



Status of TAAHP Comments on the 2027 QAP

Click an item to go to its published text.

Item	Where it stands
<u>Achievable Affordable Rent</u>	Underwriting now caps rents at a new Achievable Affordable Rent set by the Market Analyst. TAAHP asked to remove it or use the greater of Market Rent or Net Program Rent. The Board reinstated a 10% cushion for comment.
<u>Capture rate, MSA bond developments</u>	The 15% capture rate for bond deals in high-occupancy large MSAs is deleted, leaving 10%. TAAHP asked to keep it, warning removal could stop production in markets like Austin. Staff invited comment on a 12.5% rate.
<u>Electric heat pump requirement</u>	The staff draft required electric heat pumps for heating and cooling, and TAAHP asked to remove it. At the September meeting, the Board added natural gas as a heating option and a 1.5-point version.
<u>Operating feasibility, certain bond deals</u>	Added after the staff draft. Bond deals with no Direct Loan or a non-TDHCA issuer lose their underwriting exemption, so TDHCA's estimates control unless the Applicant's are within 5%.
<u>General Contractor fee</u>	TAAHP asked to strike the 2026 rule counting sales tax exemption fees paid to a nonprofit General Contractor toward the fee cap. No change.
<u>Neighborhood Risk Factors</u>	Added after the staff draft. Reconstruction deals with federal assistance or a TDHCA LURA lose their violent crime exemption. Staff will revise in November.
<u>Pre-K award</u>	Applicants claiming the High-Quality Pre-K award must now submit a written agreement with the Educational Provider at Application.
<u>Ingress and egress</u>	If site access depends on an easement, the fee owner's agreement extending the LURA to it is now due at Application.
<u>Vacation of right of way</u>	Sites needing a vacation must show the process has started at Application, now including standard plat vacations.
<u>Gap financing commitment</u>	Gap funds must be committed by the 10% Test, or no extension is granted. Staff did not limit this to funds needed for feasibility or address deferred fee.
<u>Pharmacy tiebreaker</u>	TAAHP recommended counting a grocery store with a pharmacy as one or the other, but not both. The published text counts them separately.
<u>Urgent care tiebreaker</u>	Urgent care clinics open 10 hours on weekdays and on weekends, taking walk-ins and offering radiology, are a new sixth amenity added by the Board.
<u>Common Area</u>	Staff dropped its proposed exclusions for leased space and parking, so the 2026 definition stays, without the leased-area exclusion TAAHP asked for.
<u>Review of additional applications</u>	Staff kept the sentence saying it may review Applications beyond those in the methodology but won't accept requests to review specific ones.
<u>Undesirable Site Features, HUD siting</u>	Sites near hazards can mitigate by complying with HUD's siting rules at 24 CFR Part 51, Subpart C, the change TAAHP supported.
<u>Grocery store tiebreaker</u>	Seafood is dropped from the required foods, and stores requiring a paid membership now qualify. The Board asked for more comment.
<u>Parcel</u>	The staff draft defined Parcel by appraisal district boundaries. TAAHP asked to limit that to tiebreakers. Staff now uses it only for tiebreaker distances.
<u>Energy Star lighting</u>	The staff draft had changed the language to "light bulbs." The published version goes back to the original "lighting" language.
<u>Elevator access amenity</u>	Developments whose upper-floor Units are served by at least two elevators earn a new amenity, now worth 2 points in place of 1.
<u>State Representative letter</u>	A vacant State Representative office no longer counts as a neutral letter, and the "without or without" typo is fixed.



Staff draft Language from the staff draft that is now removed.

Published Language in the version now published for public comment.

Achievable Affordable Rent §11.1(d)(1); §11.302(d)(1)(A)(iii)

TAAHP's letter identified Achievable Affordable Rent as its most significant concern. TAAHP opposed the construct, recommended that the rent for a restricted Unit be the greater of Market Rent or Net Program Rent if the construct is retained, and recommended deferring to the Qualified Market Analyst's judgment in place of a prescribed 10% adjustment. Staff retained the construct.

At the September Board meeting, Jeanna Adams, Director of Real Estate Analysis at TDHCA, explained that in several markets, affordable properties are not achieving maximum program rents. TAAHP argued that application-stage numbers are preliminary, that lenders and investors underwrite each deal again before closing, and that the construct duplicates their work. TAAHP also noted that Austin and other submarkets saw rapid growth from 2021 to 2023 and requested, at a minimum, reinstatement of the 10% adjustment as a hedge for rent growth. A Board member countered that too many awardees return for supplemental credits after missing their projections.

The Board reinstated the 10% for public comment.

Published, §11.1(d)(1)

~~(4)(1) Achievable Affordable Rent--The rent that a Unit subject to rent and income restrictions can reasonably be expected to achieve at the subject Property, which may be less than the applicable maximum program rent. The Market Analyst or Underwriter will determine the Achievable Affordable Rent based on actual rents achieved by Comparable Units at LURA restricted Developments in the PMA that achieved Stabilized Occupancy at any time during the five years preceding the date of the Market Study. The adjustments must account for differences in net rentable square footage, functionality, overall condition, geographic location (proximity to primary employment centers, amenities, services, and travel patterns), age, Unit amenities, utility structure, Common Area amenities, and the percent of market Units. If no other LURA restricted Developments exist within the PMA, the Market Analyst may use other LURA restricted Developments within a 10-mile radius to support their conclusion.~~

Published, §11.302(d)(1)(A)(iii)

~~(iii) Contract Rents. The Underwriter will review rental assistance contracts to Achievable Affordable Rents. The Underwriter will assume a 10% increase over the Market Analyst's conclusion of Achievable Affordable Rents if less than GPR and reasonably supported by the attribute adjustment matrix of Comparable Units as described in §11.303 of this chapter.~~

Capture rate, MSA bond developments §11.302(i)(1)

TAAHP requested that the Department retain the 15% capture rate allowance for Tax-Exempt Bond Developments in high-occupancy MSAs, warning that removing it could foreclose new production in strong markets such as Austin. The published text deletes it and establishes maximum capture rates by population and area, including 10% for General developments in Urban areas.

At the September Board meeting, Jeanna Adams (TDHCA) explained that markets have softened since the allowance was adopted in 2018, and tenants are moving from older affordable properties to new ones, pushing some occupancies into the 80s. TAAHP argued that the allowance corrects itself because it applies only where properties in the market area exceed about 90% occupancy, and that keeping it lets the Department respond if markets recover.

Jeanna Adams (TDHCA) responded that current occupancy does not show how a market will absorb developments of 300 to 500 units, and invited comment on a smaller increase such as 12.5%.

Published, §11.302(i)(1)

~~(1) Gross Capture Rate, AMGI Band Capture Rates, and Individual Unit Capture Rate. The method for determining capture rates for a Development is defined in §11.302 of this chapter (relating to Market Analysis Rules and Guidelines). The Underwriter will verify use either the conclusions of the Market Analysis capture rates and may, at their discretion, use or independently acquired demographic data to calculate demand and may make a determination of determine the capture rates based upon an analysis of the Sub-market. The Development Any capture rates exceed the following:~~

~~(B) is outside a Rural Area and targets the general population, and the Gross Capture Rate or any AMGI band capture rate exceeds 10% (or 15% for Tax-Exempt Bond Developments located in an MSA (as defined in the HTC Site Demographics Characteristics Report) with a population greater than one million if the average physical occupancy is 92.5% or greater for all stabilized affordable housing developments located within a 20 minute drive time, as supported by the Market Analyst, from the subject Development); or~~

Maximum Capture Rates			
Population/Size	Area	Gross and AMGI Band	Unit
Elderly	Any	10%	65%
General	Urban	10%	65%
General (120 HTC units or fewer)	Rural	30%	65%
General (121 HTC units or more)	Rural	10%	65%
Supportive Housing	Any	30%	65%



Electric heat pump requirement §11.101(b)(4)(L)

The staff draft required that heating and air conditioning in each Unit be provided by an electric heat pump system, exempting Rehabilitation Developments that keep their existing systems. TAAHP's letter asked to remove the requirement, warning that it limits developments to a single technology, exposes the industry to supply chain disruptions, adds materially to development costs, may conflict with local code, and may not suit every climate in the state.

At the September Board meeting, TDHCA said heat pumps are more efficient, lower tenant bills, and ease strain on the Texas grid. Todd McAlister of the South-central Partnership for Energy Efficiency as a Resource (SPEER) said removing resistance heat statewide could save about 15,000 megawatts as Texas's winter peak approaches its summer peak. Veronique Placke of the Texas Energy Poverty Research Institute (TEPRI) said households can save about \$300 a year with heat pumps as electricity rates keep rising.

TAAHP told the Board the requirement would have added about \$120,000 to a recently closed 250-unit deal, about \$500 per Unit, and asked to make it an energy efficiency point item. Rural Rental Housing asked to exempt USDA developments that already have gas lines. A Board member expressed caution against spec locking developers into heat pumps when supply gets tight.

The Board then added natural gas as a heating option and published the same language as a 1.5-point item under §11.101(b)(6)(B). It will keep one version in November.

Published, §11.101(b)(4)(L)

(L) All areas of the Unit (excluding exterior storage space on an outdoor patio/balcony) ~~must~~ have heating provided by an electric heat pump system or natural gas and air-conditioning; provided by an electric heat pump system; however, Rehabilitation Developments (excluding Reconstruction) where the heating and air conditioning systems are not replaced are exempt.

Published, §11.101(b)(6)(B)

(VIII) 16.0 SEER2 HVAC, for New Construction or Rehabilitation; (1.5 points) ~~(1.5 points)~~
(IX) Heating provided by an electric heat pump system or natural gas and air-conditioning provided by an electric heat pump system (1.5 points)

Operating feasibility, certain bond deals §11.302(d)

In the 2026 QAP, the Underwriter did not develop independent estimates of EGI, Total Operating Expenses, or NOI for Tax-Exempt Bond Developments that do not include a Direct Loan request or where the Department is not the bond issuer. The staff draft kept this exemption, shown in blue, so TAAHP's letter did not address it.

The published version, presented to the Board in September, removes the exemption. These Applications now face the same 5% variance test as all other Applications, so the Underwriter's estimates govern whenever the Applicant's EGI, Total Operating Expenses, or NOI fall outside 5%. That can reduce the supportable permanent loan, and because the Underwriter's rent analysis incorporates Achievable Affordable Rent, it also applies that construct to these deals.

At the September Board meeting, Jeanna Adams (TDHCA) stated that several of these developments reached cost certification below the 1.15 minimum DCR after submitting low operating expense estimates.

Staff draft, §11.302(d)

(d) Operating Feasibility. ~~The~~~~The Underwriter tests a Development's operating feasibility of a~~
~~Development funded by the Department is tested by analyzing its Net Operating Income (NOI)~~
~~to determine the Development's ability to pay debt service and meet other financial obligations~~
~~throughout the Affordability Period. NOI is determined by subtracting operating expenses,~~
~~including replacement reserves and taxes, from rental and other income sources.~~
(1) Income. In determining the ~~The Department will use the Underwriter's estimates unless the~~
Applicant's EGI, Total Operating Expenses, and first year stabilized pro forma NOI are within 5%
of the Underwriter's. The Underwriter will not develop independent estimates of EGI, Total
Operating Expenses, or NOI for Tax-Exempt Bond Developments that do not include a request
for Direct Loan or where the Department is not the bond issuer.

Published, §11.302(d)

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(1) Income. In determining the ~~The Department will use the Underwriter's estimates unless the~~
Applicant's EGI, Total Operating Expenses, and first year stabilized pro forma NOI are within
5% of the Underwriter's.



General Contractor fee §11.302(e)(6)

TAAHP agreed that fees paid for the advantage of a sales tax exemption should be reasonable and commensurate with the benefit or service provided. It requested that the Department strike the 2026 provision counting those fees toward the General Contractor fee limit, because the tax-exempt General Contractor and the performing Prime Subcontractor are unrelated entities. Staff retained the provision and moved the 2026 limits from subparagraph (D) into subparagraphs (A) through (C).

