# Texas State Affordable Housing Corporation Compliance Review Observation Report

### **Windwood Apartments**

100 Windwood Dr., Kingsland, Texas 78639

Owner: HVM BP Kingsland, LLC Date Built: 1989

Management Company: Hamilton Valley Management, Inc Property Manager: John Heskett

Inspection Date & Time: May 21, 2021 at 9:30 a.m. Inspector's Name: Celina Mizcles Stubbs

| Nur     | mber of Units:  | 68            | Number of required LI units:                | 28               | Number    | of required VI | _I units:          | N/A |
|---------|---|---------------|---|------------------|-----------|----------------|--------------------|-----|
|         |   |               | COMPLIANCE AUDIT                            |                  |           | YES            | NO                 | N/A |
| 1)      | Are procedures effective?   | that ensure   | compliance with the set aside requiremen    | its and rent req | uirements | x              |                    |     |
| 2)      | Is the property ac  | ccepting Se   | ction 8 households?                         |                  |           | Х              |                    |     |
| 3)      | Is the income to  | rent ratio fo | Section 8 households less than 2.5?         |                  |           | x              |                    |     |
| 4)      | Are the rent incre  | eases small   | er than 5%?                                 |                  |           |                | X – see<br>comment |     |
| 5)<br>b | 5) Does the Application for Tenancy or Occupancy Qualifications exclude language that may appear to<br>be discriminatory? |               |   | t may appear to  | х         |                |                    |     |
| 6)      | Does the lease of Recertification re  | 0             | eement inform the resident of Very Low Ind? | come/Low Inco    | ome       | х              |                    |     |
| 7)      | Is additional mon   | itoring by T  | SAHC recommended?                           |                  |           |                | х                  |     |

**COMMENTS:** This is the first Compliance Repot for Windwood Apartments. According to management, RRHA previously approved a significant rent increase. The rent increase averages\$88 for 1-bedroom and \$88 for 2-bedrooms. The increase is scheduled to be implemented on 9/24/2021.

|  | SET-ASIDES   | YES | NO | N/A |
|--|--|-----|----|-----|
| <ol> <li>Is the property meeting all occupancy restrictions required by the property's Regulatory Agreement<br/>and Asset Oversight and Compliance Agreement?</li> </ol> |  |     |    |     |
| 2)   | Are the set-aside units evenly distributed?  | Х   |    |     |
|  | 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,<br>nursing home, hospital, sanitarium, rest home, or trailer court or park? |     | x  |     |
|  | 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  |     |
| СОМІ   | MENTS:   |     |    |     |

# Unit # USR Designation Comments 24 60% 26 60% 31 60% 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   |    |     |

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| Is management monitoring the following:   |   |   |  |
|---|---|---|--|
| a) Resident attendance  | Х |   |  |
| b) Frequency of service provided  | X |   |  |
| 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 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? | х   |    |     |
| 2) Are accurate office hours posted?         | х   |    |     |
| 3) Are the following displayed in full view: |     |    |     |
| a) Occupancy Qualifications?                 |     |    |     |
| b) Fair Housing Poster?                      |     |    |     |
| OMMENTS:                                     |     |    |     |

#### OMMENTS:

| RESIDENT FILE REVIEW  | YES | NO | N/A |
|---|-----|----|-----|
| Does the owner maintain all records relating to initial resident income certifications, together with supporting documentation? | х   |    |     |
| 2) Does the Owner/Agent make an effort to determine that the income certification provided by the resident is accurate?         | х   |    |     |
| 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?                     |     |    | X   |
| 5) Does the file audit indicate that staff needs additional training?   |     | Х  |     |

COMMENTS: Overall, the tenant files were maintained in a consistent order. There were a few observations made and a couple of findings are noted below.

#### Observations:

- Management was advised to update the unit status report rent amount from \$305 to \$308 for unit 26.
- The student status questions on the application are answered differently by the applicants. To help create consistency, TSAHC suggests the property manager review this section with the applicant (when possible) an either check "no" on all student status questions or write "N/A" across the specific questions that do not apply at this property.
- TSAHC accepts the use of the Under \$5,000 Asset form however it is a management practice to verify assets by reviewing bank statement. Management is reminded that the entire bank statement (all pages) must be reviewed and maintained in the tenant files. This was an issue in files 5, 6, and 20.
- When corrections are made on documents, management staff and the tenants should initial changes. This was noted in files 5 and 6.

Findings are noted in the chart below.

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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   |
|-----------|---|---|
| 20        | from the recertification effective date, and the tenant's application listed a life insurance | Management must submit document to support the application was true an accurate at the time of recertification and verify the life insurance cash value amount. policy. If annual recertification form is updated, please submit to TSACH for review. |
|           | A discrepancy was noted in the assets   | Management must recalculate and update the Income Certification form, if needed and submit it for review  |
| COMMENTS: |   |   |

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

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The corrective action for the Findings above should be submitted to TSAHC no later than 7/14/2021.