



TEXAS DEPARTMENT OF HOUSING AND COMMUNITY AFFAIRS

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January 23, 2025

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

Versa Development, LLC
San Antonio, Texas
ilianar@versadevco.com

RE: Brio at Lookout

Dear Versa Development LLC:

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 13, 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 Creekside at Lookout Apartments.

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 24, 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
Brio at Outlook

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

- Development is required to obtain, complete and maintain on file Income Certifications from each Low-Income Household, including (i) the Income Certification provided as Exhibit D, attached hereto and incorporated herein, dated prior to the initial occupancy of such Low-Income Household in the Project that occupied the unit.
- Each lease or rental agreement pertaining to a Low-Income Unit shall contain a provision to the effect that the Grantor has relied on the Income Certification and supporting information supplied by the Low Income Tenant or Very Low-Income Tenant, as the case may be, 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 such lease or rental agreement shall also provide (and shall so disclose to the tenant) that the tenant's income is subject to annual certification in accordance with Section 3(c) hereof.

TEXAS DEPARTMENT OF HOUSING AND COMMUNITY AFFAIRS

DETAIL FINDINGS AND CORRECTIVE ACTION
PFC PROGRAM

PFC User: Versa Development, LLC

Property Name: Bria At Lookout

Address: 7311 N Loop 1604 E, San Antonio, Texas 78223

RA Date: September 25, 2019

Audit Report Date: 12/12/2024

Program: PFC

Corrective Action Due Date: 3/24/2025

Audit Report Review Date: 1/23/2025

PROGRAM: PFC

PROPERTY FINDINGS

<p>Finding</p> <p>Noncompliance Date</p> <p>Reason</p>	<p>Failure to comply with §10.1104(a)</p> <p>12/12/2024</p> <p>Audit requirements under §10.1104(a) require the file sample size of Restricted Units primarily be new move-ins but also contain/include at least ten percent (10%) sample of all household files that have recertified.</p> <p>The sample size submitted to the Department consists of eight (8) new move-in files and twenty-two (22) of recertification files.</p>	<p>Correction Date:</p>
<p>Corrective Action</p>	<p>Please submit copies of the application(s), verifications of income/assets, the executed Income Certification, lease contract and applicable lease addendums for eight (8) new move in files to comply with 10.1104(a) for Department review. Any new noncompliance will be addressed under separate cover.</p>	
<p>Unit # 06206</p> <p>Finding</p> <p>Noncompliance Date</p> <p>Reason</p>	<p>Failure to comply with the Public Facility Corporation Regulatory Agreement</p> <p>2/26/2023</p> <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) conduct a consumer credit search; (4) obtain an income verification from the applicant's current employer; (5) obtain an income verification from the Social Security Administration; or (6) if the applicant is unemployed, does not have income tax returns or is otherwise unable to provide other forms of verification as required above, obtain another form of independent verification.</p>	<p>Correction Date:</p>
	<p>Department unable to establish eligibility. The tenant file for unit 06206 does not contain enough the most recent four-week period of paystubs. The Auditor reports only a partial pay period of income was provided.</p>	

Corrective Action	To correct, obtain and submit for Department review additional paystubs from the time of the re-certification 2/26/2023, and an updated Income Certification, if needed. If unable to verify income from the time of the income re-certification, 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 renewal contract.	
Unit # 08201		
Finding	Failure to comply with the Public Facility Corporation Regulatory Agreement	
Noncompliance Date	1/7/2023	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) conduct a consumer credit search; (4) obtain an income verification from the applicant's current employer; (5) obtain an income verification from the Social Security Administration; or (6) if the applicant is unemployed, does not have income tax returns or is otherwise unable to provide other forms of verification as required above, obtain another form of independent verification.	
	Department unable to establish eligibility. The tenant file for unit 08201 contained two income sources of income for the household but only one income source was counted. The auditor advised further information is needed to determine what the 2nd source of income is.	
Corrective Action	To correct, please submit the income recertification from January 2023 including all sources of income and the updated income Certification, if needed. If unable to verify income from the time of the income re-certification, 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 renewal contract.	
Unit # 11204		
Finding	Failure to comply with the Public Facility Corporation Regulatory Agreement	
Noncompliance Date	5/1/2023	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) conduct a consumer credit search; (4) obtain an income verification from the applicant's current employer; (5) obtain an income verification from the Social Security Administration; or (6) if the applicant is unemployed, does not have income tax returns or is otherwise unable to provide other forms of verification as required above, obtain another form of independent verification.	
	Department unable to establish eligibility. The tenant file for unit 11204 contained two income sources of income for the household but only one income source was counted. The auditor advised further information is needed to determine what the 2nd source of income is.	
Corrective Action	To correct, submit for Department review the income from the time of initial occupancy, 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 # 01308

Finding

Failure to comply with the Public Facility Corporation Regulatory Agreement

Noncompliance Date

7/9/2023

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 01308 moved in 7/9/2022.