Published, §11.302(e)(6)(D)

(D) General requirements include, but are not limited to, on-site supervision or construction management, off-site supervision and overhead, jobsite security, equipment rental, storage, temporary utilities, and other indirect costs. General Contractor fees are limited to a total of 14% on Developments with Hard Costs of \$3 million or greater, the lesser of \$420,000 or 16% on Developments with Hard Costs less than \$3 million and greater than \$2 million, and the lesser of \$320,000 or 18% on Developments with Hard Costs at \$2 million or less. Any contractor fees to Affiliates or Related Party subcontractors regardless of the percentage of the contract sum in the construction contract (s) will be treated collectively with the General Contractor Fee limitations. Any fees paid to an organization to achieve a sales tax exemption will be included in the General Contractor Fee. Any General Contractor fees above this limit will be excluded from Total Housing Development Costs. For Housing Tax Credit Developments, the percentages are applied to the sum of the Eligible Hard Costs in calculating the eligible contractor fees. For Developments also receiving financing from USDA, the combination of builder's general requirements, builder's overhead, and builder's profit should not exceed the lower of TDHCA or USDA requirements. Additional fees for ineligible costs will be limited to the same percentage of ineligible Hard Costs but will not be included in Eligible Basis.

Published, §11.302(e)(6)(A) through (C)

(6) General Contractor Fee. General Contractor fees include general requirements, contractor overhead, and contractor profit.

(A) The maximum General Contractor fees, including to achieve a sales tax exemption or any contractor fees to Affiliates or Related Party subcontractors, is a total of

(i) 14% on Developments with Hard Costs of \$3 million or greater,

(ii) the lesser of \$420,000 or 16% on Developments with Hard Costs less than \$3 million and greater than \$2 million, and

(iii) the lesser of \$320,000 or 18% on Developments with Hard Costs at \$2 million or less.

(B) Total Housing Development Costs will not include any amounts in excess of the limits above.

(C) For HTC Developments, the percentages are applied to the sum of the Eligible Hard Costs. For Developments also receiving USDA financing, the combination of builder's general requirements, builder's overhead, and builder's profit cannot exceed the lower of TDHCA or USDA requirements. Additional fees for ineligible costs will be limited to the same percentage of ineligible Hard Costs but will not count as Eligible Basis.

Neighborhood Risk Factors, reconstruction §11.101(a)(3)(D)(ii)

The staff draft did not include this change, so TAAHP's letter did not address it. The published text adds "(excluding Reconstruction)" to the exemption for Rehabilitation Developments with existing federal assistance or a TDHCA LURA, making Reconstruction Developments subject to the violent crime Neighborhood Risk Factor.

At the September Board meeting, a TAAHP QAP Committee member asked the Board to delete the exclusion, noting that federally funded redevelopments, such as the HUD Choice Neighborhoods project in Houston, need to rebuild as well as rehabilitate. TDHCA called it a simple two-word deletion and said staff would address it in November.

Published, §11.101(a)(3)(D)(ii)

(ii) The Development Site is New Construction or Reconstruction and is located in a census tract (or for any adjacent census tract with a boundary less than 500 feet from the proposed Development Site that is not separated from the Development Site by a natural barrier such as a river or lake, or an intervening restricted area, such as a military installation) in an Urban Area and either in or adjacent to a census tract where the rate of Part I violent crime is greater than 18 per 1,000 persons (annually) as reported on neighborhoodscout.com. Adjacent means a boundary less than 500 feet from the proposed Site and not separated by a natural barrier (river, lake) or an intervening restricted area (military installation). Rehabilitation developments (excluding Reconstruction) with ongoing and existing federal assistance from HUD, USDA, or Veterans Affairs (VA), and Developments encumbered by a TDHCA LURA are exempt from this Neighborhood Risk Factor.

