

Texas State Affordable Housing Corporation Compliance Review Observation Report

El Nido Apartments
204 Alicia Drive, El Paso, Texas 79905
Owner: RHAC – El Nido, LLC Date Built: 1951
Management Company: Capstone Real Estate Service, Inc. Property Manager: Juana Pineda
Inspection Date & Time: August 31, 2016 at 2:00 p.m. Inspector's Name: Celina Mizcles

Number of Units:	104	Number of required LI units:	104	Number of required VLI units:	N/A
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COMPLIANCE AUDIT	YES	NO	N/A
1) Are procedures that ensure compliance with the set aside requirements and rent requirements effective?	X		
2) Is the property accepting Section 8 households?	X		
3) Is the income to rent ratio for Section 8 households less than 2.5?	X		
4) Are the rent increases smaller than 5%?	X		
5) Is there any discriminatory language on the Application for Tenancy or Occupancy Qualifications?		X	
6) Does the lease or rental agreement inform the resident of Very Low Income/Low Income Recertification requirements?	X		
7) Is additional monitoring by TSAHC recommended?		X	

COMMENTS:

SET-ASIDES	YES	NO	N/A
1) Is the property meeting all occupancy restrictions required by the property's Regulatory Agreement and Asset Oversight and Compliance Agreement?	X		
2) Are the set-aside units evenly distributed?			
a) No more than 60% of the set-aside requirements consist of one unit type?			X
b) No less than 20% of the set aside requirements consist of any particular unit type?			X
3) If either of the set asides have not been met, are any units:			
a) Rented for less than 30 days, not including month-to-month?		X	
b) Utilized as a hotel, motel, dormitory, fraternity house, sorority house, rooming house, nursing home, hospital, sanitarium, rest home, or trailer court or park?		X	
c) Leased to a corporation, business or university?		X	
d) Owned by a cooperative housing corporation?		X	
e) Not available for rental on a continuous basis to members of the general public?		X	

COMMENTS:

UNITS WALKED

Unit #	USR Designation	New Designation	Comments
200DC	60%	60%	N/A
201AC	60%	60%	N/A
5107A	60%	60%	N/A
5107B	60%	60%	N/A

COMMENTS:

RESIDENT SERVICES	YES	NO	N/A
1) Do the resident services appear to cater to the resident profile of the property?	X		

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2) Do the resident services appear to be effective? Discuss your observations in the comments section below.	X		
3) Is the property meeting the Resident Service requirements as required by the Regulatory Agreement and Asset Oversight and Compliance Agreement?	X		
4) Is management monitoring the following:			
a) Resident attendance	X		
b) Frequency of service provided	X		
c) Notification to residents of services	X		
d) Number or type of services	X		
e) Survey of residents	X		
5) Is management properly submitting monthly Resident Service reports through the Compliance System?	X		
6) Did TSAHC provide any Technical Assistance regarding Resident Services?		X	

COMMENTS:

OFFICE	YES	NO	N/A
1) Is the office neat, the desk uncluttered?	X		
2) Are accurate office hours posted?	X		
3) Are the following displayed in full view:			
a) Occupancy Qualifications?	X		
b) Fair Housing Poster?	X		

COMMENTS:

RESIDENT FILE REVIEW	YES	NO	N/A
1) Does the owner maintain all records relating to initial resident income certifications, together with supporting documentation?	X		
2) Does the Owner/Agent make an effort to determine that the income certification provided by the resident is accurate	X		
3) Does the file audit establish that residents are being recertified on an annual basis?	X		
4) For mixed (low-income and market units) developments, are there any Next Available Unit Rule Violations?			X
5) Does the file audit indicate that staff needs additional training?		X	

COMMENTS: The following was identified during the review of unit 206DD:

- On 2/5/2010, a household transferred into unit 206DD. The file contained an executed Income Certification however it did not contain supporting income and asset verification documentation. The owner has the option of providing income and asset verification for the 2/5/2010 timeframe or recertifying the household under current circumstances using current income limits. The property is layered with HUD financing so the property maintains a HUD file. The HUD file contains a current HUD 50059 that used current circumstances with supporting income and asset documentation. The household is considered eligible however the Bond Income Certificate effective dates need to be updated to match that of the HUD Income Certificate date.

Observation:

- The household in unit 206DD is considered eligible based on the review of the HUD file. Therefore, the effective date on the Bond Income Certification form needs to be updated to match that of the current HUD 50059. TSAHC further suggests that management add a clarification note that clearly state what the new certification effective date is moving forward.

If a new household moves in to any of the units with Findings (listed below), instead of submitting the required Corrective Action documents, submit with your response: the application for tenancy, all income and asset verifications, the executed Income Certification, and the 1st page of the lease for the new household occupying the unit.

Unit	Finding	Corrective Action Requirement
N/A		

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COMMENTS:

SUMMARY OF FINDINGS AND OBSERVATIONS

Observation:

- The household in unit 206DD is considered eligible based on the review of the HUD file. Therefore, the effective date on the Bond Income Certification form needs to be updated to match that of the current HUD 50059. TSAHC further suggests that management add a clarification note that clearly state what the new certification effective date is moving forward.

No Findings.