

# Texas State Affordable Housing Corporation Compliance Review Observation Report

**Oak Haven Apartments**  
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 5, 2022 at 1:30p.m.** **Inspector's Name: Celina Mizcles Stubbs**

**Number of Units:** 24      **Number of required LI units:** 10      **Number of required VLI units:** N/A

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:**

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:**

<b>UNITS WALKED</b>
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Unit #	USR Designation	Comments
12	60%	

**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		
3) Is management monitoring the following:			

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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	
<b>COMMENTS:</b>			

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

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

**COMMENTS:** The tenant files are well maintained and in good order. The reviewer noticed the property manager is pre-filing the dates on signature pages. See observation below. In addition, a couple of issues were noted during the tenant file review.

- Unit 4: The Unit Status Report (USR) needs to be updated with the information listed on the Income Certification (i.e., household income, rent, recertification, effective date). Management updated the USR.
- Unit 24: The tenant is self-employed however the income listed on the Income Certification form is the tenant's gross amount, not net amount as required. Management provided the reviewer with the corrected Income Certification form and updated the income on the USR.

Prior to the issuance of this report, management submitted the required corrective action for the units above. No further action is required.

**Observation:**

- The reviewer noticed several signature pages are being dated by management. TSAHC strongly discourages this practice. Applicants/tenants must date their signatures on required documents to support declarations made on the forms. Management is advised to refrain from pre-filing dates on signature pages 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***

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*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
N/A		

COMMENTS:

SUMMARY OF FINDINGS AND OBSERVATIONS
<p>Observation:</p> <ul style="list-style-type: none"><li>The reviewer noticed several signature pages are being dated by management. TSAHC strongly discourages this practice. Applicants/tenants must date their signatures on required documents to support declarations made on the forms. Management is advised to refrain from pre-filling dates on signature pages moving forward.</li></ul> <p>No Findings.</p>