Pre-K award §11.6(3)(C)(iv)

Members have raised concerns about requiring a written agreement with the Educational Provider at Application. TAAHP's letter did not address this requirement. Staff added it, and the published text retains it as drafted.

Published, §11.6(3)(C)(iv)

(iv) In Urban subregions containing a county with a population that exceeds 1,000,000, the Board ~~shall will~~ allocate ~~competitive tax~~ credits to the highest scoring Development, if any, that elects to provide a High-Quality Pre-Kindergarten (HQ Pre-K) program and associated educational space at the ~~Development Site~~ that meets the requirements of items (a)-(c) of subparagraph (C)(i)(I) of §11.101(b)(5) ~~(related to Common Amenities, Developments serving a Target Population that is)~~. Elderly ~~or~~ Supportive Housing ~~Developments~~ are not eligible for this item. The Application must include a written agreement between the Applicant and the proposed Educational Provider.



Ingress and egress §11.204(9)(D)

The 2026 QAP allowed evidence that the fee title owner agrees to extend the LURA to an access easement to be provided by Commitment or Determination Notice. The published text deletes that timing, so the agreement is now required at Application.

Members asked that the 2026 timing be restored.

Published, §11.204(9)(D)

(D) If ingress and egress to a public right of way are not part of the Property described in the site control documentation, the Applicant must provide evidence of an easement, leasehold, or similar documented access, ~~along with evidence that and~~ the fee title owner of the property ~~agrees/agreeing~~ that the LURA may extend to the access ~~easement by the time of Commitment, Determination Notice or Contract (as applicable).~~

Vacation of right of way §11.204(9)(E)

The 2026 QAP applied this requirement only to vacations made "to remove a right of way." The published text deletes that limitation, so any needed plat or right-of-way vacation must be underway at Application.

Members asked to limit it to needed right-of-way vacations, since plat vacations are routine.

Published, §11.204(9)(E)

(E) If control of the entire proposed ~~Development Site~~ requires ~~that~~ vacating a plat ~~or~~, right of way ~~be vacated to remove a right of way~~, or similar dedication, the Application must include evidence that the vacation/re-platting process has started. Owner must be included in the Application, and provide evidence of control of the entire Development Site must be provided by the time of Commitment or Contract (as applicable).

Gap financing commitment §11.204(6)(B)

The 2026 QAP required proof that gap financing had been applied for, but set no commitment deadline. The staff draft, now published, requires soft or below-market financing "necessary for financial feasibility" to be committed by the 10% Test, with no extension otherwise.

In its letter, TAAHP requested that the requirement apply only to gap financing needed for feasibility, so that a lost source replaced with Deferred Developer Fee would not disqualify the Application or block an extension, and that sources already committed at Application be exempt.

At the September Board meeting, Jeanna Adams (TDHCA) said deals with large funding gaps often stay unfilled and later return for force majeure relief, and that a commitment or award letter would satisfy the requirement.

Staff confirmed to a TAAHP QAP Committee member that an extension for other reasons is still available.

Published, §11.204(6)(B)

(B) Gap Financing. ~~Any Applications must identify and describe any~~ anticipated federal, state, local or private gap financing, ~~whether soft or hard debt, must be identified and described in the Application. Applicants must and~~ provide evidence that an application for such gap financing has been made to an available fund source. Acceptable documentation may include, including a letter from the funding entity confirming ~~receipt of an application receipt~~ or a term sheet from the lending agency ~~which clearly describes describing the financing amount and terms of the financing.~~ Other Department funding requested with Housing Tax Credit ~~HTC~~ Applications must be ~~on in~~ a concurrent funding period ~~with the Housing Tax Credit Application, and no term sheet is required.~~ All soft or below market rate financing necessary for financial feasibility must be committed by 10% test for such Competitive Applications; a request. A term loan request must comply with the applicable terms of the NOFA under which an Applicant is applying 10% test extension will not be granted if these sources are not committed or the gap filled by other committed sources.

Pharmacy tiebreaker §11.7(2)(A)(v)

TAAHP requested that a pharmacy located inside a grocery store count as either a grocery store or a pharmacy, but not both.

The published text adds pharmacy as a new tiebreaker amenity and allows a pharmacy inside a grocery store to be counted separately.

Published, §11.7(2)(A)(v)

(v) A pharmacy. To qualify, the pharmacy must be classified as community pharmacy by the Texas State Board of Pharmacy (TSBP) and be listed in the license verification system available on TSBP's website with an active license status. Delivery-only pharmacies and those listed by TSBP as "Closed Door" are not eligible. Qualifying pharmacies located inside of grocery stores may be counted regardless of whether the grocery store is also used for this tie-breaker, in which case, the distance to the grocery store and distance to the pharmacy are still calculated separately.



Urgent care tiebreaker §11.7(2)(A)(vi)

Disability advocates requested that urgent care be added as a tiebreaker amenity.

The Board added it at the September meeting as a sixth amenity at §11.7(2)(A)(vi), using the definition proposed by Disability Rights Texas.

Published, §11.7(2)(A)(vi)

(vi) An urgent care clinic that offers the provision of immediate medical service offering outpatient care for the treatment of acute and chronic illness and injury, excluding any emergency care facility licensed under Tex. Gov't Code Chapter 254 (as listed in the Texas Health and Human Services Directory of Freestanding Emergency Medical Care Facilities) and general hospitals licensed under Texas Health and Safety Code Section 241.003 (as listed in the Texas Health and Human Services Directory of General and Special Hospitals). To qualify under this definition, the facility must: maintain extended service hours defined as 10 operating hours on weekdays and operating hours on both Saturday and Sunday; accept walk-in clients; serve all clients regardless of age; and must provide radiology services.

Common Area §11.1(d)(22)

TAAHP requested that the definition exclude leased areas and include only space available to all residents. The staff draft added exclusions for leased space and parking, and staff removed them before publication. The published definition is unchanged from 2026.

Staff draft, §11.1(d)(22)

(22) Common Area-- All enclosed or covered space not included in Net Rentable Area, or any other area that is, or is intended to be, leased. Parking facilities are not included in Common Area.

Published, §11.1(d)(22)

(22) Common Area--All enclosed or covered space not included in Net Rentable Area.

Review of additional applications §11.6(3)

The staff draft added a sentence stating that staff may review Applications beyond those described in the methodology but will not accept requests to review specific Applications. The published text retains it as drafted.

In its letter, TAAHP asked staff to remove the sentence or revise it to state a clearer policy.

Published, §11.6(3)

(3) Award Recommendation Methodology. (§2306.6710(a) - (f); §2306.111) The Department will assign, as described herein, Developments for review by the program and underwriting divisions. In general, Applications conduct application reviews will be conducted in the order described in subparagraphs (A) - (F) of this paragraph based upon the Applicant self-score and an initial program review. The Staff also will use the procedure identified in subparagraphs (A) - (F) of this paragraph will also be used below in making recommendations to the Board. Staff may review additional Applications beyond those described below; however, the Department cannot accommodate requests for specific additional Applications to be reviewed.

Undesirable Site Features, HUD siting §11.101(a)(2)(E)

TAAHP supported the new provision treating compliance with HUD siting requirements at 24 CFR Part 51, Subpart C as acceptable mitigation for Undesirable Site Features. The published text retains it.

Published, §11.101(a)(2)(E)

(E) For any Undesirable Site Feature that HUD's siting requirements at 24 CFR Part 51, Subpart C address, the Department will consider compliance with those requirements acceptable mitigation under this rule.

Grocery store tiebreaker §11.7(2)(A)(iii)

TAAHP supported the staff draft language. The published text removes seafood from the required food categories and allows stores requiring a paid membership to qualify.

Disability and housing advocates opposed counting membership stores, and the Board requested additional comment.

Published, §11.7(2)(A)(iii)

(iii) A full service grocery store of sufficient size and volume to provide for the needs of the surrounding neighborhood (including the proposed Development) offering the following: a wide variety of fresh, frozen, canned and prepared foods, including but not limited to a variety of fresh meats, and poultry, and seafood; a wide selection of fresh produce including a selection of different fruits and vegetables; a selection of baked goods and a wide array of dairy products including cheeses; and a wide variety of household goods, paper goods and toiletry items. Grocery stores that require paid membership may qualify.



