

STRENGTHENING PUBLIC BENEFITS IN

Tax-Exempt Private Partnership (TEPP) Properties



Elizabeth Blackford, Law Student

AnaRose Hebein, Law Student

Raisch Tomlanovich, Law Student

Heather K. Way, Clinical Professor

OCTOBER 2025



The University of Texas at Austin
Housing Policy Clinic
School of Law

AUTHORS' NOTE

This report reflects the views and analysis of the individual authors only. It does not represent the official views of The University of Texas at Austin or the Law School.

We welcome feedback and questions from readers. Please contact us at housingpolicy@law.utexas.edu.

For electronic access to the report, visit <https://law.utexas.edu/clinics/housing-policy>.

This work is licensed under a Creative Commons Attribution-NonCommercial-ShareAlike 4.0 International License; <https://creativecommons.org/license>.



Executive Summary

This report provides the first analysis of Travis County’s expanding **Tax-Exempt Private Partnership (TEPP)** landscape for multifamily housing. It highlights critical gaps in policy and oversight and offers recommendations to address these shortcomings through reforms that ensure the TEPP tool is a sustainable and impactful part of local affordable housing strategies.

In recent years, a rapidly growing number of apartment complexes in Travis County have secured full property tax exemptions through partnerships between local public entities and private investors or other non-public entities. These arrangements—referred to as “Tax-Exempt Private Partnerships,” or “TEPPs”—have become a prominent tool in Texas for structuring both apartment development and acquisition deals. In the face of high development costs, steep property taxes, and limited state and federal housing funds, TEPPs can provide the critical financing needed to make affordable housing projects feasible, leading many local governments to incorporate them into their housing strategies.

Under a TEPP, a public entity such as a housing authority or housing finance corporation holds legal or “equitable” title to an apartment complex. This structure delivers significant tax advantages: a 100% property tax exemption that can provide \$1.5 million or more in annual tax savings for a large apartment complex, along with an exemption from sales taxes on construction materials. Yet despite the scale of these subsidies, there are no uniform standards to ensure meaningful affordability, tenant protections, or public accountability across all TEPP properties. While recent legislative reforms have added important guardrails in these areas, they exclude many TEPP properties and significant policy gaps remain.

The stakes are high. Without strong guardrails, TEPPs risk functioning primarily as a tax shelter, enabling property owners to avoid millions in taxes while delivering little or no measurable benefit to renters. With the right guardrails—such as robust affordable housing requirements and tenant protections—TEPPs can instead provide a powerful tool for local governments to advance their housing priorities and provide low-income tenants with access to affordable and secure housing.

Key Findings

1. **TEPP properties comprise a substantial portion of Travis County’s multifamily housing stock.**

As of 2024, TEPP properties accounted for close to one-fifth of all multifamily rental units in Travis County, reflecting a rapid and ongoing expansion of this tax-exempt housing model. One hundred and fifty-four properties were operating under a TEPP structure, encompassing more than 34,600 rental units. These properties represent more than \$5.6 billion in appraised value and, cumulatively, save approximately \$109 million a year in property taxes, underscoring the scale and fiscal impact of TEPPs. TEPP properties vary in scope, legal structure, and participation in additional affordable housing programs, with approximately 52% of TEPP properties in Travis County participating in the Low-Income Housing Tax Credit (LIHTC) program.

2. **Local entities lack consistent baseline standards for affordability and tenant protections at TEPP properties.**

Only the City of Austin and the Strategic Housing Finance Corporation (Strategic) have adopted written policies for TEPP projects that go beyond the minimum requirements set by state law. The lack of consistent baseline standards incentivizes developers to partner with entities with the weakest standards—undermining efforts to secure deeper affordability and uniform tenant protections.

3. Many non-LIHTC TEPP properties are not required to pass on a majority of the tax break through rent reductions, resulting in rent restrictions that are unaffordable to most Travis County renters.

Recent legislative reforms require housing finance corporations' non-LIHTC TEPP properties to provide meaningful affordable housing through lower Median Family Income (MFI) levels, rent restrictions, and ensuring that at least half of the property tax benefit results in reductions in market rents. Public facility corporations must also include deeper income targeting and rent restrictions, and—for acquisition projects only—pass on at least 60% of the tax benefit through below-market rents. However, these new legislative requirements do not currently apply to other types of non-LIHTC TEPP properties or properties acquired prior to the legislative reforms. As a result, many non-LIHTC TEPP properties—including those owned under Chapter 392 by the Housing Authority of the City of Austin (HACA), the largest TEPP user in the county—are not restricted from charging rents that are comparable to market rates and that are unaffordable for the majority of Travis County renters.

4. Local entities do not consistently assess or disclose whether TEPP tax exemptions, along with other public subsidies, are necessary or tied to meaningful rent reductions.

Many TEPP properties receive multiple layers of public subsidies, but public meeting materials rarely document the value of the affordability benefits provided at TEPP properties in terms of offering below-market rents—and the extent to which a 100% property tax exemption is needed on top of the other public subsidies to provide the affordability benefits. This lack of transparency raises concerns about subsidy duplication and the absence of a clear public benefits test.

5. Lax policies allow for unaffordable rents and junk fees to proliferate at non-LIHTC TEPP properties, eroding tenants' housing stability.

Only Strategic and the City of Austin, via recently adopted policies, require TEPP properties to cap housing costs—inclusive of rent, utilities, and mandatory fees—at 30% of the units' income limits. Other TEPP properties lack safeguards to ensure the housing is genuinely affordable. Although recent state reforms have improved affordability standards for certain types of TEPP projects, significant policy gaps remain. Properties built prior to these reforms do not have these limits, and HACA remains exempt from these new legislative standards on the vast majority of its non-LIHTC TEPP projects—leaving many low-income renters exposed to unaffordable and opaque housing costs.

6. Non-LIHTC TEPP properties present significant access barriers for low-income renters.

Low-income renters—particularly those with Housing Choice Vouchers—face significant access barriers at many non-LIHTC TEPP properties, ranging from limited transparency and steep upfront costs to exclusionary marketing and screening practices. Overall voucher usage across non-LIHTC TEPP properties is low, underscoring the urgent need for stronger voucher access policies and enforcement mechanisms at these properties in particular.

7. TEPP properties lack robust eviction protections, leaving many low-income renters at a greater risk of displacement.

Several TEPP properties employ aggressive eviction policies. Only the City of Austin requires baseline eviction protections, while HACA, the Housing Authority of Travis County (HATC), and Travis County (via the Travis County Housing Finance Corporation, or TCHFC), offer no protections. Notably, however, the City of Austin has not consistently included its eviction protections in all its TEPP projects.

8. Eviction filing rates are disproportionately high at many TEPP properties.

TEPP properties filed over 1,500 eviction cases in 2024—with a 6.1% eviction filing rate compared to the 4.5% countywide average. Both LIHTC and non-LIHTC properties with the City of Austin's Rental Housing Development Assistance eviction protections had substantially lower filing rates.

Recommendations

To ensure that TEPP properties fulfill their intended purpose of expanding access to affordable housing, we recommend local housing agencies in Travis County adopt a uniform set of tenant-centered policies across all TEPP projects. The recommendations below establish a clear framework for aligning tax exemptions at TEPP properties with community needs, promoting transparency, and ensuring accountability.

Key recommendations include:

1. Establish a Strong Public Benefit Threshold:

Local housing agencies should require a strong threshold for public benefits that non-LIHTC TEPP deals must provide, including that at least 50–60% of the tax savings be returned to tenants in the form of rent reductions, while also taking into consideration in financial underwriting the other public subsidies a property receives, such as development density bonuses and government funding. The 50–60% standard, already required under state statutes governing certain types of TEPP properties, should be applied universally to non-LIHTC properties. The standard should also be tied to a transparent public benefit analysis shared with the governing body of the local governmental entity and the public before TEPP project approval.

2. Ensure Rents Are Truly Affordable:

Local housing agencies should require that all non-LIHTC properties adopt clear affordability standards requiring that the total housing costs for income-restricted units—including rent, utilities, and mandatory fees—do not exceed 30% of the unit's income limit. Rent limits should also be adjusted for household size and include utility allowances.

3. Regulate Junk Fees:

Tenants should be protected from excessive and hidden charges that undermine housing stability. TEPP policies should require full fee transparency, ban evictions over non-rent charges, and place limits on late fees and other penalties.

4. Remove Access Barriers for Voucher Holders and Low-Income Renters:

Non-LIHTC TEPP properties should be accessible to renters with Housing Choice Vouchers and those with limited income or imperfect credit. Recommended reforms include banning excessive and nonrefundable “risk” fees, limiting application costs, enforcing voucher non-discrimination, prohibiting minimum income requirements for voucher holders, and requiring affirmative marketing of affordable units and voucher acceptance.

5. Adopt Strong Eviction Mitigation Policies:

To reduce unnecessary evictions and promote housing stability at TEPP properties, local housing agencies should require TEPP properties to adopt stronger lease protections for tenants and eviction mitigation practices—including flexible payment plans, acceptance of rental assistance, and property management proactive outreach before filing an eviction case.

These reforms, implemented through a uniform, tenant-centered framework, will ensure that the significant public subsidies provided to TEPP properties consistently translate into meaningful public benefits and the strongest possible outcomes for renters and communities.

Table of Contents

Introduction	1
Part 1. Background and Texas Laws Governing TEPPs	2
Part 2. Methodology	4
Identification of TEPP Properties and Property Tax Impact	4
TEPP Policies and Practices Analysis	5
Public Benefits Requirements at TEPP Properties	7
Affordable Housing Standards and Junk Fees	8
Access Barriers for Low-Income Renters Including Voucher Holders	10
Eviction Mitigation and Eviction Filings	11
Part 3. Findings	13
The Scope of TEPP Properties in Travis County and Impacts on the Tax Base	14
Lack of Uniform Baseline Standards and Transparency of Public Benefits	16
Unaffordable Rents and Junk Fees	20
Unaffordable Rents and Related Housing Costs at Non-LIHTC Properties	21
Problematic Junk Fee Policies and Practices	23
Access Barriers for Voucher Holders and Other Low-Income Renters	26
Access Barriers for Low-Income Renters at Non-LIHTC TEPP Properties	26
Access Barriers for Voucher Holders at Non-LIHTC TEPP Properties	28
Targeted Marketing to “Essential Workers”	32
High Eviction Filings and Lack of Eviction Mitigation Policies	33
Lack of Baseline Tenant Protections	33
Property Management Practices to Prevent Evictions	34
Eviction Filings at TEPP Properties	35
Part 4. Recommendations	38
Part 5. Conclusion	41
Appendices	42
Appendix 1. Local Governmental Entities in Travis County with TEPP Multifamily Properties	42
Appendix 2. List and Map of TEPP Properties in Travis County	44
Appendix 3. State Legal Requirements Governing TEPPs in Travis County (Highlights)	49
Appendix 4. Examples of TEPP Properties with Hidden Fees	50
Appendix 5. Examples of Other Problematic Fee Practices	55
Appendix 6. Example of a TEPP Property Disclosing Fees	56
Appendix 7. Examples of TEPPs and Access Barriers for Low-Income Tenants	57
Appendix 8. Examples of TEPPs and Voucher Discrimination	60
Appendix 9. Example of Problematic Eviction Policies	61
Endnotes	62

Introduction

Tax-Exempt Private Partnerships (TEPPs) have become an increasingly prominent tool in Travis County for structuring multifamily housing development and acquisitions. Under a TEPP, a public entity partners with a private investor, development firm, or nonprofit agency, providing the property with a 100% property tax exemption and an exemption from sales taxes on construction materials. In a high-cost housing market with limited state and federal funding, these tax advantages give local governments an important tool for subsidizing the creation and preservation of affordable and stable rental housing.

At the same time, if left unchecked, TEPPs can provide little measurable benefit to renters or the broader public, highlighting the need for strong guardrails. With a substantial and growing number of TEPP properties in the county, the timing is right to strengthen oversight and implement reforms that ensure these tax-exempt arrangements provide meaningful public benefits. As of 2024, Travis County is home to an estimated 154 TEPP properties, encompassing over 34,600 apartment units, with thousands more units expected to come online in the next two years.



This report presents the first study of TEPP activity in Travis County. Conducted in partnership between the Housing Policy Clinic and Building and Strengthening Tenant Action (BASTA), the study examines the scope of TEPPs in Travis County, their impact on the local property tax base, and the policies and practices affecting low-income renters' access to affordable and stable housing at TEPP properties. In particular, the analysis considers state and local policies related to transparency, affordable rents, hidden fees, voucher access, and eviction mitigation—and how these policies are implemented in practice at Travis County's TEPP properties, with a primary focus on TEPP properties without Low Income Housing Tax Credits.

The report is organized into four parts. Part One outlines the state legal framework authorizing TEPP properties. Part Two describes the methodology used in our study. Part Three presents our findings on TEPP practices, affordability, and tenant protections. Part Four offers recommendations for adopting more uniform policies to strengthen TEPPs as a sustainable and impactful tool for advancing local affordable housing priorities.

PART 1. Background and Texas Laws Governing TEPPs

The past decade—and especially the past seven years—has seen a sharp increase in private developers and investors partnering with local governmental entities in the acquisition and development of apartment complexes across Texas. The 100% property tax exemption available through these partnerships can be worth as much as \$1.5 million to \$2 million annually for a single large apartment complex. For new construction projects, the 100% sales tax exemption on construction materials can yield additional savings of \$1 million or more for large developments.

TEPP properties vary broadly in scope and types of private partners. Many TEPP projects in Texas have been driven by private investors and for-profit development firms seeking the substantial benefits of TEPP exemptions—whether for new development of multifamily housing or the acquisition of existing apartment complexes. Many other TEPP projects have been initiated by local public jurisdictions and nonprofit charities—such as cities seeking development support for affordable housing on publicly-owned land and charities seeking to develop deeply affordable housing for families facing homelessness. Developers of affordable housing utilizing Low Income Housing Tax Credits also rely heavily on TEPPs to help make their projects feasible.

TEPP properties also vary in legal structure. These structures include, but are not limited to, legal partnerships where a private investor serves as the limited partner in a partnership entity that owns the property, as well as developments where the public entity leases both the land and improvements to the private entity, with the leasehold interest receiving a 100% exemption.

Texas law authorizes TEPP properties through three main statutes: Chapters 303, 392, and 392 of the Local Government Code. These laws vary widely in scope, including the extent to which they include standards for affordable rents, tenant protections, and access for voucher holders. See Appendix 3 for a summary of some of the key differences among these statutes' requirements.

CHAPTER 303: Public Facility Corporations

Chapter 303 of the Texas Local Government Code governs Public Facility Corporations (PFCs). Under Chapter 303, a broad range of local governmental entities—including housing authorities, school districts, community colleges, cities, and counties—are authorized to create a PFC to acquire, renovate, develop, and operate apartment complexes, among other functions. Apartments owned by PFCs, including properties leased to private investors, qualify for a 100% property tax exemption.

Until 2023, the only statutory requirement for this exemption was for a property to reserve 50% of its units for households earning at or below 80% of the Area Median Income (AMI). In 2023, House Bill 2071 significantly strengthened the law by adding requirements for below-market rents in acquisition projects, deeper income restrictions (e.g., 40% of units at 80% AMI and 10% at 60% AMI for new construction), affordable rent requirements (30% of the AMI level), basic tenant protections, affirmative marketing requirements for voucher holders, audit requirements, and compliance procedures.¹ The heightened affordability requirements do not apply to occupied apartment complexes acquired or new development projects approved prior to the effective date of the legislation.

CHAPTER 392: Public Housing Authorities

Chapter 392 of the Texas Local Government Code governs public housing authorities (PHAs)—public entities created by cities and counties to acquire and develop multifamily housing for low-income households, among other purposes. Chapter 392 restricts PHAs’ rental housing activities to serving low-income persons, and only at rates that low-income persons can afford.² PHAs do not appear to be following these restrictions in TEPP projects that serve higher-income tenants or fail to restrict their rents.

In contrast to TEPP properties exempted under Chapter 394 or Chapter 303, TEPP properties exempted under Chapter 392 through partnerships with public housing authorities remain largely unregulated by the Texas Legislature. A property owned by a PHA under Chapter 392 qualifies for a 100% property tax exemption if it (1) reserves either 20% of its units for public housing or 50% of its units for households earning at or below 80% of AMI; or 2) is financed using tax-exempt bonds or Low-Income Housing Tax Credits. Chapter 392 does not impose any limits on rents or fees charged by TEPPs, voucher acceptance requirements, or tenant protections. The statute also lacks auditing and compliance procedures for TEPP projects.

CHAPTER 394: Housing Finance Corporations

Chapter 394 of the Texas Local Government Code governs Housing Finance Corporations (“HFCs”), which are public, nonprofit entities created by cities and counties to finance residential development and support homeownership opportunities. A property owned by an HFC is eligible for a property tax exemption under Section 394.905.

Until recently, the only requirement for this exemption was that 90% of the units serve low- and moderate-income persons—regardless of whether rents were actually affordable to those tenants. TEPP properties did not have to include rent restrictions or provide any public benefits under state law. In 2025, the Texas Legislature enacted major reforms to Chapter 394, including adding deeper income limits (40% of units at 80% AMI and 10% at 60% AMI, or 40% at 100% AMI and 10% at 50% AMI), rent restrictions (including mandatory recurring fees), tenant protections, an upfront and ongoing public benefits test, and audit and compliance procedures.³ TEPP properties with an exemption under Chapter 394 must come into compliance with the new tenant protections by January 1, 2026, and with the new affordability restrictions by the earlier of 2026 or the sale or refinancing of the property.

PART 2. Methodology

This study was conducted from September 2024 through May 2025 as part of a research collaboration between the Housing Policy Clinic and BASTA. Updates to the study were made from May to September 2025, including incorporating the new legislative reforms to Chapter 394 along with feedback from the five local governmental entities that are the most active users of TEPPs in Travis County.

The primary components of the study were to:

1. Identify TEPP properties located and owned by local governmental entities in Travis County and the property tax savings the properties receive through their property tax exemption.
.....
2. Examine local governments' policies in Travis County governing the level of public benefits that TEPP properties must provide through reductions in market rents—and the transparency of any public benefits assessments conducted.
.....
3. Examine the local governments' policies in Travis County related to housing affordability and junk fees at TEPP properties.
.....
4. Examine access barriers at TEPP properties in Travis County for tenants with vouchers and other low-income renters.
.....
5. Analyze eviction filing rates at TEPP properties in Travis County and evaluate whether local governmental entities have adopted policies to mitigate evictions.

Identification of TEPP Properties and Property Tax Impact

The identification of TEPP properties was conducted by BASTA staff and our research team using the Travis Central Appraisal District's (TCAD) 2024 parcel data. The analysis was limited to multifamily properties owned as of mid-2024 by local governmental entities based in Travis County—or by public entities they created for affordable housing development and financing. Our analysis was focused on multifamily properties, including properties undergoing development.

We identify a multifamily property as a TEPP property if (1) the land, improvements, or both have a 100% property exemption under Chapter 303, 392, or 394 of the Texas Local Government Code, and (2) a private entity has an ownership or longterm leasehold interest in the property. The private partner can be a for-profit or non-profit entity. TEPP properties, under our definition, include properties where the public entity owns only the land, as well as properties where the public entity owns the land and improvements. Properties that are owned outright by a public entity without any private owners or long-term lessees are not counted as TEPP properties. Properties owned by public housing authorities that were formerly public housing developments and have converted to Project-Based Vouchers under the federal Rental Housing Demonstration program were excluded from our TEPP identification.

To identify TEPP properties in Travis County, we screened for properties in TCAD’s parcel data that (1) had a 100% property tax exemption, (2) had a B1 property type code for multifamily parcels, (3) were owned by one of the public entities in our study, and (4) had at least one improvement. We added several additional TEPP properties to our dataset that we identified through a closer examination of exempt properties in the TCAD records, as well as cross-referencing lists of TEPP properties from local governmental entities with the TCAD records. Our methodology results in an undercount of TEPP properties, since not all TEPP projects that had closed as of mid-2024 had appeared yet in the parcel data we received from TCAD.

Because this report focuses on actions local housing agencies can take to make the TEPP tool a sustainable and impactful part of local affordable housing strategies, we excluded from our analysis TEPP properties located in Travis County that are owned by governmental entities based outside the county. As a result, the report does not address so-called “traveling HFCs,” which the Texas Legislature restricted in the most recent session.

To estimate the property tax savings that TEPP properties receive, we used 2024 market values from the Travis Central Appraisal District. We then applied a composite tax rate of 1.933247%, calculated by averaging the 2024 tax rates from a random sample of 30 TEPP properties. This rate was applied to each property’s market value to estimate the total property tax savings.

See Appendix 1 for diagrams depicting the governance structure of the local governmental entities with active TEPP multifamily properties as of mid-2024. In addition to the entities depicted in Appendix 1, the Austin Independent School District, the Eanes Independent School District, and the Pflugerville Independent School District have created public facility corporations to facilitate tax-exempt multifamily housing development that serves, at least in part, district employees. None of these entities had completed TEPP projects in Travis County as of the date of our study.

TEPP Policies and Practices Analysis

The next phase of our research focused on policies and practices at TEPP properties related to:

- public benefits requirements related to below-market rents;
- affordable housing standards and junk fees;
- access barriers for tenants with vouchers and other low-income renters; and
- eviction mitigation.

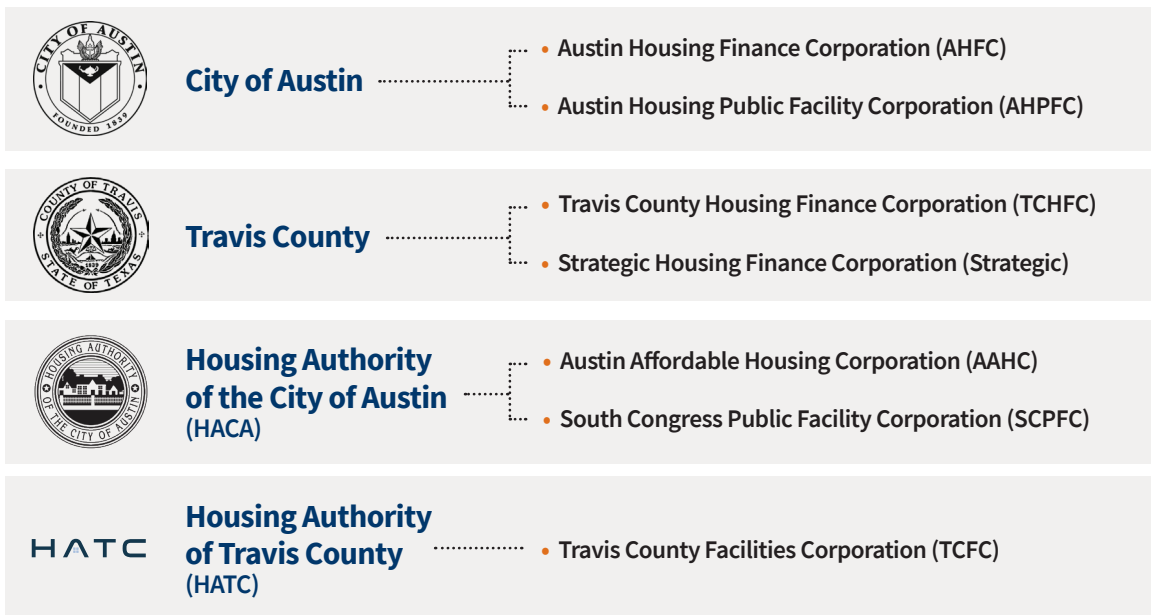
For the first three sets of policies and practices, we focused on TEPP properties without Low Income Housing Tax Credits, since the LIHTC program includes robust regulations governing affordable rents and access by voucher holders and other low-income renters. For the last set of policies and practices governing eviction mitigation, we included both LIHTC and non-LIHTC properties in our analysis. Our analysis was informed by: (1) state laws governing TEPP properties, (2) any written policies adopted by the local government or their affiliated entities; (3) legal agreements for specific TEPP transactions; (4) the local governmental entities’ governing board meeting materials; and (5) conversations with local government officials. We also conducted a review of practices at a subset of TEPP properties, with a primary focus on mandatory fees and access barriers for tenants with vouchers and other low-income renters.

While our TEPP property identification and tax analysis focused on properties owned by all local governments based in Travis County, our analysis of TEPP policies and practices, discussed below, focused only on TEPP properties owned by the following local governmental entities and their affiliated public, nonprofit corporations:

- **City of Austin:** The City utilizes two entities that engage in TEPP projects for housing: the **Austin Housing Finance Corporation (AHFC)**, which is governed by Chapter 394 of the Texas Local Government Code, and the **Austin Housing Public Facility Corporation (AHPFC)**, which is governed by Chapter 303. As of mid-2024, AHPFC had not yet closed on any deals, so our analysis focuses solely on AHFC-owned TEPP properties.
 - o Governance: The Austin City Council serves as the board of directors for both AHFC and AHPFC.
- **Travis County:** Travis County has created two housing finance corporations involved in TEPP activity:
 - o The **Travis County Housing Finance Corporation (TCHFC)**, which is under the direct oversight of the Travis County Commissioners, who also serve on TCHFC's board. As a housing finance corporation, TCHFC is subject to Chapter 394 of the Local Government Code.
 - o The **Strategic Housing Finance Corporation ("Strategic")**, which was managed by the Housing Authority of Travis County until 2024 through an interlocal agreement with the County. Strategic now operates independently. Strategic's board is appointed by the County Commissioners but is not under direct County oversight. As a housing finance corporation, Strategic is subject to Chapter 394 of the Local Government Code.
 - o Because of Strategic's and TCHFC's distinct governance structure and policies, the two entities are analyzed separately in this report.
- **Housing Authority of the City of Austin (HACA):** HACA has created two entities for TEPP projects: **Austin Affordable Housing Corporation (AAHC)** and **South Congress Public Facility Corporation (SCPFC)**. As of mid-2024, approximately 94% of HACA's TEPP activity has occurred through AAHC, which is subject to Chapter 392 of the Local Government Code. SCPFC is subject to Chapter 303 of the Local Government Code. Given HACA's predominant reliance on Chapter 392 for creating TEPPs, our analysis of the policies and practices at HACA's TEPP properties focused largely on its Chapter 392 properties, with the exception of our voucher and eviction analysis, which covers all of HACA's TEPP properties.
 - o Governance: The directors on HACA's board serve on the governing boards for both AAHC and SHPFC.
- **Housing Authority of Travis County (HATC):** HATC has created one TEPP-related entity: the **Travis County Facilities Corporation (TCFC)**, which is a public facility corporation governed by Chapter 303 of the Local Government Code.
 - o Governance: The directors on HATC's board serve on the governing board for TCFC.

We excluded from our analysis of TEPP policies and practices the Austin, Pflugerville, and Eanes Independent School Districts. Although these entities have created PFCs for developing tax-exempt affordable housing, we did not identify any TEPP properties owned by these entities in Travis County as of mid-2024. We also excluded from our analysis the Texas Workforce Housing Foundation, formerly named the Texas Essential Housing Public Facility Corporation, a public facility corporation that owns at least 12 TEPP properties in Travis County and is part of the SH130 Municipal Management District, No. 1—a small local government in eastern Travis County. In 2023, the Texas Legislature barred the PFC from creating new TEPPs outside its jurisdictional boundaries.

FIGURE 1. Local Governmental Entities Covered by TEPP Policies and Practices Analysis



Public Benefits Requirements at TEPP Properties

A prior assessment of TEPP properties owned by public facility corporations prior to the 2023 legislative reforms found that the 100% tax exemption often produced only marginal rent savings for tenants.⁴ In our present analysis, we evaluated whether state law or local policy requires non-LIHTC TEPP properties to pass on at least a majority of the tax break benefit to tenants through reductions in rents. Related to this analysis, we examined:

1. Whether each local governmental entity conducts an assessment of (1) how much rents at a given property are expected to fall below market rent levels once the tax exemption is applied; and (2) the value of the tax break and any other public subsidies provided to the project, such as increased building entitlements from the City of Austin (“density bonuses”) in exchange for affordable housing;
2. Whether the assessment, if conducted, is shared with the governing board during project review and approval; and
3. Whether the assessment is included in publicly-available board materials posted online.

Affordable Housing Standards and Junk Fees

Overview

Our analysis here focused on whether non-LIHTC TEPP properties are subject to legal restrictions ensuring that households who reside in an income-restricted unit pay no more than 30% of the unit's Area Median Income (AMI) cap **on housing costs, including rent, utilities, and mandatory recurring fees**—what we refer to as the “30% affordability standard.” Because many tenants residing in income-restricted units earn significantly less than their unit's income cap levels, even a 30% affordability standard results in many tenants paying significantly more than 30% of their actual income on rent. This gap underscores the importance of ensuring that a property has meaningful rent restrictions and that these restrictions include mandatory fees and utilities.



The 30% affordability standard and its inclusion of rent, utilities, and mandatory fees underpins most federal affordable housing programs, including the Low-Income Housing Tax Credit (LIHTC) program, to help ensure households retain sufficient income for other essential needs. Households paying more than 30% of their income on housing costs—particularly those who are low- and middle-income—are considered to be “cost burdened” under standard measures of a community's affordable housing needs.

We also examined whether TEPP properties are legally restricted from engaging in other problematic practices regarding fees. Texas tenants today face a troubling and growing array of fees in the rental housing market. These “junk” fees obscure the true price of housing and prevent comparison shopping, impose financial strains on tenants, and create barriers to affordable housing access.⁵ We excluded from our analysis the rents and fees at TEPP properties participating in the LIHTC program, given the robust federal restrictions on rents and fees at those properties.

The specific questions that guided our analysis of rents and junk fees at non-LIHTC TEPP properties are discussed in the following two sections:

Affordable Housing Analysis

We examined state laws and local government policies in the following areas to determine whether non-LIHTC TEPP properties are required to meet meaningful affordability standards regarding rents and other charges:

1. Are rents capped at 30% of the applicable AMI level?

We assessed here whether state law and local government policies require TEPP properties to charge rents in income-restricted units that do not exceed 30% of the unit's AMI cap. For instance, if a unit is restricted to tenants earning up to 60% AMI (\$80,280 for a family of four), can the rents exceed 30% of that income cap (\$2,007)?

2. Are income limits adjusted for family size?

A standard requirement in affordable housing programs is for the AMI levels in affordable housing programs to be based on HUD data adjusted for family size (e.g., a one-person household for an efficiency unit, or a three-person household for a two-bedroom unit). When a multifamily property's AMI levels are not adjusted for family size, the rent caps for smaller units can far exceed what low-income renters can afford.

For example, based on 2025 AMI levels for the Austin-Round Rock MSA:

- A 60% AMI efficiency unit with family size adjustments should be priced at around \$1,405 a month in Austin, serving a renter earning no more than \$56,220 annually.
- Without family size adjustments, the same unit could be priced at \$2,007, serving a renter earning \$80,280. This rent is closer to a 90% AMI rent for a single-person household, which means someone making 60% AMI will not be able to afford the rent for this unit. This also means that the tax exemption on this unit is far less likely to provide any meaningful public benefit in the form of reducing rents below market rates.

3. Are utility costs included in rent limits?

Most affordable rental housing programs, including the LIHTC program, require inclusion of a utility allowance to factor expected utility costs into rent calculations. We assessed here whether state law and local government policies require non-LIHTC TEPP properties to apply a utility allowance to ensure total housing costs at designated AMI levels remain within the 30% affordability threshold.

4. Are mandatory recurring fees included in rent limits?

Texas tenants increasingly face a wide range of mandatory recurring charges by landlords—such as pest control, insurance, technology, and administrative fees. We assessed here whether state law and local government policies require these fees to be included in applicable rent limits at non-LIHTC TEPP properties. When fees are excluded, they can be used to bypass affordability requirements, resulting in tenants paying far more than 30% of their income on monthly housing costs.

Junk Fees Analysis

In addition to assessing whether state laws and local governmental entities require non-LIHTC TEPP properties to include mandatory fees in a property's rent limits, we examined the following additional areas related to fees:

1. Are non-LIHTC TEPP properties required to provide clear, upfront disclosure of fees before tenants apply for a unit?

We examined whether local entities require non-LIHTC TEPP properties to clearly disclose the property's mandatory fees on the property's website and in lease quotes. Without such transparency, applicants may not discover the full cost of their housing until after paying a nonrefundable application fee that can run in the hundreds of dollars. Fee transparency is a critical affordability safeguard: Undisclosed charges—such as parking, trash, and technology fees—can significantly increase a tenant's housing costs, jeopardizing a tenant's housing stability.

2. Are TEPP properties permitted to evict tenants for late or nonpayment of fees?

We reviewed whether TEPP properties (both LIHTC and non-LIHTC properties) are allowed to evict tenants solely for late payment or nonpayment of fees. When landlords can evict tenants for disputed fees, tenants are restricted to contesting the fees in the eviction process—a high-stakes setting that makes it difficult to challenge unfair charges.

3. Has the entity adopted caps on late fees beyond the statutory caps?

Texas law permits landlords to charge late fees of up to 10–12% of a tenant’s monthly rent or the landlord’s actual costs.⁶ We examined whether the local governmental entities have adopted stricter limits on late fees at TEPP properties (both LIHTC and non-LIHTC properties), recognizing that the state late fee cap can still impose financial burdens on low-income tenants and jeopardize their housing security.

Access Barriers for Low-Income Renters Including Voucher Holders

We also examined policies and practices that affect access to non-LIHTC TEPP properties by renters with vouchers and other low-income renters. Our analysis here included the following questions:

Access Barriers for Tenants with Vouchers

1. Are non-LIHTC TEPP properties prohibited from discriminating against renters with vouchers?

We assessed here whether non-LIHTC TEPP properties are prohibited from refusing to rent to applicants solely because they use a housing voucher to cover part of their housing costs. Such protections are essential to ensuring voucher holders have access to TEPP units, since research has shown that many landlords will refuse to rent to tenants with a voucher.⁷

2. Are non-LIHTC TEPP properties prohibited from utilizing restrictive minimum income requirements for voucher holders?

We examined here whether state or local government policies require non-LIHTC TEPP properties to waive or adjust minimum income requirements for applicants with a voucher. Most property management companies utilize minimum income policies when screening applicants for a rental property. These policies—which typically require applicants to earn at least 2.5 or 3 times the rent—effectively exclude most voucher holders, whose rent payments are subsidized.

3. Are TEPP properties required to affirmatively market to voucher holders?

We also reviewed whether TEPP properties are required to advertise on their websites or notify local housing authorities’ voucher offices that they accept vouchers. Without such affirmative marketing measures, eligible tenants may be unaware that TEPP units are available to them.

4. How many tenants with vouchers reside at non-LIHTC TEPP properties?

To better understand voucher holders’ access to non-LIHTC TEPP properties, we examined the voucher use at TEPP properties in our dataset. We also identified the overall voucher rate at LIHTC TEPP properties. We excluded from our analysis new-construction properties that were not leasing by January 1, 2024, and properties that were acquired on or after January 1, 2024. The analysis also excludes two Section 202 properties.

To determine the number of vouchers accepted at each property, BASTA submitted a public information request to HACA and HATC for a list of addresses of Housing Choice Vouchers. The voucher datasets were provided on August 12, 2024, for HATC, and October 9, 2024, for HACA, and include Housing Choice Vouchers along with some additional voucher types. BASTA geocoded these voucher holder addresses and spatially joined the resulting coordinate to a property using the TCAD parcel boundaries, which provided an aggregate number of voucher holders per property. BASTA included only the highest accuracy geocoding results and manually inspected and cleaned any addresses that did not yield accurate geocoding results or did not spatially join to a TCAD parcel.

Access Barriers for Low-Income Tenants

1. Does the entity require non-LIHTC TEPP properties to advertise the availability of affordable units on their website?

Clear and accessible advertising is essential for ensuring low-income renters can find and apply for TEPP properties.

2. Does the entity prohibit non-LIHTC TEPPs from charging high application fees and other upfront fees?

We examined whether local entities cap application and administrative fees at the actual cost of processing applications—similar to federal requirements under the LIHTC program. High upfront costs can present a significant barrier to entry for low-income households.

3. Does the entity prohibit nonrefundable security deposits for tenants with low credit scores at non-LIHTC TEPP properties?

We assessed whether policies prohibit the use of nonrefundable “security” deposits—often charged to applicants with lower credit—which can impose disproportionate financial burdens on low-income renters.

4. Does the entity prohibit exclusionary or targeted advertising practices at non-LIHTC TEPP properties?

We reviewed whether entities restrict advertising strategies that may violate the Fair Housing Act. For example, marketing targeted exclusively to “essential workers” could have a discriminatory impact on protected classes.

Eviction Mitigation and Eviction Filings

For evictions, we examined whether local governmental entities and their public corporation affiliates have adopted policies aimed at reducing eviction filings and promoting housing stability at TEPP properties, for both LIHTC and non-LIHTC properties.

In this part of the analysis, we looked for policies such as:

- Requirements for a 30-day notice prior to lease nonrenewal;
- Good cause requirements for lease non-renewals;
- A right to cure lease violations before an eviction can be filed;
- Requirements for reasonable payment plans; and
- Acceptance of partial rent payments and third-party rental assistance.

We also examined the eviction filing rates at TEPP properties in Travis County during the 2024 calendar year. As with our analysis of other policies and practices at TEPP properties, our eviction analysis focused on TEPP properties owned by the City of Austin, Travis County (for both TCHFC and Strategic), the Housing Authority of the City of Austin, and the Housing Authority of Travis County, along with their affiliated entities. The analysis included both LIHTC and non-LIHTC properties and was limited to properties that were actively leasing units and had become a TEPP property prior to January 1, 2024.

Eviction filings were attributed to a property by geocoding the address of each eviction case defendant in Travis County in 2024 and spatially joining the resulting coordinate with TCAD parcel boundaries. We included only highest accuracy geocoding results and manually inspected and cleaned any addresses that did not yield accurate geocoding results or did not spatially join to a TCAD parcel. We calculated the eviction filing rate at TEPP properties for 2024 by dividing the total number of evictions that were filed at a given property in 2024 by the number of units at that property. The unit counts at properties were determined by BASTA through a combination of multiple datasets and manual research.

The countywide eviction filing rate was determined by dividing the total number of evictions filed in Travis County in 2024 by the total number of renter-occupied housing units, using data from the American Community Survey (ACS) 1-year estimates for 2023, Table DP04. The 1-year estimates for 2024 were not available at the time of analysis.

The Travis County eviction filing data does not delineate between single-family and multi-family properties. As a result, our analysis is restricted to a comparison of evictions at TEPP properties with evictions across all types of rental housing, including single-family units. A breakdown of the overall eviction data by unit type would allow for a comparison between eviction filings at multifamily properties that are in a TEPP structure versus those not in a TEPP structure. Additional research could provide additional important insights into the eviction dynamics at play in TEPP properties and how these dynamics compare to other types of properties.

PART 3. Findings

Our findings are broken out into the following sections:

1 The scope of TEPP properties in Travis County and impacts on the tax base



2 Lack of uniform baseline standards and transparency of public benefits



3 Unaffordable rents and junk fees



4 Access barriers for voucher holders and other low-income renters



5 High eviction filings and lack of eviction mitigation policies



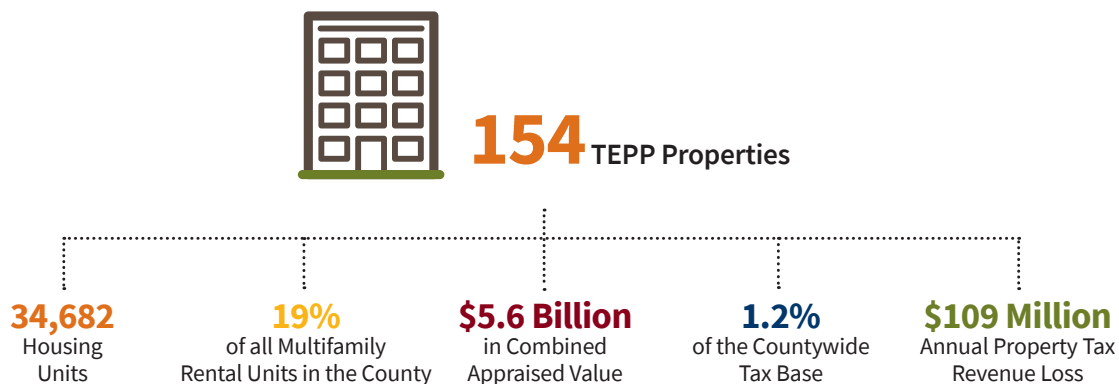
1

The Scope of TEPP Properties in Travis County and Impacts on the Tax Base

FINDING #1: TEPP properties now comprise a substantial portion of Travis County's multifamily rental housing stock

Our study identified 154 TEPP properties owned by local governmental entities and their affiliated public corporations in Travis County with property tax exemptions under Chapters 392, 394, or 303 of the Texas Local Government Code. See Appendix 2 for a list and map of the TEPP properties included in our study. These properties consist of apartment complexes that are actively leasing along with a few sites that are under development.

Together, these locally-owned properties contain at least **34,682 housing units**—an estimated **19% of all multifamily rental units** in the county.⁸ With a combined **appraised value of \$5.6 billion**, these properties account for more than **1.2% of the countywide tax base**,⁹ and save an estimated **\$109 million** in annual property taxes.



Most of the 154 TEPP properties were placed in a TEPP structure after 2017. For example, at least 56 of the Housing Authority of the City of Austin's 67 TEPP properties identified in our study entered into a TEPP structure after 2017.

Since the close of our analysis, dozens of additional TEPP properties have been approved, with HACA and HATC leading this expansion. In the last eight months of 2024, HACA alone closed on at least nine new TEPP properties that were not captured in our analysis.

The TEPP properties we identified include pre-existing properties that were acquired by a local governmental entity as well as new construction projects. Approximately 52% of the TEPP properties utilize Low Income Housing Tax Credits, while at least two utilize the Section 202 Supportive Housing for the Elderly Program, and at least 18 participate in Austin’s Rental Housing Development Assistance program. Approximately 61 TEPP properties do not utilize a government subsidy other than the 100% tax exemption, with at least nine of these properties receiving significant increases in density through the City of Austin’s density bonus programs.

The 74 TEPP properties not participating in the LIHTC program have a total of 16,758 units and appraised value of \$3.1 billion, with a cumulative annual property tax exemption of \$69 million. The total number of non-LIHTC TEPP properties by entity as of mid-2024 is as follows: HACA: 39 | TWHF: 11 | TCHFC: 7 | HATC: 3 | SHFC: 0

TABLE 1. Travis County Local Governmental Entities with Active TEPPs (2024)

Housing Authority of City of Austin: Austin Affordable Housing Corporation (AAHC): HFC, Chapter 392 South Congress PFC (SCPHFC): PFC, Chapter 303	→ 67 properties*	→ \$3.3 billion value \$63M/yr tax savings
Travis County: Travis County Housing Finance Corporation (TCHFC): HFC, Chapter 394	→ 28 properties	→ \$991 million value \$19M/yr tax savings
Travis County: Strategic Housing Finance Corporation (Strategic): HFC, Chapter 394	→ 19 properties	→ \$718 million value \$14M/yr tax savings
City of Austin: Austin Housing Finance Corporation (AHFC): HFC, Chapter 394	→ 26 properties**	→ \$334 million value \$6M/yr tax savings
Housing Authority of Travis County: Travis County Facilities Corporation (TCFC): HFC, Chapter 303	→ 3 properties	→ \$111 million value \$2M/yr tax savings
SH130 Municipal Management District, No. 1: Texas Workforce Housing Foundation: PFC, Chapter 303 (formerly named the Texas Essential Housing PFC)	→ 11 properties	→ \$221 million value \$4M/yr tax savings

* HACA also owns several TEPP properties in Williamson County, which Austin’s boundaries extend into; these properties were outside the scope of our study.

** Two of Austin’s TEPP properties involve ground leases where the City owns the land and not the improvements. As a result, the Chapter 392 property tax exemption is only on the land.

Lack of Uniform Baseline Standards and Transparency of Public Benefits

FINDING #2: Local entities lack consistent baseline standards for affordability and tenant protections at TEPP properties.

Among the five governmental entities studied, only the **City of Austin/Austin Housing Finance Corporation (AHFC)** and **Strategic Housing Finance Corporation (Strategic)** have adopted written policies governing TEPPs that exceed the minimum requirements set by state law. AHFC staff told us they apply the City's Rental Housing Development Assistance (RHDA) Guidelines to all the City's TEPP properties, which include affordability standards and a robust set of tenant protections.

The RHDA guidelines incorporate many best practices in affordable housing and have provided a model for several local governments in other parts of the state looking to strengthen their TEPP policies. Strategic's Workforce Housing Term Sheet includes both required and optional affordability and tenant protection standards. Developers can earn additional points on their applications by agreeing to adopt the optional provisions. SHFC's optional tenant protection standards are modeled off AHFC's RHDA policy.

In contrast, **The Housing Authority of the City of Austin (HACA)**, **the Housing Authority of Travis County (HATC)**, and **Travis County** (through the **Travis County Housing Finance Corporation, or TCHFC**) have no written policies governing TEPP properties that exceed the statutory minimum requirements. Although the statutory requirements governing public facility corporations (Chapter 303) and housing finance corporations (Chapter 394) were recently strengthened by the Texas Legislature for non-LIHTC TEPP properties, the legislative reforms contained several grandfathering provisions for TEPP projects in existence prior to the legislation and lack the robust tenant protections included in AHFC's RHDA Guidelines. HACA's Chapter 392 non-LIHTC TEPP properties remain largely unregulated by the state.

The lack of consistent baseline standards across local entities allows developers and investors to “shop” their projects to whichever entity imposes the lowest standards. The practice creates a competitive dynamic that discourages robust affordability and tenant protection standards. The existence of weaker policies at some entities further undermines the ability of other entities to secure deeper affordability and stronger standards in their TEPP projects.

FINDING #3: Many non-LIHTC TEPP properties are not required to pass on a majority of the tax break through rent reductions—resulting in rent restrictions that are unaffordable to most Travis County renters.

Recent legislative reforms require certain non-LIHTC TEPP properties to provide meaningful affordable housing through lower Median Family Income (MFI) levels, rent restrictions, and ensuring that a significant portion of the property tax exemption results in reductions in market rents. However, these new legislative requirements do not extend to all non-LIHTC TEPP properties or properties acquired prior to the legislative reforms.

In the absence of rent reduction requirements, TEPP properties without deeper affordability layers are allowed to set “affordable” rent restrictions at levels that closely mirror market rates, especially for units restricted at the 80% AMI level. See Figure 2 for how this policy plays out at a TEPP property.

FIGURE 2. Example of Income-Restricted Rents at a TEPP Property Exceeding Market Rents

HIGHPOINT PRESERVE: Travis County Housing Finance Corporation			
	Floorplan	AMI Limit	Max. Monthly Rent
C1 – Warbler	(3-bed, 2-bath)	80% AMI	\$2,510
C1 – Warbler	(3-bed, 2-bath)	Market rent	\$2,500

Source: Property Website

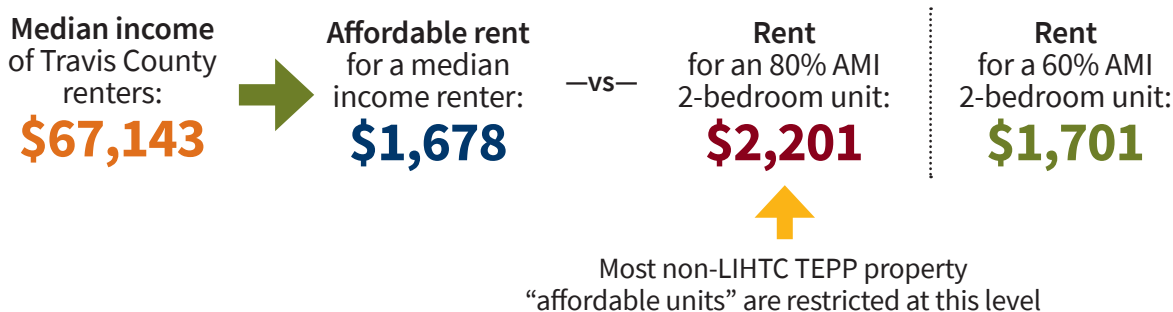
For example, in 2024, the maximum allowable rent for a one-bedroom unit restricted at 80% AMI was \$1,713—substantially higher than the median one-bedroom rent in Travis County (\$1,273)¹⁰ and above the average rent for all apartments in the Austin metro area (\$1,528).¹¹

FIGURE 3. Travis County Apartment Rents (2024)



TEPP properties that are not layered with LIHTC subsidies or other government subsidies typically restrict units at the 80% AMI level—equivalent to an income of \$88,080 for a family of three—with few units, if any, set aside at deeper affordability levels. Yet, the median renter household in income in Travis County is just \$67,143,¹² meaning that these tax-subsidized units are out of reach for most renters. Even TEPP units with rents set at 60% AMI—for example, \$1,701 for a two-bedroom—remain unaffordable to the majority of renter households in the county.

FIGURE 4. Travis County: Affordable Rent for Median Income Renter vs TEPP Property Rent Restrictions (2024)



Further compounding the problem, as discussed below, many local governmental entities do not include utility allowances or restrict junk fees in non-LIHTC TEPP properties. As a result, the actual monthly housing costs at these properties can exceed the restricted rents, worsening affordability challenges.

Recent legislative reforms will help ensure certain categories of non-LIHTC TEPP properties deliver more meaningful rent discounts. Under the 2025 reforms to Chapter 394—enacted after our study period—housing finance corporations must now ensure that at least 50% of the value of the tax exemption is passed on to tenants through rent reductions. For example, if a 300-unit property receives a \$1 million annual tax exemption and restricts 50% of its units, the aggregate rent discounts must equal at least \$500,000—equivalent to approximately a \$278 average reduction in monthly market rent for each rent-restricted unit. These requirements apply to new non-LIHTC TEPP projects moving forward. In addition, projects that existed before the statutory changes must come into compliance with the rent reduction requirement within ten years or, if earlier, upon a sale or refinancing of the property.

A comparable requirement was added in the 2023 reforms to Chapter 303 for PFC acquisition TEPP projects, which must demonstrate rent reductions equal to at least 60% of the projected tax benefit—although this requirement does not extend to projects created prior to the reforms. None of the entities covered by our study are currently using Chapter 303 for acquisitions, limiting the practical impact of this reform.

The following non-LIHTC TEPP projects remain outside of any rent reduction threshold:

1. Projects developed or acquired by public housing authorities under Chapter 392 (the statute HACA primarily uses for its TEPP projects); and
2. New construction TEPP projects developed under Chapter 303 (the statute HATC uses for its TEPP projects and that HACA has used for a handful of projects).

HACA’s and HATC’s non-LIHTC TEPP projects remain unregulated when it comes to a rent reduction requirement. Both entities also lack written policies requiring that a portion of the tax exemption be passed on to tenants in the form of rent savings.

FINDING #4: Local entities do not consistently assess or disclose whether TEPP tax exemptions, along with other public subsidies, are necessary or tied to meaningful rent reductions.

Many TEPP projects receive multiple layers of public subsidy—such as Low-Income Housing Tax Credits, Opportunity Zone incentives, and city density bonuses—in addition to a 100% property tax exemption. Yet, most of the local governmental entities have not consistently provided a clear accounting of the total value of these subsidies and an evaluation of whether that level of support is necessary to generate the restricted rents and any additional public benefits required at TEPP properties.

Our review found that **HACA**, **HATC**, and **TCHFC** have not consistently conducted or disclosed comprehensive financial analyses showing how the tax break layered with other public subsidies is necessary to achieve the required affordability outcomes. Board meeting materials from these entities frequently lacked any justification for granting a full property tax exemption or documentation weighing the value of all the public subsidies against the public benefits provided. **Strategic** was the only entity with a defined standard for evaluating when a full exemption is warranted.

Without clear standards and publicly-disclosed analyses, it is difficult to determine when a 100% tax exemption is warranted and which TEPP projects are over-subsidized with inadequate returns for renters and the broader public.

This lack of transparency raises key concerns:

- **Are public subsidies being duplicated unnecessarily?**
.....
- **Are TEPP properties providing meaningful affordable housing benefits commiserate with the level of public investment?**
.....
- **Is a perpetual 100% property tax exemption always warranted?**
.....

Recent legislative changes will help increase transparency in this area for a subset of TEPP properties. The 2023 legislative reforms to Chapter 303 require that a publicly-accessible underwriting report be posted online at least one month before a PFC board votes to approve a project. The 2025 legislative reforms to Chapter 394 also contain an underwriting requirement for HFC TEPPs. However, these assessment requirements do not apply to LIHTC properties or housing authorities' Chapter 392 properties—which together constitute 138 of the 154 properties in our list of TEPP properties. These reforms also do not explicitly require a feasibility assessment based on all the public subsidies a project has been awarded or is seeking.

3

Unaffordable Rents and Junk Fees

FINDING #5: Lax policies allow for unaffordable rents and hidden and problematic fees to proliferate at non-LIHTC TEPP properties, eroding tenants' housing stability.

Most of the five local governmental entities in our study lack enforceable standards to ensure that non-LIHTC TEPP properties are truly affordable for low-income renters. With the exception of **Strategic** and **City of Austin**, none of the entities have adopted comprehensive policies requiring that tenants at the designated Area Median Income (AMI) levels pay no more than 30% of their income on total housing costs—including rent, utilities, and mandatory recurring fees.

The absence of strong, enforceable affordability standards across these TEPP properties significantly undermines the housing stability of low-income renters residing in these properties. As outlined above, many non-LIHTC TEPP properties are allowed to charge rents that are unaffordable to the majority of renter households in Travis County. When these rents are combined with mandatory fees and utility costs, the actual monthly housing costs at these properties can far exceed what low-income renters can afford, despite the large public subsidies supporting them.

FOR EXAMPLE:



The affordable rent for a **first-year teacher** at Austin ISD is **\$1,390**, if they were to spend no more than **30%** of their income on housing costs.¹³



TEPP Property



The total monthly housing cost for a **one-bedroom** unit priced at **80% AMI**—with \$100 in monthly fees and another \$100 in utilities—is **\$1,913**.

This results in the teacher spending **over 41%** of their pre-tax salary on housing.

These affordability gaps are compounded by other problematic junk fees practices at non-LIHTC TEPP properties. Despite receiving substantial public subsidies, many of these TEPP properties impose fees in ways that are opaque or excessive. These practices directly undermine the affordability goals of the TEPP exemption tool and disproportionately harm low-income renters, who are especially vulnerable to financial strain and housing instability.

Unaffordable Rents and Related Housing Costs at Non-LIHTC TEPP Properties

Key Findings

1. Rent limits not uniformly tied to 30% of AMI levels

Local governments in Travis County have utilized varying standards regarding whether to impose rent limits on income-restricted units at non-LIHTC TEPP properties and, if so, what those rent limits should be:

- **AHFC** has long had a written policy that the rents cannot exceed 30% of the applicable AMI level.
- **Strategic** has a similar written policy.
- **HACA** does not have a written policy, but HACA officials reported to us that the housing authority began consistently requiring rent restrictions at 30% of the applicable AMI level a few years ago at its new Chapter 392 projects. The legal documents we reviewed for recently approved TEPP projects include rent restrictions—although the legal documents for at least three projects approved in 2022 state that the rents do not have to be lowered if the area median income drops. The legal documents we reviewed for three of HACA's non-LIHTC TEPP properties approved prior to 2020 do not include any rent restrictions.
- **TCHFC** has not adopted a written rent restriction policy and, until recently, TCHFC's non-LIHTC TEPP projects did not consistently include a rent restriction of 30% of the applicable AMI level.
- **HATC** had not adopted a written rent restriction policy.

Today, as a result of recent legislative reforms, all newly-created TEPPs under Chapters 303 and 394 are subject to a legal requirement that rents cannot exceed 30% of the applicable AMI level. TEPP projects created prior to the effective date of the legislative reforms are grandfathered from this requirement. The legislative reforms do not extend to TEPPs created under Chapter 392 by public housing authorities.

2. AMI levels not uniformly adjusted for family size

The local governments in Travis County have also lacked a uniform policy governing adjustments in AMI levels for family size at non-LIHTC TEPP properties, which results in higher effective rent caps. Both **AHFC** and **Strategic** have written policies requiring adjustments for family size. In contrast, **HACA**, **TCHFC**, and **HATC** lack written policies and have previously approved non-LIHTC TEPP projects without requiring adjustments. Under recent legislative reforms, Chapter 394 (HFCs) and Chapter 303 (PFCs) non-LIHTC TEPP projects are now required to adjust AMI levels for family size, although older projects are currently exempted from these reforms.

Chapter 392 TEPP projects are not covered by these reforms, but a few years ago **HACA** adopted an unwritten policy of adjusting AMI levels for family size, which it started applying to newly-approved Chapter 392 projects. The legal documents we reviewed for three of HACA's pre-2021 approved non-LIHTC TEPP properties do not require these adjustments, while the legal documents we reviewed for six post-2020 properties require these adjustments.

3. Utility allowances not included in rent limits

Only **AHFC** and **Strategic** require non-LIHTC TEPP properties to factor utility allowances into rent limits—a key safeguard for low-income renters. The other entities do not factor in utility costs in rent caps at non-LIHTC TEPP properties, significantly increasing renters’ total housing costs and pushing these costs past the 30% affordability threshold for the income limits at the property.

4. Mandatory recurring fees not counted towards rent caps

Most of the non-LIHTC TEPP properties we examined charged mandatory monthly fees ranging from \$35 to \$145 a month. These fees covered items such as amenity access, parcel handling, insurance, damage waivers, pest control, valet trash, “technology packages,” and administrative costs. See Figure 5.



At non-LIHTC TEPP properties, these mandatory monthly fees have not been counted toward the rent caps, undermining true affordability. Without a requirement to include these charges in rent calculations, property managers can evade affordability standards by shifting housing costs into these add-on fees, which are also often hidden in rental advertisements.

HACA and HATC stand out as especially problematic. The two entities are not required by state law—nor have they adopted an internal policy—to include mandatory fees in their affordability calculations for non-LIHTC properties. In an interview, HACA officials acknowledged that allowing add-on fees enables their private partners to “increase the value” of the deal,¹⁴ a dynamic that creates perverse incentives and undercuts affordability for tenants. This approach sharply contrasts with other entities: **Strategic** and **AHFC** have new policies requiring that mandatory fees be included in rent calculations for non-LIHTC TEPP properties. Both entities as well as **TCHFC** are also now subject to this policy under House Bill 21.

FIGURE 5. Mandatory Fees at Citizen House Bergstrom, a HATC TEPP Property

Total Monthly Leasing Price*	\$1,333
Base Rent ①	\$1,225
Administrative	
Renters Liability Insurance - Third Party ① ≠	Varies
Services	
Cable TV and Internet Services ①	\$60
Community Amenity Fee ①	\$10
Pest Control Services ①	\$7
Trash Administrative Fee ①	\$3
Trash Services - Doorstep ①	\$25
Trash Services - Hauling ①	Usage-Based (Utilities)
Utility - Electric - Third Party ① ≠	Usage-Based (Utilities)
Utility - Stormwater/Drainage Admin Fee ①	\$3
Utility - Water/Sewer ①	Usage-Based (Utilities)
Utility - Water/Wastewater Submeter Admin Fee ①	Usage-Based (Utilities)
Est. Application Cost ①	\$100
Administrative	
Application Fee ①	\$100

Source: Property Website

TABLE 2. Affordable Rent Standards at Non-LIHTC TEPP Properties in Travis County

Entity	Rent limits at 30% or less of the required AMI level?	AMI level adjusted for family size?	Utility allowance included in rent limits?	Mandatory recurring fees count towards rent limits?
Housing Authority of the City of Austin: Austin Affordable Housing Corp.	Varies by property*	Varies by property*	No	No
Housing Authority of Travis County: Travis County Facilities Corp.	Yes**	Yes**	No	No
Travis County: Travis County Housing Finance Corp.	Yes**	Yes**	No	Yes**
Travis County: Strategic Housing Finance Corp.	Yes***	Yes***	Yes****	Yes***
City of Austin: Austin Housing Finance Corp.	Yes***	Yes***	Yes****	Yes***

* For HACA's Chapter 392 properties. No legal requirements or written policies require these affordable rent standards, but HACA reports having an unwritten policy requiring a 30% rent restriction and AMI adjustments for family size in its newer TEPP deals.

** Required under recent legislative reforms. Projects approved prior to the reforms did not consistently include these restrictions.

*** Required under recent legislative reforms and local written policy.

**** Required under local written policy.

Problematic Junk Fee Policies and Practices

Key Findings

1. Fee transparency is often lacking or misleading at non-LIHTC TEPP properties

As of January 2025, none of the five entities required non-LIHTC TEPP properties to provide upfront disclosure of fees in rent advertisements, marketing materials, or lease quotes. As a result, tenants often do not learn the full cost of occupancy until the lease application process or after move-in, limiting their ability to comparison shop and placing them in a financial bind.

Our review of non-LIHTC TEPP property websites found that information on mandatory recurring fees was frequently missing from property websites or lease quotes. See Figure 6 and Appendix 4 for examples. In several cases, fee details were accessible only after submitting personal information through online application portals. Several websites also included inaccurate or misleading claims. For instance, one HACA property stated that pest control was provided by the landlord, when in fact tenants were charged a monthly pest control fee. See Appendix 5, The Aspect Apartments.

2. Eviction for nonpayment of fees

AHFC is the only entity with a formal policy prohibiting evictions at non-LIHTC and LIHTC TEPP properties based on the nonpayment of fees, such as trash collection or amenity charges. Other entities do not bar TEPP property managers from pursuing eviction for nonpayment of non-rent charges.

3. TEPP properties are allowed to charge excessive late fees

Most of the local governmental entities using TEPPs lack protections against excessive late fees at non-LIHTC and LIHTC TEPP properties, leaving low-income tenants vulnerable to excessive charges and escalating debt. **AHFC** is also the only entity that has adopted limits on late fees that are more restrictive than the default state limits.

- At The Beckett (**Strategic**) and The Bridge at Loyola (**HACA**), tenant ledgers showed that a late fee of 10% of rent owed is charged on the fourth day of the month.
- At the Aspect (**HACA**), a tenant ledger showed a \$75 late, followed by \$10 for each additional day rent remained unpaid, resulting in \$235 in late fees over 16 days—exceeding the 10% monthly cap allowed under Texas law.

4. Tenants face fines for minor or unclear lease violations.

Tenants at several TEPP properties reported problematic penalties for minor or ambiguous lease violations. For example, during BASTA-led canvassing at The Aspect and The Bridge at Loyola, tenants reported:

- o Excessive fines or surprise for trash-related violations;
- o Frequent and aggressive car towing by management, with hard-to-follow vehicle registration rules that changed frequently mid-lease with management turnover. Tenants reported being towed multiple times over the course of their lease as a result of these issues.

These practices at both LIHTC and non-LIHTC TEPP properties can impose substantial and unexpected financial burdens on low-income renters, further exacerbating housing instability. Since these tenant reports are drawn from a small sample of tenants and TEPP properties, additional canvassing is needed to understand how widespread these tenant experiences are.

TABLE 3. Fee Policies at TEPP Properties in Travis County (LIHTC and Non-LIHTC Properties)

Entity	Requires upfront fee disclosure?	Bars eviction for fee nonpayment?	Cap on late fees?
Housing Authority of the City of Austin: Austin Affordable Housing Corp.	No	No	No
Housing Authority of Travis County: Travis County Facilities Corp.	No	No	No
Travis County: Travis County Housing Finance Corp.	No	No	No
Travis County: Strategic Housing Finance Corp.	No	No	No
City of Austin: Austin Housing Finance Corp.	No	Yes	Yes

FIGURE 6. The Aspect, Lease Quote: Housing Authority of the City of Austin

Advertised Rent \$1,097	VS	Actual Monthly Cost with Mandatory Recurring Fees \$1,216
Monthly Rent/Options		
Pest Control Reimbursement		
\$10.00		
Trash Reimbursement		
\$35.00		
Parcel Pending		
\$10.00		
RLL Insurance.....		
\$16.00		
Recycle Fees.....		
\$5.00		
Amenity Fee		
\$10.00		
Lease Lock Fee		
\$33.00		
Other Charges		
Due Now		
Application Fee		
\$75.00		
Non-Refundable Administrative Fee		
\$24.00		
Total.....		
\$99.00		
Due Later		
Non-Refundable Gate/Pool Fitness.....		
\$50.00		
Meter Fee		
\$50.00		
Total.....		
\$100.00		

Source: Property Website

This information is from a lease quote for The Aspect, a HACA non-LIHTC TEPP property, from November 19, 2024. This information was available only after inputting personal information to begin applying for and selecting a specific unit.

The application and administrative fees provided in the lease quote (\$75 and \$200) exceed those listed on the Aspect’s website (\$50 and \$35).

4

Access Barriers for Voucher Holders and Other Low-Income Renters

FINDING #6: Non-LIHTC TEPP properties present significant access barriers for low-income renters.

Low-income renters face numerous challenges accessing TEPP properties—particularly those outside of the LIHTC program. Simply identifying which TEPP properties offer affordable units or accept Housing Choice Vouchers can be difficult due to a lack of transparency. Even when such properties are identified, tenants at non-LIHTC TEPP properties often encounter high upfront costs and exclusionary screening practices that can deter or block them from securing a lease. These challenges are more acute for voucher holders, who face additional barriers such as source-of income discrimination and restrictive eligibility criteria.

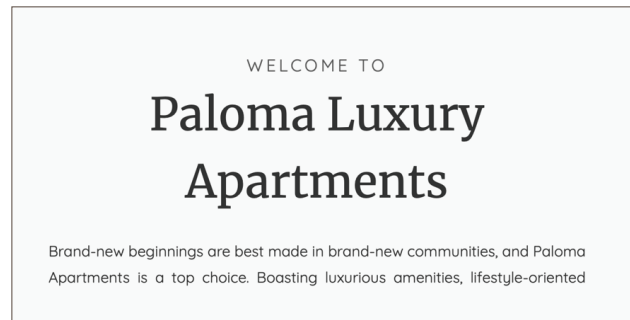
Access Barriers for Low-Income Renters at Non-LIHTC TEPP Properties

Key Findings

1. Lack of affirmative marketing requirements

Only **Strategic** and **AHFC** require their non-LIHTC TEPP properties to affirmatively advertise affordable units. **Strategic** adopted this policy in 2024, requiring properties to advertise affordable units on their website. **AHFC** requires an affirmative marketing plan. In contrast, properties owned by **HACA**, **HATC**, and **TCHFC** have no such requirements. Many of the websites we reviewed for non-LIHTC properties owned by these latter three entities make no mention of affordable units or market themselves exclusively as luxury apartments. For example, see Figure 7.

FIGURE 7. Website Homepage for the Paloma Apartments:
Housing Authority of the City of Austin



2. High application costs and upfront fees

None of the public entities we reviewed prohibit high application fees or other nonrefundable upfront charges at non-LIHTC TEPP properties, which can pose substantial barriers for low-income renters. For example, The Retreat at North Bluff (**AHFC**) and The Upland (**HATC**) charge an \$75 per adult to apply, plus a nonrefundable \$150 administrative fee. The Aspect—a **HACA** property—also charges new residents a \$50 one-time “gate, pool, and fitness” fee and a \$50 “meter” fee.

In several non-LIHTC TEPP properties, we also identified steep, nonrefundable “high-risk” or “opportunity” fees imposed on applicants with poor credit or past evictions. At The Bridge at Monarch Bluffs (**HACA**), for example, tenants with no or poor credit history are required to pay an additional deposit or a \$600 nonrefundable “opportunity fee.” See Figure 8. Similarly, the Aspect Apartments (**HACA**) requires a \$500 non-refundable fee from applicants with poor credit or any eviction history.

These fees far exceed those charged at LIHTC properties, where federal and state regulations limit fees to actual out-of-pocket processing costs.¹⁵ For instance, The Beckett (**Strategic**) charges a \$17 application fee and \$11.50 for every additional adult applicant—fees that are more reasonable for low-income tenants.

FIGURE 8. “Opportunity Fee” at Bridge at Monarch Bluffs Apartments,
Housing Authority of the City of Austin

Applicants who meet other rental criteria but have no credit history, who do not meet the minimum credit score, or who have delinquencies/collections for non-rental balances may be granted conditional approval and shall be required to pay an additional deposit or non-refundable \$600.00 opportunity fee at move-in.

Source: Property Website

3. Improper use of “security deposit alternatives.”

Texas law allows landlords to offer a monthly nonrefundable fee as an alternative to a traditional refundable security deposit—but only if tenants are clearly informed that the fee is optional and nonrefundable. Several TEPP properties appear to be violating this requirement. At the Aspect Apartments, for example, tenants with a poor credit or eviction history are required to pay \$33 per month as a “zero deposit” alternative, but the fee is not disclosed as being optional. See Appendix 5. The property markets itself as a “Zero Deposit Community with LeaseLock,” and the application system lists the LeaseLock fee as mandatory with no opt-out option.

TABLE 4. Access Barriers for Low-Income Tenants at TEPP Properties

Entity	Requires affirmative marketing of affordable units?	Restricts application costs?	Restricts non-refundable “high risk fees” or security deposits?
Housing Authority of the City of Austin: Austin Affordable Housing Corp.	No	No	No
Housing Authority of Travis County: Travis County Facilities Corp.	No	No	No
Travis County: Travis County Housing Finance Corp.	No	No	No
Travis County: Strategic Housing Finance Corp.	Yes	No	No
City of Austin: Austin Housing Finance Corp.	Yes	No	No

Access Barriers for Voucher Holders at Non-LIHTC TEPP Properties

Approximately 6,372 low-income households in Travis County—2% of all renter households in the county—rely on Housing Choice Vouchers to help cover their rent.¹⁶ Yet, voucher holders face persistent and well-documented challenges in securing housing, including outright refusals and screening policies that disproportionately exclude them.¹⁷

According to the Housing Authority of the City of Austin, **23% of its voucher holders are forced to return their vouchers unused because they are unable to find a landlord who will accept them.** While this rate is lower than the national average, this lost housing opportunity remains unacceptably high and underscores the urgent need to ensure that all TEPP properties are accessible to voucher holders—not just those with Low Income Housing Tax Credits or other federal subsidies that require voucher acceptance.

Our review found wide variation in how local governmental entities address access barriers for voucher holders in non-LIHTC TEPP properties. Moreover, as detailed below, the overall voucher use at non-LIHTC TEPP properties is extremely limited.

Key Findings

1. Local governmental entities vary in requiring or supporting voucher acceptance at non-LIHTC TEPP properties.

Our review found significant differences across the five governmental entities we evaluated in how they address voucher accessibility in their non-LIHTC TEPP deals, with some properties barring voucher holders.

- **HATC/TCFC:** Required to accept vouchers holders at non-LIHTC TEPP properties acquired or developed after the 2023 amendments to Chapter 303.
- **AHFC, TCHFC, and Strategic:** Covered by the 2025 amendments to Chapter 394, which prohibit voucher discrimination by housing finance corporations and their private partners.¹⁸

- o **AHFC** also has adopted a written anti-discrimination policy for voucher holders.
- o **Strategic** awards scoring incentives for TEPP projects that commit to accepting voucher holders.
- o **HACA**: Approximately 87% of HACA's non-LIHTC TEPP projects fall under Chapter 392 and are not covered by these statutory reforms. However, HACA reports having an internal unwritten policy prohibiting voucher discrimination. We verified voucher acceptance provisions in the legal documents for two recent HACA non-LIHTC TEPP projects, while the legal documents we reviewed for older non-LIHTC TEPP projects do not bar discrimination.

Leasing staff at several non-LIHTC TEPP properties explicitly stated that **they do not accept vouchers**. These properties included:

- Highpoint Preserve (TCHFC)
- 44 South Apartments (TCHFC)
- The Upland (HATC/TCFC).

At the time of contact, the first two of these properties were not yet subject to the new state law that prohibits voucher discrimination by housing finance corporations and their private partners.

2. Exclusionary minimum income policies persist at non-LIHTC properties TEPP properties.

Minimum income requirements are used at several non-LIHTC properties TEPP properties, which can disqualify voucher holders from qualifying for a unit or deter them from applying.

- Under the 2023 amendments to Chapter 303, PFCs—such as **TCFC** (HATC's PFC entity)—are prohibited from imposing minimum income requirements on voucher holders for properties acquired or developed after the reforms were enacted.
- The 2025 amendments to Chapter 394 extend this protection to **TCHFC**, **AHFC**, and **SFHC**.
- HACA's Chapter 392 non-LIHTC properties are not subject to these restrictions, and HACA has not adopted its own written policy eliminating minimum income screens for voucher holders at non-LIHTC properties.

3. Affirmative marketing of non-LIHTC TEPP units to voucher holders is inconsistent and limited.

- None of the non-LIHTC TEPP property websites reviewed during our study explicitly advertised that vouchers are accepted.
- Local governmental entities governed by Chapters 303 and 394—including **AHFC**, **HATC**, **TCHFC**, and **Strategic**—are now required under recent legislative reforms to affirmatively market affordable units to voucher holders at non-LIHTC properties.
- In contrast, **HACA**'s Chapter 392 properties are not covered by this requirement, and HACA has not adopted a written affirmative marketing policy for its non-LIHTC TEPP projects.

Without clear and proactive outreach, many voucher holders may be unaware that they can apply to non-LIHTC TEPP properties, limiting the accessibility of these properties and reinforcing existing access barriers in the housing market.

TABLE 5. Access Barriers for Voucher Holders at non-LIHTC TEPP Properties

Entity	Bars voucher discrimination?	Prohibits exclusionary minimum income policies?	Requires affirmative marketing for voucher holders?
Housing Authority of the City of Austin: Austin Affordable Housing Corp.	Yes*	No	No
Housing Authority of Travis County: Travis County Facilities Corp.**	Yes	Yes	Yes
Travis County: Travis County Housing Finance Corp.***	Yes	Yes	Yes
Travis County: Strategic Housing Finance Corp.***	Yes	Yes	Yes
City of Austin: Austin Housing Finance Corp.	Yes	Yes	Yes

* Based on legal documents from two of HACA's recent non-LIHTC TEPP deals under Chapter 392 and conversations with HACA officials. HACA does not have a written policy covering voucher discrimination at its Chapter 392 non-LIHTC properties, and Chapter 392 does not impose these standards.

** HATC's pre-2023 non-LIHTC TEPP properties are not restricted from discriminating against voucher holders or imposing minimum income policies on voucher holders.

*** At the time our study began, Strategic's and TCHFC's non-LIHTC TEPP properties were not prohibited from discriminating against voucher holders, but new legislation adopted in May 2025 restricts housing finance corporations from discriminating against voucher holders and imposing minimum income policies on voucher holders at non-LIHTC TEPP properties. In addition, all of Strategic's TEPP properties that were online as of 2024 were in the LIHTC program, which bars voucher discrimination.

Voucher Use at Non-LIHTC TEPP Properties is Limited

To evaluate actual voucher access, we analyzed the utilization of Housing Choice Vouchers and other vouchers administered by housing authorities at non-LIHTC TEPP properties in 2024, as detailed in the methodology section. The results are summarized in Table 6.

Across all entities, the overall voucher utilization at non-LIHTC TEPP properties was strikingly low when considering the public ownership and large tax subsidies going into these properties. HACA had the highest number and percentage of voucher holders, and, even then, tenant households with vouchers occupied just 2.6% of units at HACA's non-LIHTC TEPP properties—even though 23% of HACA's clients with vouchers have to return their vouchers because they cannot secure housing. Eleven non-LIHTC TEPP properties had no households with vouchers.



ONLY 2.6% of units in non-LIHTC TEPP properties are occupied by households with vouchers.

11 non-LIHTC TEPP properties have no tenants with vouchers.



23% of HACA's clients with vouchers have to return their vouchers because they cannot secure housing.

Approximately 4.6% of households with vouchers in Travis County in 2024 resided in non-LIHTC TEPP units. By comparison, non-LIHTC TEPPs that were actively leasing as of January 2024 made up approximately 6% of the county's occupied multifamily rental stock and 3.6% of all occupied rental units, including both single-family and multifamily.

Non-LIHTC TEPP properties are at least playing a greater role than the broader housing market in serving households with vouchers, with 2.6% of non-LIHTC TEPP units housing tenants with vouchers, compared to 1.4% of non-TEPP rental units in Travis County. Although voucher use in non-LIHTC TEPP properties is higher than their share in the non-TEPP rental market, the public ownership of non-LIHTC TEPPs presents a tremendous opportunity to make that margin larger so that far fewer voucher holders have to return their vouchers because they are unable to secure housing.¹⁹

While voucher use at non-LIHTC TEPP properties is limited, the voucher rate at LIHTC TEPP properties is notably higher: an estimated 16% of units in LIHTC TEPP properties were occupied by tenants with vouchers in 2024. This disparity highlights both the broader role TEPPs can play in increasing access for voucher holders, and the need for stronger policies to ensure that non-LIHTC TEPP properties better serve voucher holders.

TABLE 6. Voucher Access at Non-LIHTC TEPP Properties

Entity	Number of Vouchers at Non-LIHTC TEPP Properties	Percentage of Vouchers/ Unit in Non-LIHTC TEPP Properties	Number of Non-LIHTC Properties without any Voucher Holders
Housing Authority of the City of Austin: Austin Affordable Housing Corp. & South Congress PFC	274 vouchers/ 33 properties (9,063 units)	3%	1
Housing Authority of Travis County: Travis County Facilities Corp.	0 vouchers/ 1 property	0%	1
Travis County: Travis County Housing Finance Corp.	5 vouchers/ 4 properties (1,247 units)	0.4%	2
Travis County: Strategic Housing Finance Corp.*	N/A	N/A	N/A
City of Austin: Austin Housing Finance Corp.	11 vouchers/ 9 properties (514 units)	2%	7

* All of Strategic's completed properties at the time of our voucher rate assessment were LIHTC properties, which were not included in our assessment.

Targeted Marketing to “Essential Workers”

Another concerning practice we identified is the targeted marketing of affordable units exclusively—or preferentially—to “essential workers.” This practice may discourage or exclude other income-eligible renters, including seniors, people with disabilities, and voucher holders. It also raises potential fair housing concerns.

For example, the Upland (**HATC/TCFC**) states on its website that its units are “reserved for moderate to middle-income critical workforce members” listing examples of acceptable professions. This language could deter otherwise eligible applicants.

Several non-LIHTC TEPP properties also advertise participation in an “Essential Workforce program,” but leasing staff could not explain what this program entails. At The Beckett (**Strategic**), management reported offering rent discounts to Del Valle ISD employees. At the Aspect (**HACA**), leasing staff said eligibility for “essential” status is assessed case-by-case, noting that UT and Tesla employees likely qualify as “essential,” while retail or restaurant or retail workers might not—a potentially discriminatory practice that warrants further investigation. See Figure 9.

FIGURE 9. Website for Upland Apartments (Housing Authority of Travis County)

It's A Lifestyle At The Upland!

We offer both market-rate and essential workforce housing options. Essential housing is reserved for moderate to middle-income critical workforce members such as teachers, nurses, first responders, retail and restaurant workers, government and law enforcement officials. This program allows these essential workers to live close to their workplaces, reducing commute times and increasing family time.

5

High Eviction Filings and Lack of Eviction Mitigation Policies

FINDING #7: Many TEPP properties lack robust eviction protections, leaving low-income renters at a greater risk of displacement.

Lack of Baseline Tenant Eviction Protections

While some recent policy reforms have introduced basic safeguards that cover Chapter 394 and Chapter 303 TEPP properties, **significant gaps remain in eviction protections across TEPP properties**. These inconsistencies at both LIHTC and non-LIHTC properties place many low-income renters—who already face economic precarity—at greater risk of eviction and housing instability.

Key Findings

1. **AHFC** has adopted a strong set of tenant protections, requiring a lease addendum in its TEPP properties that includes:

- o a 30-day notice of termination and 10-day right to cure lease violations before an eviction can be filed; and
- o a ban on evictions based solely on the nonpayment of fees or fines.

However, this requirement appears to be inconsistently enforced. We identified at least one TEPP project that is not utilizing the lease addendum, and compliance with the lease addendum is not required in the TEPP project's legal documents with the City of Austin.

2. **Strategic** promotes similar protections through a points-based system for evaluating TEPP proposals but does not mandate their adoption.

3. **HATC's** and **TCHFC's** properties, which are governed by Chapters 303 and 394, are required under recent legislative reforms to include the following tenant protections in tenant leases, but the two entities have no written policies going beyond these statutory requirements:

- o a 30-day notice requirement for lease nonrenewal; and
- o a good cause requirement for lease nonrenewal and termination.

4. **HACA** has not adopted a written eviction mitigation policy. Nearly all **HACA's** TEPP properties fall under Chapter 392, which does not require any tenant protections.

In properties without robust tenant protections, renters remain more vulnerable to abrupt lease terminations, punitive eviction filings, and displacement over minor lease violations or unpaid fees. The absence of enforceable and uniform tenant protections across all TEPP entities weakens the programs' ability to provide stable and secure housing for low-income households.

Property Management Practices to Prevent Evictions

Key Findings

1. While **AHFC's** and **Strategic's** lease addenda include important minimum eviction protections, none of the entities require TEPP properties to adhere to the following property management practices for preventing evictions:²⁰

- Multiple, documented landlord-tenant interactions before initiating an eviction (e.g., sharing a written eviction prevention plan with tenants, offering pre-filing meetings regarding lease violations).
- Training of property management staff in eviction mitigation strategies.
- On-site support infrastructure to connect tenants with social service supports such as rental assistance, legal services, and public benefits assistance—ideally staffed by a designated resident support coordinator.
- Fair and flexible payment plans, free from excessive penalties.
- Acceptance of partial rent payments, including payments made through rental assistance programs.

2. We also observed several concerning property management policies and practices related to eviction at TEPP properties, including the following:

- **AMP Management**, which manages at least 40 **HACA**-owned TEPP properties, has a written policy requiring initiation of eviction proceedings as soon as rent is one day late. Once an eviction decision is made, AMP prohibits acceptance of partial rent payments.²¹
- At the **Bridge at Loyola**, a **HACA**-owned LIHTC TEPP property managed by the NRP Group with 87 eviction filings in 2024, multiple tenants reported to BASTA canvassers a rigid policy of automatic eviction filings for any late rent or unpaid fees.²² One tenant, for instance, reported that an eviction was filed against her shortly after she lost her job, even while actively seeking rental assistance. Though the tenant ultimately covered her balance in full, the eviction filing remains on her record, severely limiting her future housing prospects.
- At **High Point Preserve**, owned by **TCHFC**, management confirmed that notices to vacate are posted by the 4th or 5th of the month, and only full payment—including late fees—is accepted thereafter.

Examples of More Supportive Practices

In our research, we came across individual properties that have adopted more tenant-supportive approaches. For example, at the **Beckett Apartments**, owned by **Strategic**, management reported accepting both rental assistance and partial rent payments. Likewise, at The **Retreat at North Bluff**, owned by **AHFC** and subject to a RHDA lease addendum, management described proactively connecting tenants to rental assistance and accepting partial payments.

TABLE 7. Eviction Mitigation Policies at TEPP Properties

Entity	Right to Cure	Partial Payments and Rental Assistance Payments	Eviction Prevention Plans
Housing Authority of the City of Austin: Austin Affordable Housing Corp. and South Congress PFC	No	No	No
Housing Authority of Travis County: Travis County Facilities Corp.	No	No	No
Travis County: Travis County Housing Finance Corp.	No	No	No
Travis County: Strategic Housing Finance Corp.	No	No	No
City of Austin: Austin Housing Finance Corp.	Yes	No	No

FINDING #8: Eviction filing rates are disproportionately high at many TEPP properties.

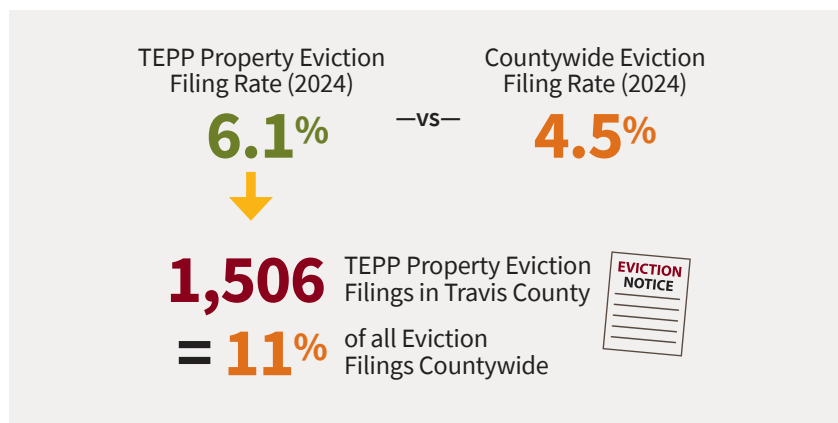
Eviction Filings at TEPP Properties

Key Findings

Despite being designed to expand access to stable, affordable housing, many TEPP properties have alarmingly high eviction filing rates. Rigid or punitive eviction practices can drive long-term housing insecurity and have lasting effects on tenants' health, employment, and economic mobility.²³

1. In 2024, TEPP properties were responsible for an estimated 1,506 eviction filings in Travis County—accounting for more than 11% of all eviction filings countywide (for both single-family and multifamily rental units). See Table 8.
2. The overall eviction filing rate at TEPP properties was 6.1%—higher than the countywide filing rate of 4.5%. The eviction rate at non-LIHTC TEPP properties was 4.1%—closely commiserate with the countywide rate—while the eviction rate at LIHTC TEPP properties was 7.7%.
3. TEPP properties with RHDA lease protections had a 38% lower eviction filing rate than those without these protections—with an eviction rate of 4.0% versus 6.3%—demonstrating the protective power of these tenant-centered policies. The overall eviction filing rate at LIHTC TEPP properties with RHDA protections was also 38% lower than the eviction filing rate of LIHTC TEPP properties without RHDA protections (5.0% versus 8.11%).
4. The 10 TEPP properties with the highest eviction filing rates accounted for nearly 38% of all TEPP eviction filings in 2024. See Table 9.
 - o 4 of these properties are owned by **Housing Authority of the City of Austin** (or its affiliated entities);
 - o 4 are owned by **Strategic Housing Finance Corporation**; and
 - o 2 are owned by **Travis County Housing Finance Corporation**.

FIGURE 10. Eviction Filings at TEPP Properties in Travis County (2024)



These findings are especially troubling given that TEPP properties are publicly-owned properties and receive a 100% property tax exemption in exchange for delivering public benefits—ideally, housing that is genuinely affordable and stable. High eviction filing rates undermine these goals. Even when they do not lead to actual displacement, eviction filings can leave a lasting stain on a renter’s record, creating barriers to future housing, increasing housing instability and raising the risk of homelessness and adverse health outcomes.²⁴

TABLE 8. Eviction Filings in Travis County by Local Governmental Entity TEPPS in 2024*

Entity	Total Eviction Filings	Total Rental Units	Filing Rate
Housing Authority of the City of Austin: Austin Affordable Housing Corp. and South Congress PFC	764	14,078	5.5%
Housing Authority of Travis County: Travis County Facilities Corp.**	33	311	10.6%
Travis County: Travis County Housing Finance Corp.	330	4,498	7.4%
Travis County: Strategic Housing Finance Corp.***	333	4,052	8.2%
City of Austin: Austin Housing Finance Corp.	46	1,875	2.5%

* See the methodology section for a discussion of which properties were included in this analysis.

** Only one of HATC's TEPP properties is included in the eviction analysis. Its other TEPP projects were not leasing as of January 1, 2024.

*** Strategic Housing Finance Corp. was managed by the Housing Authority of Travis County through an interlocal agreement until 2024.

TABLE 9. List of Top 10 TEPP Evictors in Travis County in 2024

Property	Public Entity	Eviction Filing Rate (eviction filings/units)	Total Eviction Filings in 2024
Bridge at Loyola	HACA	31%	64
Residences at Decker	Strategic*	28%	73
Bridge at Harris Ridge	HACA	26%	85
Terrace at Walnut Creek	TCHFC	25%	82
The Beckett	Strategic*	24%	72
Bridge at Davenport Place	HACA	18%	43
Crossroad Commons	HACA	13%	29
McKinney Falls Apartments	TCHFC	13%	39
The Heights on Parmer Apartments	Strategic*	12%	40
Wildhorse Flats	Strategic*	12%	38

* Strategic Housing Finance Corporation was managed by the Housing Authority of Travis County through an interlocal agreement until 2024.

PART 4. Recommendations

Adopting a **robust and uniform set of tenant-centered policies** is essential to ensuring that TEPP properties deliver meaningful public benefits—including stable and affordable housing for low-income renters. Consistent standards across all local governmental entities will strengthen transparency and accountability while preventing private investors from seeking out weaker requirements.

The following reforms are designed to advance these goals in five key areas:

- Requiring a transparent subsidy analysis and public benefits standard;
- Ensuring rents, inclusive of utilities and fees, are truly affordable;
- Prohibiting hidden and problematic fees;
- Removing access barriers for voucher holders and other low-income renters; and
- Adopting strong eviction mitigation measures.

Recommended actions include:

1. Require a Transparent Subsidy Analysis and Public Benefits Standard for all TEPP Projects

Local governments can strengthen the impact of TEPPs by adopting a uniform, transparent standard requiring that a majority of the value of a TEPP property's tax exemption be returned to tenants in the form of meaningful rent reductions.

Recommended standards:

- Before a TEPP project is approved, the board should receive and publicly post a comprehensive financial analysis detailing the full range of public subsidies the project will receive and how these subsidies will translate into below-market rents and other public benefits.
- The analysis should include a rent comparison by unit size, showing how restricted rents stack up against market rents at the property or, if a property is 100% rent-restricted, in the surrounding area.
- Board approval for non-LIHTC TEPP projects should be contingent on a determination that at least 50–60% of the property tax exemption's value will be passed on to tenants through reduced rents, ensuring that public resources are used efficiently and equitably to advance affordability goals.
- Board approval for LIHTC TEPP projects should be contingent on a determination that the project would not be financially feasible without the 100% tax exemption and a requirement that the project provide deeper levels of affordable housing or other additional public benefits.

2. Ensure Rents, Including Utilities and Fees, are Truly Affordable at non-LIHTC TEPP Properties

The rent policies governing non-LIHTC TEPP properties should be aligned with standard affordability metrics, ensuring that a tenant's housing costs, including utilities and fees, do not exceed 30% of the Area Median Income (AMI) level for the unit. These policies are already in place for LIHTC TEPP properties.

Recommended standards:

- Cap total housing costs (rent + utilities + mandatory fees) at 30% of income for each AMI level at the property.
- Adjust AMI rent limits based on household size.
- Require the use of utility allowances in rent calculations.
- Include all mandatory monthly fees in rent caps.

3. Prohibit Hidden and Problematic Fees at TEPP properties

Unregulated fees can quickly undermine a tenant's housing stability. Strong safeguards are needed to prevent these costs from destabilizing tenants.

Recommended standards:

- Require full upfront disclosure of all fees in marketing, lease quotes, and applications.
- Cap late fees.
- Ban evictions for nonpayment of fees unrelated to rent.
- Implement the additional reforms outlined in the Housing Policy Clinic's 2024 report on junk fees, including bans on mid-lease fees increases and certain categories of fees.

4. Remove Access Barriers for Voucher Holders and Other Low-Income Renters at TEPP properties

TEPP properties should be accessible to low-income renters—especially those with vouchers—and free from all discriminatory or exclusionary policies.

Recommended standards:

- Ban excessive and nonrefundable up front “risk” fees at non-LIHTC TEPP properties. Require any up front fees for covering potential future damages to be refundable as part of a security deposit.
- Cap application fees and other up-front fees at non-LIHTC TEPP properties—in line with LIHTC regulations.
- Ensure compliance with state law on security deposit alternatives, including clear disclosure that the alternative monthly fees are optional and non-refundable.
- Enforce non-discrimination protections for Housing Choice Voucher holders at non-LIHTC TEPP properties.
- Prohibit and enforce minimum income requirements for voucher holders at non-LIHTC TEPP properties.
- Require affirmative marketing of affordable units at TEPP properties, including clear property website disclosures of the property's affordable units and acceptance of vouchers as well as outreach to local housing authorities and platforms like affordablehousing.com.
- Track and publish voucher acceptance and utilization rates across TEPP properties to flag and address noncompliance issues.

5. Adopt Strong Eviction Mitigation Policies Covering All TEPP Properties

Eviction policies governing TEPP properties should reflect a commitment to housing stability, avoiding unnecessary and punitive practices.

Recommended baseline standards:

These standards should include the protections already adopted by the City of Austin through its RHDA lease addendum and incentivized by Strategic Housing Finance Corporation in TEPP properties, including:

- 30-day notice of lease termination;
- Good cause requirement for lease nonrenewal and termination;
- 10-day right to cure lease violations;
- Bar on evictions solely for unpaid fees and fines.

Recommended eviction mitigation plan standards:

In addition, we recommend the adoption of eviction mitigation plans for each TEPP property with the following components:

- Require proactive engagement with tenants before filing evictions, including documented outreach and meetings.
- Train property management in eviction prevention and ensure on-site staff can connect tenants with rental assistance, legal help, and public benefits.
- Offer flexible and fair payment plans without extractive fees.
- Require acceptance of partial rent payments, including from rental assistance programs and other third parties.

PART 5. Conclusion

The rapid expansion of tax-exempt private partnerships (TEPPs) in Travis County has reshaped the multifamily housing landscape, bringing both opportunities and challenges. TEPPs fill critical financing gaps in markets constrained by high costs and limited subsidies, serving as a powerful tool for preserving and producing affordable housing. Yet without strong standards and oversight, many TEPP properties risk functioning as tax shelters that provide limited tangible benefits to renters and the broader public.

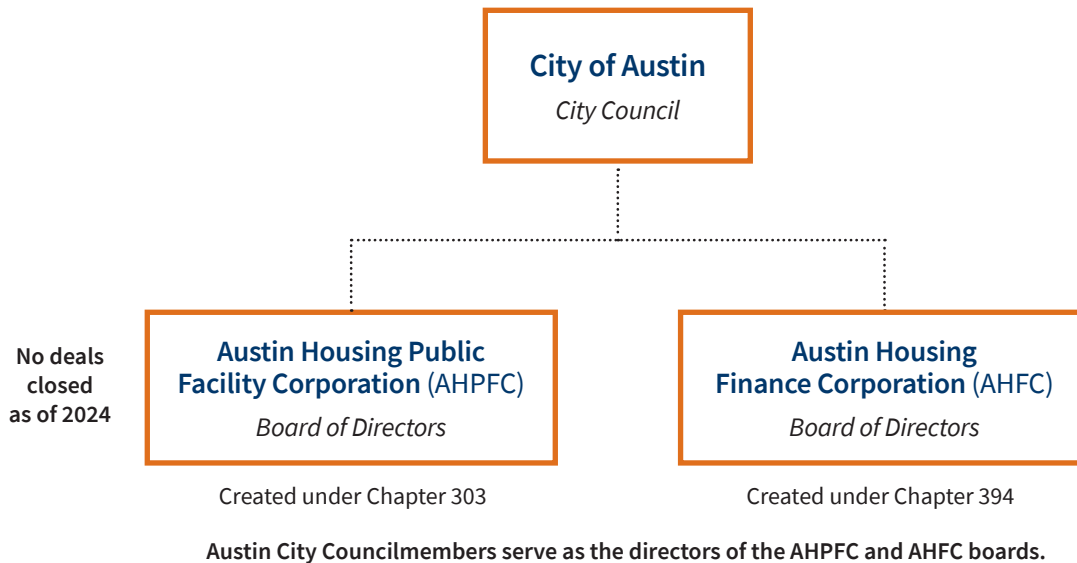
Recent state and local reforms have improved oversight, strengthened affordability, and expanded tenant protections at TEPP properties. While these measures signal important progress, significant policy gaps remain. The lack of strong and transparent standards across all TEPPs has resulted in unaffordable rents, opaque fee structures, barriers for voucher holders, and eviction policies that undermine housing stability. These policy gaps diminish the overall effectiveness of TEPPs and erode public trust.

As TEPPs continue to proliferate and more properties are removed from the tax rolls, local jurisdictions have a timely opportunity to build on the prior reforms by adopting uniform, robust standards and a tenant-centered approach.

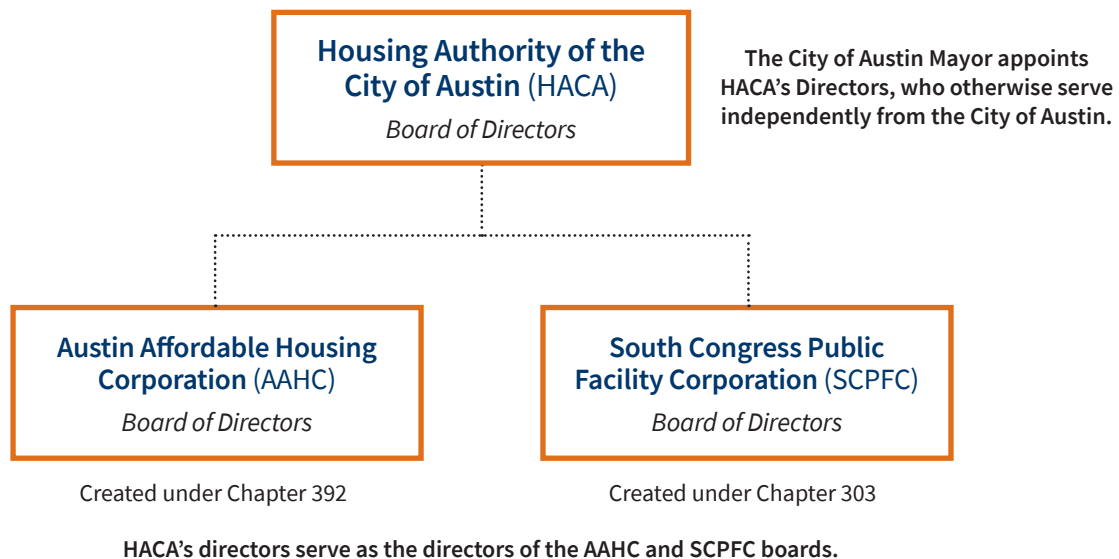
The recommendations in this report offer a clear roadmap for achieving that alignment—through the adoption of meaningful affordability requirements, transparent rent structures, policies that promote access by low-income renters, and stronger tenant protections. With these reforms, local governments can help ensure that all TEPPs fulfill their promise as an effective building block for the region's affordable housing strategy—providing stable affordable homes and delivering lasting value to both renters and the broader public.

APPENDIX 1. Local Governmental Entities in Travis County with TEPP Multifamily Properties

City of Austin



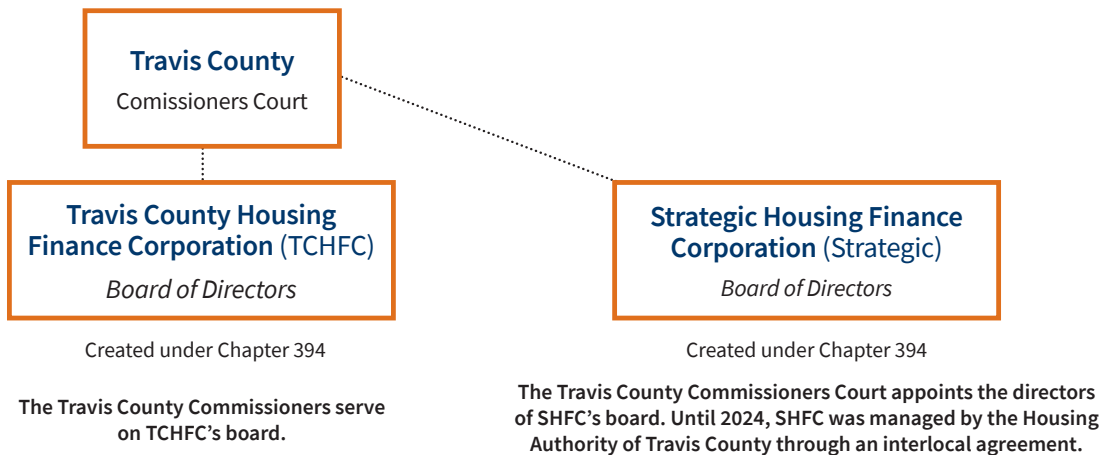
Housing Authority of the City of Austin



Housing Authority of Travis County



Travis County



SH130 Municipal Management District, No. 1



APPENDIX 2. List and Map of TEPP Properties in Travis County

- **AHFC:** Austin Housing Finance Corporation (*affiliate of the City of Austin*)
- **HACA:** Housing Authority of the City of Austin (*though Austin Affordable Housing Corporation and South Congress PFC*)
- **HATC:** Housing Authority of Travis County (*though Travis County Facilities Corporation*)
- **SHFC:** Strategic Housing Finance Corporation (*affiliate of Travis County*)
- **TCHFC:** Travis County Housing Finance Corporation (*affiliate of Travis County*)
- **TWHF:** Texas Workforce Housing Foundation, formerly named the Texas Essential Housing Public Facility Corporation (*affiliate of SH130 Municipal Management District, No. 1*)

Public Entity Owner	Property Name	Property Address	Texas Local Government Code Chapter	LIHTC Property*
■ AHFC	Aldrich 51 Apartments	2604 Aldrich St, Austin, TX 78723	394	YES
■ AHFC	Anderson Village	3101 E 12th St, Austin, TX 78702	394	NO
■ AHFC	Arbors at Creekside	1026 Clayton Dr, Austin, TX 78723	394	NO
■ AHFC	Balcones Terrace Microunits	10024 N Capital of Tx Hwy, Austin, TX 78759	394	YES
■ AHFC	Cairn Point Cameron	7205 Cameron Rd, Austin, TX 78752	394	YES
■ AHFC	Cityview at the Park	2000 Woodward St, Austin, TX 78741	394	YES
■ AHFC	Espero Austin	1934 Rutland Dr, Austin, TX 78758	394	YES
■ AHFC	Franklin Gardens**	3522 E MLK Blvd, Austin, TX 78723	394	YES
■ AHFC	Midtown Flats	615 W St Johns Ave, Austin, TX 78752	394	NO
■ AHFC	Nightingale at Goodnight Ranch	5900 Charles Merle Dr, Austin, TX 78747	394	NO
■ AHFC	Oak Springs Villas	3001 Oaks Springs, Austin, TX 78721	394	NO
■ AHFC	Preserve at Central Park	6008 N Lamar Blvd, Austin, TX 78757	394	NO
■ AHFC	Preserve Hyde Park - Avenue A	4100 Avenue A, Austin, TX 78751	394	NO
■ AHFC	Preserve Hyde Park - Del Mar	4415 Avenue B Austin, TX 78751	394	NO
■ AHFC	Preserve Hyde Park - Fiesta Place	4200 Avenue A, Austin, TX 78751	394	NO
■ AHFC	Preserve Hyde Park - Siesta Place	609 E 45th St, Austin, TX 78751	394	NO
■ AHFC	Preserve Hyde Park - The Adler	4209 Speedway, Austin, TX 78751	394	NO
■ AHFC	Retreat at North Bluff	6216 Crow Ln, Austin, TX 78745	394	NO
■ AHFC	Seabrook Square I	3511–3515 Manor Rd, Austin, TX 78723	394	YES
■ AHFC	SOCO 121	121 Woodward St, Austin, TX 78704	394	YES
■ AHFC	Spring Terrace**	7101 N IH 35, Austin, TX 78752	394	YES
■ AHFC	Timbers Apartments	1000 Clayton Rd, Austin, TX 78723	394	YES
■ AHFC	Vi Collina	2401 E Oltorf St, Austin, TX 78741	394	YES
■ AHFC	Villa Del Rey	4000 Avenue A, Austin, TX 78751	394	NO
■ AHFC	Villas on Sixth	2011 E 6 St, Austin, TX 78702	394	YES
■ HACA	Agave at South Congress Apartments	625 E Stassney Ln, Austin, TX 78745	392	NO
■ HACA	Alameda at Oak Hill	5711 Vega Ave, Austin, TX 78735	303	NO
■ HACA	Arbors at Tallwood Apartments	8810 Tallwood Dr, Austin, TX 78759	392	NO
■ HACA	Aspect	4900 E. Oltorf St, Austin, TX 78741	392	NO

* Properties with Low Income Housing Tax Credits

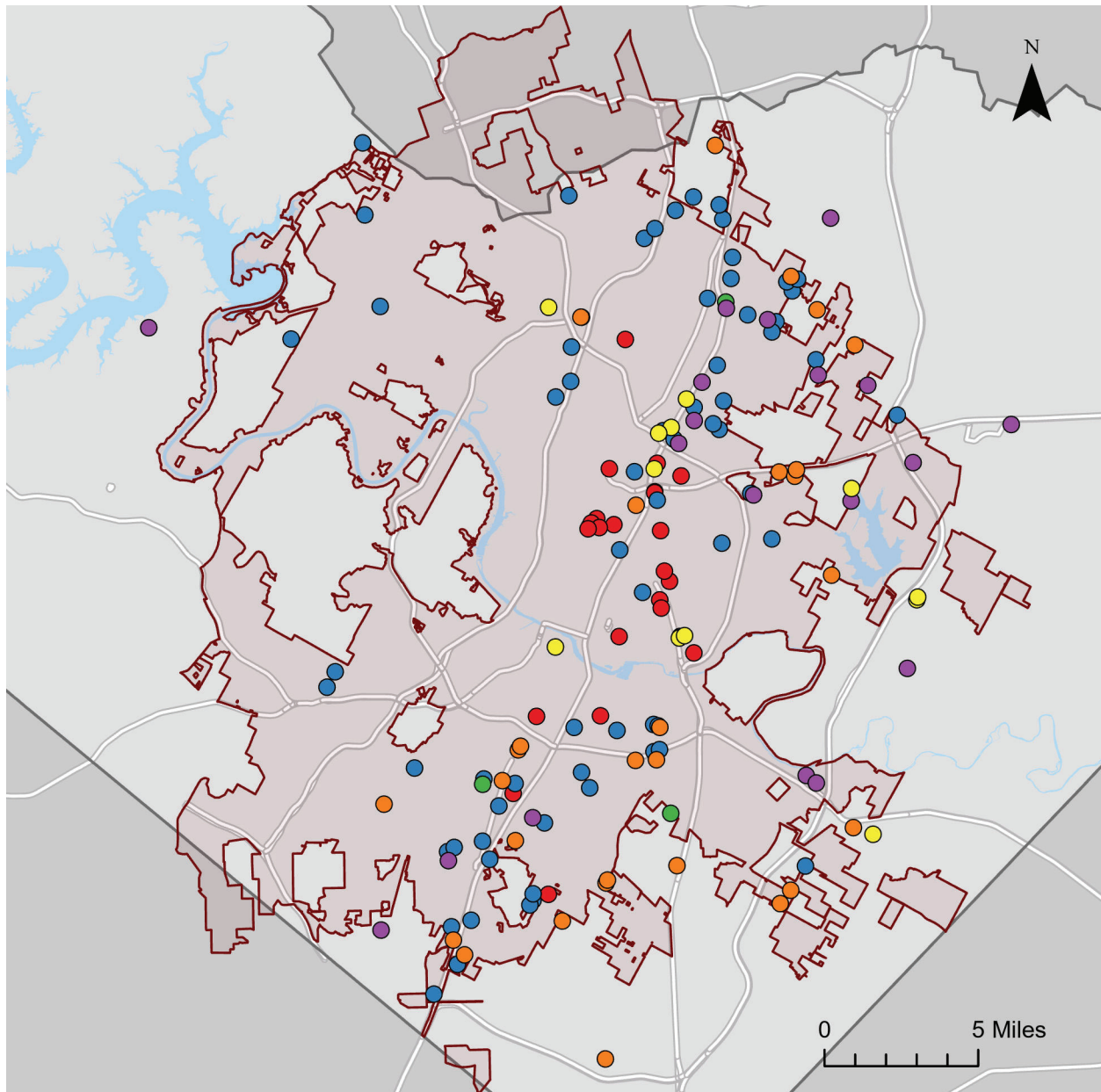
** Properties with a ground lease between AHFC and a nonprofit organization. The property tax exemption under 394 extends only to the land and not the improvements for these properties.

Public Entity Owner	Property Name	Property Address	Texas Local Government Code Chapter	LIHTC Property
■ HACA	Belmont Apartments	9100 Brown Ln, Austin, TX 78754	392	YES
■ HACA	Bridge at Asher	10505 S IH 35, Austin, TX 78728	392	NO
■ HACA	Bridge at Cameron Apartments	9201 Cameron Rd, Austin, TX 78754	392	YES
■ HACA	Bridge at Canyon Creek Apartments	9009 N FM 620, Austin, TX 78726	392	NO
■ HACA	Bridge at Canyon View	2500 E William Cannon Dr, Austin, TX 78744	392	YES
■ HACA	Bridge at Center Ridge	701 Center Ridge D, Austin, TX 78753	392	NO
■ HACA	Bridge at Davenport Place	13301 Dessau Rd, Austin, TX 78754	392	NO
■ HACA	Bridge at Delco Flats	7601 Springdale Rd, Austin, TX 78724	392	NO
■ HACA	Bridge at Estancia	1100 Avenida Mercado St, Austin, TX 78652	392	YES
■ HACA	Bridge at Goodnight Ranch	9005 Alderman Dr, Austin, TX 78747	392	NO
■ HACA	Bridge at Granada	414 E Wonsley Dr, Austin, TX 78753	392	YES
■ HACA	Bridge at Harris Ridge	1501 E Howard Ln, Austin, TX 78753	392	YES
■ HACA	Bridge at Henley	6107 E Riverside Dr, Austin, TX 78741	392	NO
■ HACA	Bridge at Heritage Woods	12205 N Lamar Blvd, Austin, TX	392	NO
■ HACA	Bridge at Loyola	6400 Loyola Ln, Austin, TX 78724	392	YES
■ HACA	Bridge at Monarch Bluffs	8515 S I-35 Frontage Rd, Austin, TX 78744	392	NO
■ HACA	Bridge at Northwest Hills	3600 Greystone, Austin, TX 78731	392	NO
■ HACA	Bridge at Ribelin Ranch	9900 McNeil Dr, Austin, TX 78730	392	NO
■ HACA	Bridge at Southpark Meadows	715 W Slaughter Ln, Austin, TX 78748	392	NO
■ HACA	Bridge at Steiner Ranch	4800 Steiner Ranch Blvd, Austin, TX 78732	392	NO
■ HACA	Bridge at Sterling Springs	2809 W William Cannon, Austin, TX 78745	392	NO
■ HACA	Bridge at Tech Crossing	13624 Dessau Rd, Austin, TX 78753	392	NO
■ HACA	Bridge at Tech Ridge	12800 Center Lake Dr, Austin, TX 78753	392	NO
■ HACA	Bridge at Terracina	8100 N Mopac Expy, Austin, TX 78759	392	NO
■ HACA	Bridge at Three Hills	12001 Heatherly Dr, Austin, TX 78747	392	NO
■ HACA	Bridge at Turtle Creek	6020 S 1st St, Austin, TX 78745	392	YES
■ HACA	Bridge at Volente	11908 Anderson Mill Rd, Austin, TX 78726	392	NO
■ HACA	Bridge at Waters Park	3401 W Parmer Ln, Austin, TX 78727	392	YES
■ HACA	Cady Lofts	1008 E 39 St, Austin, TX 78751	392	YES
■ HACA	Crossroad Commons	8407 E Parmer Ln, Manor, TX 78653	392	YES
■ HACA	Elysium Grand Apartments	3300 Oak Creek Dr, Austin, TX 78727	392	YES
■ HACA	Estates at Norwood	916 Norwood Park Blvd, Austin, TX 78753	392	YES
■ HACA	Franklin Park Apartments	4509 E St Elmo Rd, Austin, TX 78744	392	YES
■ HACA	Goodnight Commons Apartments	2022 E Slaughter Ln, Austin, TX 78747	392	YES
■ HACA	Harris Branch Senior Living	12433 Dessau Rd, Austin, TX 78754	392	YES
■ HACA	Haywood Apartments	600 Farm to Market 1626, Austin, TX 78748	392	NO
■ HACA	Henderson on Reinli	1101 Reinli St, Austin, TX 78723	392	YES
■ HACA	Heritage Estates at Wells Branch 55+	14011 Owen Tech Blvd, Austin, TX 78728	392	YES
■ HACA	James on South First Apartments	8800 S 1st St, Austin, TX 78748	392	NO
■ HACA	Lucent Apartments	12201 Dessau Rd, Austin, TX 78754	392	NO
■ HACA	Markson	5313 Vega Ave, Austin, TX 78735	303	NO

Public Entity Owner	Property Name	Property Address	Texas Local Government Code Chapter	LIHTC Property
■ HACA	Martingale	8100 S Congress Ave, TX 78748	303	NO
■ HACA	Melrose Trail Apartment Homes	13005 Heinemann Dr, Austin, TX 78727	392	NO
■ HACA	Montecito	3111 Parker Ln, Austin, TX 78741	392	NO
■ HACA	Moonlight Garden Apartments	5204 Charles Merle Dr, Austin, TX 78747	392	NO
■ HACA	Oaks at Ben White	6936 E Ben White Blvd, TX 78741	392	NO
■ HACA	Oaks on North Plaza Apartments	9125 North Plaza, Austin, TX 78753	392	YES
■ HACA	Paloma Apartments	9911 Dessau Rd, Austin, TX 78754	392	NO
■ HACA	Park at Summers Grove	2900 Century Park Blvd, Austin, TX 78728	392	YES
■ HACA	Parmer Gateway	3911 E Parmer Ln, Austin, TX 78754	392	NO
■ HACA	Pointe at Ben White	6934 E Ben White Blvd, Austin, TX 78741	392	YES
■ HACA	Porter Apartments	6101 Ross Rd, Del Valle, TX 78617	303	NO
■ HACA	Preserve at Wells Branch Apartments	1773 Wells Branch Pkwy, Austin, TX 78728	392	NO
■ HACA	Rail	2921 E 17th St, Austin, TX 78702	392	NO
■ HACA	Reserve at Springdale Apartments	5605 Springdale Rd, Austin, TX 78723	392	YES
■ HACA	Revolve	112 Will Davis Dr, Austin, TX 78752	303	NO
■ HACA	Rhett	1000 E Yager Lane, Austin, TX 78753	392	YES
■ HACA	Studio at ThinkEast	1143 Shade Ln, Austin, TX 78721	392	YES
■ HACA	Urban East	6400 E Riverside Dr, Austin, TX 78741	392	NO
■ HACA	Urban Oaks	6725 Circle S Rd, Austin, TX 78745	392	YES
■ HACA	Village at Collinwood	1001 Collinwood W Dr, Austin, TX 78753	392	YES
■ HACA	Villages at Ben White 55+ Apartments	7000 E Ben White Blvd, Austin, TX 78741	392	YES
■ HACA	Woodway Village Apartments	4600 Nuckols Crossing Rd, Austin, TX 78744	392	YES
■ HATC	Citizen House Bergstrom	7733 Bureson Rd, Austin, TX 78645	303	NO
■ HATC	SOFI Apartments	6311 S 1st St. Austin, TX 78745	303	NO
■ HATC	Upland	12217 N IH-35, Austin, TX 78753	303	NO
■ SHFC	Austin Manor Apartments	6825 E Parmer Ln, Manor, TX 78653	394	YES
■ SHFC	Beckett	14011 FM RD 969, Austin, TX 78725	394	YES
■ SHFC	Cambridge Villas	623 Oxford Dr, Austin, TX 78660	394	YES
■ SHFC	Commons at Manor Village Senior	E US Hwy 290, Manor, TX 78653	394	YES
■ SHFC	Creekview Apartment Homes	5001 Crainway Dr, Austin, TX 78724	394	YES
■ SHFC	Forest Park	1088 Park Plaza, Austin, TX 78753	394	YES
■ SHFC	Heights on Parmer Apartments	1500 E Parmer Ln, Austin, TX 78753	394	YES
■ SHFC	Menchaca Commons Apartments	12024 Menchaca Rd, Austin, TX 78748	394	YES
■ SHFC	Paddock at Northwood	1044 Norwood Park, Blvd, TX 78753	394	YES
■ SHFC	Residences at Decker	9000 Decker Ln, Austin, TX 78724	394	YES
■ SHFC	Santiago Estates	E. State Hwy 71, Del Valle, Texas 78617	394	YES
■ SHFC	Silver Springs	12151 N IH 35, Austin, TX 78753	394	YES
■ SHFC	Southpark Ranch Apartments	9401 S 1st St, Austin, TX 78748	394	YES
■ SHFC	Villages at Fiskville 55+ Apartments	10127 Middle Fiskville Rd, Austin, TX 78753	394	YES
■ SHFC	Villas at Cardinal Hills	2309 N RM 620, Austin, TX 78734	394	YES
■ SHFC	Wildhorse Flats	10525 Wildhorse Ranch Trl, Manor, TX 78724	394	YES

Public Entity Owner	Property Name	Property Address	Texas Local Government Code Chapter	LIHTC Property
■ SHFC	William Cannon Apartments	2112 E William Cannon Dr, Austin, TX 78744	394	YES
■ SHFC	Yager Flats	4814 E Yager Ln, Austin, TX 78754	394	YES
■ TCHFC	3600 Capitol View	3600 E Slaughter Ln, Austin, TX 78747	394	YES
■ TCHFC	Agave East Apartments	7508 Ross Rd, Del Valle, TX 78617	394	YES
■ TCHFC	Airport Gateway North	3335 Caseybridge Ct, Austin, TX 78744	394	YES
■ TCHFC	Aspire at Onion Creek	2333 Cascades Ave, Austin, TX 78747	394	YES
■ TCHFC	Cantarra	2700 E Howard Ln, Austin, TX 78660	394	N/A
■ TCHFC	Crosstown Apartments	6507 E Riverside Dr, Austin, TX 78741	394	NO
■ TCHFC	Cypress Creek at Stoney Ridge	7121 Elroy Rd, Del Valle, TX 78617	394	YES
■ TCHFC	Element	5724 E Howard Ln, Manor, TX 78653	394	YES
■ TCHFC	Enclave Creedmoor	12115 Creedmoor Municipal Dr, Austin, TX 78610	394	N/A
■ TCHFC	Enclave on Ross	4700 Ross Rd, Del Valle, TX 78617	394	YES
■ TCHFC	Grand Station Apartments	16016 Bratton Ln, Austin, TX 78728	394	YES
■ TCHFC	Heights at 8721	8721 Eastern Heights Blvd, Austin, TX 78724	394	YES
■ TCHFC	High Point Preserve	9301 US-290, Austin, TX 78724	394	NO
■ TCHFC	Hog Eye Apartments	9351 Decker Lake Rd, Austin, TX 78724	394	YES
■ TCHFC	La Cima Apartments	3200 Montopolis Dr, Austin, TX 78744	394	YES
■ TCHFC	Legacy Ranch at Dessau East Senior Apartments	13527 Harrisglenn Dr, Pflugerville, TX 78660	394	YES
■ TCHFC	Limestone Ridge Apartments	7011 McKinney Falls Pkwy, Austin, TX 78744	394	YES
■ TCHFC	McKinney Falls Apartments	6625 McKinney Falls Pkwy, Austin, TX 78744	394	YES
■ TCHFC	Meadow Apartments	6200 Daniel Alexander Way, Austin, TX 78744	394	YES
■ TCHFC	Park South	2000 Onion Creek Pkwy, Austin, TX 78747	394	NO
■ TCHFC	Prospect	122 Sheraton Ave, Austin, TX 78745	394	NO
■ TCHFC	Saison North	10010 N Capital of Texas Hwy, Austin, TX 78759	394	YES
■ TCHFC	SOCO 44	4411 S Congress Ave, Austin, TX 78745	394	NO
■ TCHFC	Spring Villas	7450 Bluff Springs Rd, Austin, TX 78744	394	YES
■ TCHFC	Terrace at Walnut Creek	8712 Old Manor Rd, Austin, TX 78724	394	YES
■ TCHFC	The Matador	5900 S Congress Ave, Austin, TX 78745	394	NO
■ TCHFC	Travis Flats	5310 Helen St, Austin, TX 78751	394	YES
■ TCHFC	Westgate Ridge Apartments	8700 West Gate Blvd, Austin, TX 78745	394	YES
■ TWHF	Arboretum Oaks	9617 Great Hills Trl, Austin, TX 78759	303	NO
■ TWHF	Alma Apartments	9220 N Interstate Hwy 35, Austin, TX 78753	303	NO
■ TWHF	Centro Studio Homes	824 Camino La Costa, Austin, TX 78752	303	NO
■ TWHF	Shady Lane Apartments	1125 Shady Ln, Austin, TX 78721	303	NO
■ TWHF	Hedge Apartment Homes	8300 N Interstate Hwy 35, Austin, TX 78753	303	NO
■ TWHF	Timber Creekside	614 S 1st St, Austin, TX 78704	303	NO
■ TWHF	VEER Apartments	7928 Gessner Dr, Austin, TX 78753	303	NO
■ TWHF	N/A	Decker Ln, Austin, TX 78724	303	NO
■ TWHF	N/A	4811 Kellam Rd, Del Valle, TX 78617	303	NO
■ TWHF	N/A	7100 Gilbert Rd, Manor, TX 78653	303	NO
■ TWHF	N/A	7200 Gilbert Rd, Manor, TX 78653	303	NO

TEPP Properties in Travis County



TEPP Apartment Complexes by Local Government Owner

- | | | |
|---|--|--|
| ● City of Austin: Austin Housing Finance Corporation | ● Travis County: Strategic Housing Finance Corporation | ● SH130 Municipal Management District, No. 1: Texas Workforce Housing Foundation |
| ● