# Texas State Affordable Housing Corporation Compliance Review Observation Report

## **Brush Country Cottages**

500 Cross Creek, Dilley, Texas 78017

Owner: HVM BP Dilley Ret., LLC Date Built: 1992

Management Company: Hamilton Valley Management, Inc Property Manager: Cheryl Morris-Montoya

**Inspection Date & Time:** July 6, 2021, at 2:30 p.m **Inspector's Name:** Estefania Linares

			#15 0, 2021, <b>a</b> t 2.00 p.m					
Nui	mber of Units:	28	Number of required LI units:	12	Number	of required VL	l units:	N/A
			COMPLIANCE AUDIT			YES	NO	N/A
1)	Are procedures effective?	that ensure	compliance with the set aside requirem	nents and rent requi	rements	х		
2)	Is the property a	ccepting Sec	ction 8 households?			Х		
3)	Is the income to	rent ratio for	Section 8 households less than 2.5?			x		
4)	Are the rent incr	eases smalle	er than 5%?				х	
5) b	5) Does the Application for Tenancy or Occupancy Qualifications exclude language that may appear to be discriminatory?							
6)	Does the lease of Recertification re		eement inform the resident of Very Low?	Income/Low Income	е	х		
7)	Is additional mor	nitoring by T	SAHC recommended?				х	

**COMMENTS:** This is the first Compliance Report for Brush Country Cottages Apartments. Rent increase is scheduled to be increased on 07/21/2021. The rent increase is for \$135 for 1 and 2 bedrooms.

	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?	х		
2)	Are the set-aside units evenly distributed?			
	a) No more than 60% of the set-aside requirements consist of one unit type?			Х
	b) No less than 20% of the set aside requirements consist of any particular unit type?			Х
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?		Х	
	b) Utilized as a hotel, motel, dormitory, fraternity house, sorority house, rooming house, nursing home, hospital, sanitarium, rest home, or trailer court or park?		х	
	c) Leased to a corporation, business or university?		Х	
	d) Owned by a cooperative housing corporation?		Х	
	e) Not available for rental on a continuous basis to members of the general public?		Х	

# Unit # USR Designation Comments 106 60% Vacant (1-bedroom) Unit is made-ready. 112 60% Vacant (1-bedroom) Unit is made-ready. 118 60% Vacant (1-bedroom) Unit is made-ready. COMMENTS:

RESIDENT SERVICES	YES	NO	N/A
Do the resident services appear to cater to the resident profile of the property?	X		
2) Is the property meeting the Resident Service requirements as required by the Regulatory Agreement and Asset Oversight and Compliance Agreement?	х		
3) Is management monitoring the following:			

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a) Resident attendance	X				
b) Frequency of service provided	Х				
c) Notification to residents of services	х				
d) Number or type of services	х				
e) Survey of residents	Х				
4) Did TSAHC provide any assistance regarding Resident Services based on the review conducted during the onsite visit?		х			
5) Is management properly submitting monthly Resident Service reports through the Compliance System?					
6) In the last 12 months, has TSAHC provided any assistance regarding the monthly Resident Service reports submitted through the Compliance System? If so, comment below.					

COMMENTS: The property is required to provide 4 resident services per month as required. TSAHC intends to start monitoring services on October 1, 2021. This date is subject to change based on the pandemic conditions and CDC guidance at that time. In anticipation of the date, management is advised to stay up to date and adhere to federal, state, and local guidance and adjust resident services, as needed. Management can also refer to CDC guidance for group gatherings by visiting the cdc.gov website. Management is advised to take good health and safety precautions for current and future resident services provided. Please continue to clean all common areas, restrooms, doorknobs, and handrails. Please continue to submit the Resident Services reports for services you are currently providing, TSAHC will continue to take limitations into consideration as we review the monthly requirements.

OFFICE	YES	NO	N/A	
1) Is the office neat, the desk uncluttered?	Х			
2) Are accurate office hours posted?	Х			
3) Are the following displayed in full view:				
a) Occupancy Qualifications?	Х			
b) Fair Housing Poster?	Х			
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?	х				
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?	Х				
4) For mixed (low-income and market units) developments, are there any Next Available Unit Rule Violations?			х		
5) Does the file audit indicate that staff needs additional training?		Х			

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 1<sup>st</sup> page of the lease for the new household occupying the unit.

Unit	Finding	Corrective Action Requirement
102	An occupant was missing on the Initial Income Certification dated 12/01/2020.	<ul> <li>The resident added "unborn child" on the application. Please add this occupant to the Income Certification form dated 12/01/2020.</li> </ul>
103	Clarification is needed for 22 deposits made into 2 bank accounts for this household.	<ul> <li>An additional clarification is needed for the following deposits going into the Chime Bank Account (the clarification in the file states that these deposits are refunds but the name on the deposit shows as "transfers").</li> <li>10/01/2020-10/31/2020: \$49.50, \$99.00, and \$24.75, \$42.53, \$74.25, \$9.90, \$59.40, \$746, and \$34.65.</li> </ul>

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		- 09/08/2020 - 09/22/2020: \$71.32, \$104.96, \$23.43. - 07/24/2020: \$87.57
		<ul> <li>An additional clarification is needed for the following deposits going into the Chase Bank Account (the clarification in the file states that these deposits are refunds but the name on the deposit shows as "transfers").</li> <li>07/24/2020 – 07/31/2020: \$127.56, \$99.00, \$19.80, and \$59.40.</li> <li>08/06/2020: \$25.00</li> <li>09/03/2020 – 09/15/2020: \$29.70, \$99.00, and \$260.37</li> <li>10/02/2020 \$15.84</li> <li>Need a statement for Chime, IBC Bank and Chase that shows when the account was open since there are less than 6 bank statements of each bank in the file.</li> </ul>
116	Clarification is needed for several deposits made into the bank account.	There are several Zelle deposits going into the bank account. The clarification in the files says, "not my money deposit from someone else". We need more clarification as to who owns the account, who has access to the account, and further clarification as to who's money the tenant has access to. Management must verify that the tenant is not receiving undisclosed income via deposit made to this bank account.
COMMENTS:		

### **SUMMARY OF FINDINGS AND OBSERVATIONS**

No Observations.

Findings are noted in the chart above. All requested documentation must be submitted to TSHAC no later than August 28, 2021.