Parcel §11.1(d)(92)

TAAHP requested that the Parcel definition apply only to amenities and that "parcels" be removed from the Development definition. Staff removed the proposed Parcel definition and incorporated the central appraisal district standard into the tiebreaker measurement rule, consistent with the first request. The Development definition continues to reference "parcels."

Staff draft, §11.1(d)(92)

(92) Parcel—Unless required by statute, all references to parcels and parcel boundaries in this chapter refer to the parcels defined by the central appraisal district.

Published, §11.7(2)(B)

(B) The linear ~~measurement~~measurements will be performed from the closest parcel boundary of the ~~Development~~Site to the closest parcel boundary of each feature, with the feature's parcel boundaries being established by the central appraisal district. A feature's parking lot is included as part of that feature if it is immediately adjacent. The Department may prescribe a specific form to be used for the calculation of these distances using GPS coordinates provided by the Applicantcalculations.

Energy Star lighting §11.101(b)(4)(K)

TAAHP requested that the Department retain "lighting" so fixture-based Energy Star lighting would continue to qualify. The staff draft replaced "lighting" with "light bulbs," and the published text restores "lighting."

Staff draft, §11.101(b)(4)(K)

(K) Energy-Star or equivalently rated ~~lighting~~light bulbs in all Units₂.

Published, §11.101(b)(4)(K)

(K) Energy-Star or equivalently rated lighting in all Units₂.

Elevator access amenity §11.101(b)(5)

TAAHP supported the new amenity at 1 point. Staff increased it to 2 points, and the published text retains that value.

Published, §11.101(b)(5)

(VIII) Each Unit above the first floor is accessible by at least two elevators. (2 points)

State Representative letter §11.9(d)(5)(A)

TAAHP requested deletion of the sentence treating a vacant office as a neutral letter, which conflicts with Tex. Gov't Code §2306.6710(g), and correction of "without or without." Staff made both changes.

Published, §11.9(d)(5)(A)

(5) Community Support from State Representative. (§2306.6710(b)(1)(I); §2306.6725(a)(2); §2306.6710(f) and (g)) Applications may receive up to eight (8) points for express support, zero points for neutral statements, ~~or statements not specifically referring to the Development~~, or have deducted up to eight (8) points for express opposition.

(A) Letter from a State Representative. ~~To qualify under this subparagraph, letters must be on the State Representative's letterhead or submitted in such a manner as to verify the sender, be signed by the State Representative, identify the specific Development and express whether the letter conveys support, neutrality, or opposition. This The Department will accept documentation will be accepted with the Application or through delivery to the Department either from the Applicant or the State Representative and must be submitted no later than the Final Input from Elected Officials Delivery Date as identified in §11.2(a) of this chapter (relating to Competitive HTC Deadlines). Letters received by the Department from State Representatives will be added to the Application~~

~~posted on the Department's website.~~ Once a letter is submitted to the Department it may not be changed or withdrawn. ~~Therefore, it is encouraged that letters not be submitted well in advance of the specified deadline in order to facilitate consideration of all constituent comment and other relevant input on the proposed Development.~~ State Representatives to be considered are those in office at the time the letter is submitted and whose district boundaries include the ~~Development Site.~~ ~~If the office is vacant, the Application will be considered to have received a neutral letter. Neutral letters or letters that do not specifically refer to the Development will receive zero (0) points.~~ ~~Site.~~ A letter from a state representative expressing the level of community support may be expressly based on the representative's ~~an~~ understanding or assessments of indications of support by others, ~~such as local government officials, constituents, or other applicable representatives of the community.~~ In providing this letter, pursuant to Tex. Gov't Code §2306.6710(b)(1)(I), ~~the letter~~ a representative may either express their position of support, opposition, or neutrality regarding the Application, which shall be presumed to reflect their assessment of the views of their