



TEXAS DEPARTMENT OF HOUSING AND COMMUNITY AFFAIRS

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January 16, 2025

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

Alyssa Cervantes
RPM Living
San Antonio, Texas
Alyssa.cervantes@rpmliving.com

RE: Abacus at Alamo Ranch

Dear Ms. Cervantes:

The Texas Department of Housing and Community Affairs (Department) has reviewed the Public Facility Corporation (PFC) Audit Report submitted by Murphy HTC, LLC on December 16, 2024. This review was performed as required by Section 303.042 (c) of Chapter 303, the Texas Administrative Code Chapter 10, Subchapter I, and the Regulatory Agreement/Deed Restriction for Abacus Alamo Ranch.

Events of noncompliance have been identified and corrective action is required. The attached Findings Report details the event(s) of noncompliance and the required corrective action. This notice begins the corrective action period. Please supply all requested documentation no later than **March 17, 2025**, the last day of the corrective action period.

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

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



If you have any questions about this monitoring report, please contact Christina Thompson toll free in Texas at (800) 643-8204, directly at (512) 475-3907, or email: christina.thompson@tdhca.texas.gov.

Sincerely,

A handwritten signature in black ink, appearing to be 'CT' with a long horizontal flourish extending to the right.

Christina Thompson
PFC Monitor

CC: patricia@murphyhtc.com

Audit Report
Abacus at Alamo Ranch

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

- Section 3(d) of the Development's Regulatory Agreement states the Development must complete and accurate records pertaining to the Low Income Units.
- Section 3(f) of the Development's Regulatory Agreement states each lease or rental agreement pertaining to a Low Income Unit entered into after the date hereof shall contain a provision to the Development has relied on the Income Certification and supporting information supplied by the Low Income Tenant in determining qualification for occupancy of the Low Income Unit and that any material misstatement in such certification (whether or not intentional) may be cause for immediate termination of such lease or rental agreement. Each lease or rental agreement shall also provide that the tenant's income is subject to annual certification.

TEXAS DEPARTMENT OF HOUSING AND COMMUNITY AFFAIRS

DETAIL FINDINGS AND CORRECTIVE ACTION
PFC PROGRAM

PFC User: Abacus Alamo Ranch Tenant LP
Property Name: Abacus at Alamo Ranch
Address: 11788 Culebra Road San Antonio, TX 78253
RA Date: January 30, 2023

Audit Report Date: 12/11/2024
Program: PFC

Corrective Action Due Date: 3/17/2025

Audit Report Review Date: 1/13/2025

PROGRAM: PFC

PROPERTY FINDINGS

Finding Failure to comply with the Public Facility Corporation Regulatory Agreement
Noncompliance Date 12/31/2023 Correction Date:
Reason The Development's Regulatory Agreement requires at least one hundred twenty-eight (128) units income restricted at 80% AMI. The Development only has seventy-eight (78) income restricted units and has not met the required occupancy requirements.
Corrective Action As units become available, lease units to households' with 80% AMI or less until the occupancy requirements of the Regulatory Agreement have been met. The owner may also survey existing market rate households and certify them if their income is at or below 80% AMI. Submit copies of new move-ins etc. that have been certified at 80% AMI and a current rent roll showing at least one hundred twenty-eight (128) units are restricted at 80% AMI.
Provide the Department copies of the following for the new certified households: application(s), verifications of income/assets, executed Income Certification and the lease contract.

Unit # 1105
Finding Household above the income limit upon initial occupancy.
Noncompliance Date 7/15/2022 Correction Date:
Reason All sources of income were not completely documented during initial review. The inclusion of additional income from Social Security results in the household's income exceeding the applicable 30% limit at move-in.
Corrective Action When the unit becomes available occupy with an eligible household and submit the following documentation to the Department for review: application, verification of income and assets, executed Income Certification and lease contract.
If the household's circumstances have changed they may be qualified using current income limits. If qualifying the household under current circumstances please submit the following for Department review: application, verification of income and assets, and executed Income Certification.

Unit # 8201

Finding Household above the income limit upon initial occupancy.
 Noncompliance Date 10/1/2022 Correction Date:

Reason Household's annual gross income is \$248,086.00 which exceeds the applicable 60% AMI income limit of \$70,800.

Corrective Action When the unit becomes available occupy with an eligible household and submit the following documentation to the Department for review: application, verification of income and assets, executed Income Certification and lease contract.

If the household's circumstances have changed they may be qualified using current income limits. If qualifying the household under current circumstances please submit the following for Department review: application, verification of income and assets, and executed Income Certification.

Unit # 14103

Finding Household above the income limit upon initial occupancy.
 Noncompliance Date 7/21/2023 Correction Date:

Reason Household provided 2 sources of income but only one was used to determine the household income during the initial review. The inclusion of both sources of income resulted in the household's annual gross income of \$109,718 which exceeds the applicable 60% AMI limit a of \$70,880.

