:	512-666-5555
Auditor's Email:	johnauditor@auditor.com
Auditor's Website Address (if applicable):	
Submit Auditor's resume and current COS or equivalent certification.	
Is the Auditor affiliated with or related to any PFC Responsible Parties?	<input type="checkbox"/> Yes <input type="checkbox"/> No
Is the Auditor a current or previous Management Agent of the Development?	<input type="checkbox"/> Yes <input type="checkbox"/> No



### Tab 3 Auditor Information

All information for the Auditor or Firm conducting the Audit Report.

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## Audit Workbook

New Construction <input type="checkbox"/> Acquisition <input type="checkbox"/> Acquisition/Rehabilitation <input type="checkbox"/> Reconstruction <input type="checkbox"/>	
<b>New Construction:</b>	
The date the development was first occupied by one or more tenants: _____	
<b>For Acquisition:</b> <input checked="" type="checkbox"/>	
When was the development originally built? _____	
What is the date of acquisition by the PFC? _____	
Type: General/Family <input type="checkbox"/> Elderly <input type="checkbox"/> Other <input type="checkbox"/> explain: _____	
Does the development also participate in any other affordable housing programs? <input type="checkbox"/> Yes <input type="checkbox"/> No	
If yes, complete the following:	
Program: _____	Funding Source: _____
Program: _____	Funding Source: _____
Program: _____	Funding Source: _____
Program: _____	Funding Source: _____
Program: _____	Funding Source: _____

### Tab 4

### Development Information

Information about the Development:

- New Construction
- Acquisition
- Acquisition/Rehabilitation
- Reconstruction
- General/Family
- Elderly
- Other Housing Programs

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# Audit Workbook

**What utilities are residents responsible for? (check each box that is applicable):**

Electric

Gas

Water

Sewer

Trash

**What utilities does the Operator pay? (check each box that is applicable):**

Electric

Gas

Water

Sewer

Trash

## Tab 5 Utilities

Informational only

What utilities do the residents pay for and what utilities does the operator pay.

# Audit Workbook

Does the development charge an application fee?  Yes  No If yes, how much? \_\_\_\_\_

Does the development require a security deposit?  Yes  No If yes, how much? List by unit size: \_\_\_\_\_

Bedroom Size: \_\_\_\_\_ Deposit Amount: \_\_\_\_\_

Bedroom Size: \_\_\_\_\_ Deposit Amount: \_\_\_\_\_

Bedroom Size: \_\_\_\_\_ Deposit Amount: \_\_\_\_\_

Bedroom Size: \_\_\_\_\_ Deposit Amount: \_\_\_\_\_

Bedroom Size: \_\_\_\_\_ Deposit Amount: \_\_\_\_\_

Bedroom Size: \_\_\_\_\_ Deposit Amount: \_\_\_\_\_

Bedroom Size: \_\_\_\_\_ Deposit Amount: \_\_\_\_\_

Bedroom Size: \_\_\_\_\_ Deposit Amount: \_\_\_\_\_

Bedroom Size: \_\_\_\_\_ Deposit Amount: \_\_\_\_\_

Does the development charge additional/other deposits for application, pets, key fobs etc.?  Yes  No

Name of Deposit: \_\_\_\_\_ Amount: \_\_\_\_\_

Name of Deposit: \_\_\_\_\_ Amount: \_\_\_\_\_

Name of Deposit: \_\_\_\_\_ Amount: \_\_\_\_\_

Name of Deposit: \_\_\_\_\_ Amount: \_\_\_\_\_

Name of Deposit: \_\_\_\_\_ Amount: \_\_\_\_\_

Are any fees required as a condition of occupancy, i.e. pest control, administrative, valet trash, cable, etc.?  Yes  No

Name of Fee: \_\_\_\_\_ Amount: \_\_\_\_\_

Name of Fee: \_\_\_\_\_ Amount: \_\_\_\_\_

Name of Fee: \_\_\_\_\_ Amount: \_\_\_\_\_

Name of Fee: \_\_\_\_\_ Amount: \_\_\_\_\_

Name of Fee: \_\_\_\_\_ Amount: \_\_\_\_\_

Name of Fee: \_\_\_\_\_ Amount: \_\_\_\_\_

Are any optional fees charged, i.e. rental of washer/dryer, month-to-month-fee, renter's insurance, pet rent, internet, fitness cent?  Yes  No

Name of Fee: \_\_\_\_\_ Amount: \_\_\_\_\_

Name of Fee: \_\_\_\_\_ Amount: \_\_\_\_\_

Name of Fee: \_\_\_\_\_ Amount: \_\_\_\_\_

Name of Fee: \_\_\_\_\_ Amount: \_\_\_\_\_

Name of Fee: \_\_\_\_\_ Amount: \_\_\_\_\_

Name of Fee: \_\_\_\_\_ Amount: \_\_\_\_\_

## Tab 6 Fees

Informational only

- Application Fees
- Security Deposits
- Additional Deposits (pet/key fobs/application)
- Conditions of Occupancy (pest control/trash/cable)
- Optional Fees (washer/dryer/month-to-month)

# Audit Workbook

Provide the following current information as of the time of submission of this report:

Unit Type:	# of Restricted Units:	Restricted Rent Amount:	Estimated Market Rent Amount:
		\$362	\$652
		\$362	\$652
		\$362	\$652
		\$362	\$652
		\$362	\$652
		\$362	\$652
		\$362	\$652
		\$362	\$652
		\$362	\$652
		\$362	\$652

