

# Texas State Affordable Housing Corporation Compliance Review Observation Report

<b>Oak Haven Apartments</b>			
513 W. Frontage St, Donna, Texas 78537			
Owner: HVM BP Donna II, LLC		Date Built: 1983	
Management Company: Hamilton Valley Management, Inc		Property Manager: Diana Garza	
Inspection Date & Time: April 22, 2021 at 9:30 am		Inspector's Name: Estefania Linares	

Number of Units: 24	Number of required LI units: 10	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) Does the Application for Tenancy or Occupancy Qualifications exclude language that may appear to be discriminatory?	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:**  
This is the first Compliance Report for Oak Haven Apartments. According to management, RRHA previously approved a significant rent increase of \$50 for 1-bedroom and \$45 for 2-bedrooms. The rent increase was supposed to be implemented on 04/1/2021 but management was unable to confirm the rent increase at the time of the review.

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	Comments
7	60%	Vacant (1 bedroom): Unit is made-ready.
10	60%	Vacant (1 bedroom): Unit is made-ready.
24	60%	Vacant (1 bedroom): Unit is made-ready.

**COMMENTS:**

RESIDENT SERVICES	YES	NO	N/A
1) 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?	X		

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3) 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		
4) Did TSAHC provide any assistance regarding Resident Services based on the review conducted during the onsite visit?		X	
5) Is management properly submitting monthly Resident Service reports through the Compliance System?	X		
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.		X	

**COMMENTS:** The property is properly providing 4 resident services per month as required. Some of the services were postponed or cancelled due to covid. We encourage management to continue to adhere to federal, state, and local guidance regarding common areas and amenities. Resident services involving crowds of more than 10 people are suspended until further notice. Management is advised to take good health and safety precautions for resident services such as book club meetings and crime watch meetings. We encourage each property to increase the cleaning of all common areas, restrooms, doorknobs, and handrails. Please continue to submit the Resident Services you provide. TSAHC will take these limitations into consideration as we review the monthly requirements.

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:** Overall, the tenant files were maintained in a consistent order, however there were missing documents and/or missing signatures. See Findings below that were corrected.

- Unit 1 – The move in date did not match re-certification effective date. Management updated TSAHC with the correct information for this file prior to finalizing this report.
- Unit 4 – Initial Income Certification was missing information from the household. Management corrected the form and submitted to TSAHC prior to finalizing this report.
- Unit 11 – This file had 2 forms dated over 120 days from the effective date. Management updated TSAHC with the correct information for this file prior to finalizing this report.

***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.***

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Unit	Finding	Corrective Action Requirement
Unit 12	Initial application, Tenant Selection Plan and Tenant Release and Consent forms are dated over 120 days from effective date.	<ul style="list-style-type: none"> <li>Resident initial application, Tenant Selection Plan and Tenant Release and Consent forms dated 10/06/2020 are over 120 days from the effective date of 04/01/2021. In the forms, there are initials from management and resident that the documents were received on 3/2/2021 but there is no supporting document that says that nothing was changed in the household. Please add the form "Update of Household information" to the file to confirm that nothing was changed from 10/06/2020.</li> </ul>
Unit 20	Move in date does not match re-certification date from the Annual Income Certification.	<ul style="list-style-type: none"> <li>Management needs to change the annual re-certification effective date 10/05/2020 to 12/01/2020 since Move in date effective date was 12/01/2014.</li> </ul>

**COMMENTS:**

### SUMMARY OF FINDINGS AND OBSERVATIONS

**No Observations.**

**Findings listed above.** All corrective action must be submitted to TSAHC for review no later than **June 11, 2021** (30 day from the date the report was issued).