Corrective Action When the unit becomes available occupy with an eligible household and submit the following documentation to the Department for review: application, verification of income and assets, executed Income Certification and lease contract.

If the household's circumstances have changed they may be qualified using current income limits. If qualifying the household under current circumstances please submit the following for Department review: application, verification of income and assets, and executed Income Certification.

Unit # 1106

Finding Failure to comply with the Public Facility Corporation Regulatory Agreement
 Noncompliance Date 10/24/2023 Correction Date:

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

Auditor reported tenant file for unit 1106 did not include a income certification or verification of income and the household income could not be determined.

Corrective Action Submit for Department review the application from the time of initial occupancy, verification of income, and an updated Income Certification, if needed. If unable to verify income from the time of initial occupancy, the household may be certified under current circumstances using current income limits.

If verifying under current circumstances, please provide the following for Department review: application, verification of income/assets, and executed Income Certification. If the household remains ineligible, when the unit becomes available lease to a qualified household and submit the following for Department review: application, verification of income/assets and, executed Income Certification and the lease contract.

Unit # 1207

Finding Failure to comply with the Public Facility Corporation Regulatory Agreement
 Noncompliance Date 9/8/2023

Correction Date:

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

Department unable to determine eligibility. Auditor reported tenant file for unit 1207 did not include an income certification or verification of income for all adult household members and household income could not be determined.

Corrective Action Submit for Department review the application from the time of initial occupancy, verification of income for all adult household members, and an updated Income Certification, if needed. If unable to verify income from the time of initial occupancy, the household may be certified under current circumstances using current income limits.

If verifying under current circumstances, please provide the following for Department review: application, verification of income/assets, and executed Income Certification. If the household remains ineligible, when the unit becomes available lease to a qualified household and submit the following for Department review: application, verification of income/assets and, executed Income Certification and the lease contract.

Unit # 3206

Finding Failure to comply with the Public Facility Corporation Regulatory Agreement
 Noncompliance Date 8/4/2023

Correction Date:

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

Department unable to determine eligibility. Tenant file for unit 3206 does not contain application and complete income documents.

Corrective Action	<p>Submit for Department review the application from the time of initial occupancy, verification of income for all adult household members, and an updated Income Certification, if needed. If unable to verify income from the time of initial occupancy, the household may be certified under current circumstances using current income limits.</p> <p>If verifying under current circumstances, please provide the following for Department review: application, verification of income/assets, and executed Income Certification. If the household remains ineligible, when the unit becomes available lease to a qualified household and submit the following for Department review: application, verification of income/assets and, executed Income Certification and the lease contract.</p>	
Unit # 7103		
Finding	Failure to comply with the Public Facility Corporation Regulatory Agreement	
Noncompliance Date	10/21/2023	Correction Date:
Reason	<p>In accordance with Section 3(c) of the Regulatory Agreement, the following items are acceptable to determine income eligibility: (1) pay stubs for the most recent four-week period; (2) income tax returns for the most recent two tax years; (3) an income verification from the applicant's current employer; (4) an income verification from the Social Security Administration; or (5) if applicant is unemployed, does not have tax returns or is otherwise unable to provide other forms of verification as required, another form of independent verification as would be satisfactory.</p> <p>Department unable to determine eligibility. Tenant file for unit 7103 does not contain application and complete income documentation for Tip income.</p>	
Corrective Action	<p>Submit for Department review the application from the time of initial occupancy, verification of income for all adult household members, and an updated Income Certification, if needed. If unable to verify income from the time of initial occupancy, the household may be certified under current circumstances using current income limits.</p> <p>If verifying under current circumstances, please provide the following for Department review: application, verification of income/assets, and executed Income Certification. If the household remains ineligible, when the unit becomes available lease to a qualified household and submit the following for Department review: application, verification of income/assets and, executed Income Certification and the lease contract.</p>	
Unit # 11205		
Finding	Failure to comply with the Public Facility Corporation Regulatory Agreement	
Noncompliance Date	7/14/2023	Correction Date:
Reason	<p>In accordance with Section 3(c) of the Regulatory Agreement, the following items are acceptable to determine income eligibility: (1) pay stubs for the most recent four-week period; (2) income tax returns for the most recent two tax years; (3) an income verification from the applicant's current employer; (4) an income verification from the Social Security Administration; or (5) if applicant is unemployed, does not have tax returns or is otherwise unable to provide other forms of verification as required, another form of independent verification as would be satisfactory.</p> <p>Department unable to determine eligibility. Auditor reported tenant file for unit 11205 did not contain any forms of income documentation and no income verification.</p>	

