



TEXAS DEPARTMENT OF HOUSING AND COMMUNITY AFFAIRS

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February 28, 2025

*Writer's direct phone # (512) 475-3907
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Pierre II Montrose Members LLC
Dallas, Texas
rpotts@canyonpartners.com; CPRE-AM@canyonpartners.com
CPRELegal@canyonpartners.com; deden@canyonpartners.com

RE: Lumen Apartments

Dear Pierre II Montrose Members 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 January 15, 2025. 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 West Dallas 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 **April 29, 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

TEXAS DEPARTMENT OF HOUSING AND COMMUNITY AFFAIRS

DETAIL FINDINGS AND CORRECTIVE ACTION
PFC PROGRAM

PFC User: Montrose Apartments GL
 Property Name: Lumen Apartments
 Address: 2400 West Dallas Street, Houston TX 77019
 RA Date: 11/11/2020

Audit Report Date: 12/30/2024
 Program: PFC

Corrective Action Due Date: 4/29/2025

Audit Report Review Date: 2/28/2025

PROGRAM: PFC

PROPERTY FINDINGS

Unit # 403

Finding Gross rent exceeds the highest rent allowed under the Regulatory Agreement
 Noncompliance Date 2/17/2023 Correction Date:
 Reason Unit 403 is designated as 80% AMI. The household's rent of \$1,852 exceeds the 80% AMI rent limit of \$1,802 for a 1-bedroom unit at the time of move-in until 5/15/2023, when the 80% AMI rent limit increased.
 Corrective Action To correct, calculate the rent overage from the time of move-in to the time the date the 80% AMI rent limit increased, and either refund or credit the household the overpaid rent. Submit the follow documentation for review: the rent overage calculation, an amended lease contract reflecting the new rent amount, the household's rent ledger of the new rent amount reflected and the rent credit (if applicable) or a copy of the cancelled check (if a refund is issued).

Unit # 555

Finding Failure to comply with the Public Facility Corporation Regulatory Agreement
 Noncompliance Date 10/14/2023 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.
 Corrective Action Department unable to establish eligibility. Income documents for tenant of 555 does not contain pay stubs from the most current four-week-period. Paystubs used in the calculation are from April 2023. Auditor reported income could not be verified
 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.