A new Income Certification with verifications has not been completed as required.

Corrective Action

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

Unit # 02109

Finding

Failure to comply with the Public Facility Corporation Regulatory Agreement

Noncompliance Date

8/2/2023

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 02109 moved in 8/2/2021.

A new Income Certification with verifications has not been completed for 2023 as required.

Corrective Action

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

Unit # 03104

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 03104 moved in 7/15/2022.

A new Income Certification with verifications has not been completed as required.

Corrective Action

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

Unit # 03107

Finding

Failure to comply with the Public Facility Corporation Regulatory Agreement

Noncompliance Date

6/18/2023

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 03107 moved in 6/18/2022.	
	A new Income Certification with verifications has not been completed as required.	
Corrective Action	To correct, complete annual Income Certification with verifications and submit to the Department for review. Submit the following documentation for review: application, verification of income/assets, executed Income Certification form and lease renewal contract.	
Unit # 06104	Failure to comply with the Public Facility Corporation Regulatory Agreement	
Finding		
Noncompliance Date	8/6/2023	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 06104 moved in 8/6/2022.	
	A new Income Certification with verifications has not been completed as required.	
Corrective Action	To correct, complete annual Income Certification with verifications and submit to the Department for review. Submit the following documentation for review: application, verification of income/assets, executed Income Certification form and lease renewal contract.	
Unit # 06207	Failure to comply with the Public Facility Corporation Regulatory Agreement	
Finding		
Noncompliance Date	12/29/2023	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 06207 moved in 12/29/2022.	
	A new Income Certification with verifications has not been completed as required.	
Corrective Action	To correct, complete annual Income Certification with verifications and submit to the Department for review. Submit the following documentation for review: application, verification of income/assets, executed Income Certification form and lease renewal contract.	
Unit # 06209	Failure to comply with the Public Facility Corporation Regulatory Agreement	
Finding		
Noncompliance Date	12/18/2023	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 06209 moved in 12/18/2021.	
	A new Income Certification with verifications has not been completed for 2023 as required.	
Corrective Action	To correct, complete annual Income Certification with verifications and submit to the Department for review. Submit the following documentation for review: application, verification of income/assets, executed Income Certification form and lease renewal contract.	

Unit # 08203

Finding

Noncompliance Date

Reason

Failure to comply with the Public Facility Corporation Regulatory Agreement

11/1/2023

Correction Date:

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 08203 moved in 11/1/2022.

A new Income Certification with verifications has not been completed for 2023 as required.

Corrective Action

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

Unit # 08310

Finding

Noncompliance Date

Reason

Failure to comply with the Public Facility Corporation Regulatory Agreement

7/9/2023

Correction Date:

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 08310 moved in 7/9/2022.

A new Income Certification with verifications has not been completed as required.

Corrective Action

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

Unit # 11105

Finding

Noncompliance Date

Reason

Failure to comply with the Public Facility Corporation Regulatory Agreement

10/5/2023

Correction Date:

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 11105 moved in 10/5/2022.

A new Income Certification with verifications has not been completed as required.

Corrective Action

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

Unit # 11112

Finding

Noncompliance Date

Failure to comply with the Public Facility Corporation Regulatory Agreement

7/25/2023

Correction Date:

Reason	In accordance with the Regulatory Agreement, Section 3(c), annual Income Certification with verification of income must be obtained by the household's anniversary date (occupancy date of the unit) and no less than once in a 12-month period. Unit number 11112 moved in 7/25/2022.	
	A new Income Certification with verifications has not been completed as required.	
Corrective Action	To correct, complete annual Income Certification with verifications and submit to the Department for review. Submit the following documentation for review: application, verification of income/assets, executed Income Certification form and lease renewal contract.	
Unit # 11208		
Finding	Failure to comply with the Public Facility Corporation Regulatory Agreement	
Noncompliance Date	8/26/2023	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 11208 moved in 8/26/2021.	
	A new Income Certification with verifications has not been completed for 2023 as required.	
Corrective Action	To correct, complete annual Income Certification with verifications and submit to the Department for review. Submit the following documentation for review: application, verification of income/assets, executed Income Certification form and lease renewal contract.	
Unit # 11212		
Finding	Failure to comply with the Public Facility Corporation Regulatory Agreement	
Noncompliance Date	9/16/2023	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 11212 moved in 9/16/2022.	
	A new Income Certification with verifications has not been completed as required.	
Corrective Action	To correct, complete annual Income Certification with verifications and submit to the Department for review. Submit the following documentation for review: application, verification of income/assets, executed Income Certification form and lease renewal contract.	