What is the annual savings to households living in Restricted Units? \_\_\_\_\_

What is the estimated amount of the annual ad-valorem taxes that would be imposed on the Development without the exemption? \_\_\_\_\_

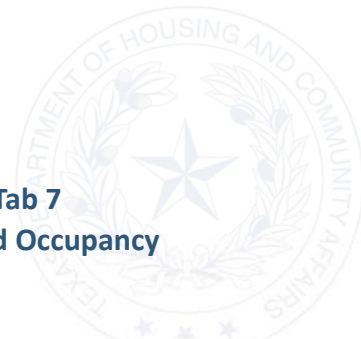
Does the Development have any units that have special features for persons with mobility impairments?  Yes  No

If yes, list unit numbers: \_\_\_\_\_

Occupancy Information:

How many units are occupied? \_\_\_\_\_ How many units are vacant? \_\_\_\_\_

List details of any violations:  Yes  No



**Tab 7  
Unit and Occupancy**

Identifying the difference in rent charged for income-restricted residential units and the estimated maximum market rents that could be charged for those units without the rent or income restrictions.

# Audit Workbook

Are any units occupied by Section-8 voucher holders?  Yes  No

If so, how many: \_\_\_\_\_

Does the development have a properly recorded Land Use Restriction Agreement (LURA)?  Yes  No

How long is the LURA term? 40 years

Attach a copy of the LURA to the Audit Report.

Does the LURA specify income/rent limits?  Yes  No If yes, what are they?

Income Limits	
Number of Household Members	
60%	
80%	
Other	

Rent Limits	
Number of Bedrooms	
60%	
80%	
Other	

Attach a copy of the Development's rent roll that as issued for this Audit Report

Are the income and rent limits derived from data released by HUD?  Yes  No

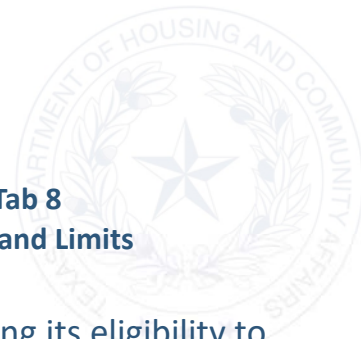
Attach a copy of the income/rent used by the development the last 3 years.

List all additional LURA/Regulatory Agreement requirements

Please indicate if the LURA/Regulatory requirements have been met

- Yes  No
- Yes  No
- Yes  No
- Yes  No
- Yes  No

List details of any violations:  Yes  No

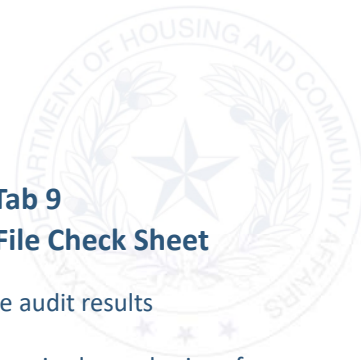


**Tab 8  
LURA and Limits**

Demonstrating its eligibility to continue under the former law.

## Audit Workbook

# of HH Members	Income Cert Exempt by HH?	Verification - Income Check?	Auditor's Estimate of HH Income	Income Under Limit?	Income Paid	Income Paid	Social Assistance	Rent Limit	Recertification Effective Date	Issue and Addressed (Required by HH)?	Findings of Noncompliance	Technical Assistance
	Yes or No	Yes or No		Yes or No	Percent	Percent				Yes or No		
3	Yes	Yes	\$5,250.00	\$5,400.00	Yes	0.25%	0%	\$1,000.00	06/12/2024	Yes		



### Tab 9 Household File Check Sheet

Tenant file audit results

Must include the required sample size of: At least twenty percent (20%) of the total number of Restricted Units for the Development, but no more than a total of fifty (50) household files. The selection of Restricted Units should primarily be new move-ins but should also include at least ten percent (10%) sample of all the household files that have recertified.

## Audit Submission

[pfc.monitoring@tdhca.texas.gov](mailto:pfc.monitoring@tdhca.texas.gov)

- The complete Audit Workbook
- The properties Regulatory Agreement
- Cover Letter
- The Auditor’s certification (if not already submitted to the Department)



## Frequently Asked Questions

- Do PFCs need to follow HOTMA guidance?
- Do PFCs need to calculate assets?
- What if we don't have a regulatory agreement?
- What is TDHCA monitoring to?
- What if the tenant TDHCA has requested a file for no longer lives at the property?
- Are there restrictions on fees for PFCs?
- Who is the PFC User?
- When do we stop accepting audits for 2023?
- If my PFC is layered with another program, do I need to submit a PFC report?
- Recertification 140% rule?
- Rent Limits; what if there are no rent limits outlined in the RA?
- Cover Letter- Should we submit one and what should it say?



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# Thank you!

Public Facilities Corporation  
Compliance Monitoring

TEXAS DEPARTMENT OF HOUSING AND COMMUNITY AFFAIRS  
(TDHCA OR THE DEPARTMENT)  
221 EAST 11<sup>TH</sup> STREET, AUSTIN, TX 78701  
PO Box 13941, AUSTIN, TX 78711

MAIN NUMBER (512) 475-3800

[WWW.TDHCA.TEXAS.GOV](http://WWW.TDHCA.TEXAS.GOV)



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