Corrective Action	<p>Submit for Department review the application from the time of initial occupancy, verification of income for all adult household members, and an updated Income Certification, if needed. If unable to verify income from the time of initial occupancy, the household may be certified under current circumstances using current income limits.</p> <p>If verifying under current circumstances, please provide the following for Department review: application, verification of income/assets, and executed Income Certification. If the household remains ineligible, when the unit becomes available lease to a qualified household and submit the following for Department review: application, verification of income/assets and, executed Income Certification and the lease contract.</p>
Unit # 11302	
Finding	Failure to comply with the Public Facility Corporation Regulatory Agreement
Noncompliance Date	6/27/2023
	Correction Date:
Reason	<p>In accordance with Section 3(c) of the Regulatory Agreement, the following items are acceptable to determine income eligibility: (1) pay stubs for the most recent four-week period; (2) income tax returns for the most recent two tax years; (3) an income verification from the applicant's current employer; (4) an income verification from the Social Security Administration; or (5) if applicant is unemployed, does not have tax returns or is otherwise unable to provide other forms of verification as required, another form of independent verification as would be satisfactory.</p> <p>Department unable to determine eligibility. Auditor reported tenant file for unit 11302 did not contain the application and verification of income for all adult household members.</p>
Corrective Action	<p>Submit for Department review the application from the time of initial occupancy, verification of income, for all adult household members and an updated Income Certification, if needed. If unable to verify income from the time of initial occupancy, the household may be certified under current circumstances using current income limits.</p> <p>If verifying under current circumstances, please provide the following for Department review: application, verification of income/assets, and executed Income Certification. If the household remains ineligible, when the unit becomes available lease to a qualified household and submit the following for Department review: application, verification of income/assets and, executed Income Certification and the lease contract.</p>
Unit # 13104	
Finding	Failure to comply with the Public Facility Corporation Regulatory Agreement
Noncompliance Date	10/25/2023
	Correction Date:
Reason	<p>In accordance with Section 3(c) of the Regulatory Agreement, the following items are acceptable to determine income eligibility: (1) pay stubs for the most recent four-week period; (2) income tax returns for the most recent two tax years; (3) an income verification from the applicant's current employer; (4) an income verification from the Social Security Administration; or (5) if applicant is unemployed, does not have tax returns or is otherwise unable to provide other forms of verification as required, another form of independent verification as would be satisfactory.</p> <p>Department unable to determine eligibility. Auditor reported tenant file for unit 11304 did not contain the application and verification of income for all adult household members.</p>

Corrective Action	Submit for Department review the application from the time of initial occupancy, verification of income, for all adult household members and an updated Income Certification, if needed. If unable to verify income from the time of initial occupancy, the household may be certified under current circumstances using current income limits.	
	If verifying under current circumstances, please provide the following for Department review: application, verification of income/assets, and executed Income Certification. If the household remains ineligible, when the unit becomes available lease to a qualified household and submit the following for Department review: application, verification of income/assets and, executed Income Certification and the lease contract.	
Unit # 1105		
Finding	Failure to comply with the Public Facility Corporation Regulatory Agreement	
Noncompliance Date	7/15/2023	Correction Date:
Reason	In accordance with the Regulatory Agreement, Section 3(c), annual Income Certification with verification of income must be obtained by the household's anniversary date (occupancy date of the unit) and no less than once in a 12-month period. Unit number 1105 moved in 7/15/2022, and a new Income Certification with verifications has not been completed as required.	
Corrective Action	To correct, complete annual Income Certification with income verifications and submit to the Department for review. Submit the following documentation for review: application, verification of income/assets, executed Income Certification form and renewal lease contract.	
Unit # 1202		
Finding	Failure to comply with the Public Facility Corporation Regulatory Agreement	
Noncompliance Date	5/2/2023	Correction Date:
Reason	In accordance with the Regulatory Agreement, Section 3(c), annual Income Certification with verification of income must be obtained by the household's anniversary date (occupancy date of the unit) and no less than once in a 12-month period. Unit number 1202 moved in 5/2/2022, and a new Income Certification with verifications has not been completed as required.	
Corrective Action	To correct, complete annual Income Certification with income verifications and submit to the Department for review. Submit the following documentation for review: application, verification of income/assets, executed Income Certification form and renewal lease contract.	
Unit # 9201		
Finding	Failure to comply with the Public Facility Corporation Regulatory Agreement	
Noncompliance Date	6/27/2021	Correction Date:
Reason	In accordance with the Regulatory Agreement, Section 3(c), annual Income Certification with verification of income must be obtained by the household's anniversary date (occupancy date of the unit) and no less than once in a 12-month period. Unit number 9201 moved in 6/27/2020, and a new Income Certification with verifications has not been completed as required.	
Corrective Action	To correct, complete annual Income Certification with income verifications and submit to the Department for review. Submit the following documentation for review: application, verification of income/assets, executed Income Certification form and renewal lease contract.	

Unit # 9203

Finding

Failure to comply with the Public Facility Corporation Regulatory Agreement

Noncompliance Date

11/20/2023

Correction Date:

Reason

In accordance with the Regulatory Agreement, Section 3(c), annual Income Certification with verification of income must be obtained by the household's anniversary date (occupancy date of the unit) and no less than once in a 12-month period. Unit number 9203 moved in 11/20/2022, and a new Income Certification with verifications has not been completed as required.

Corrective Action

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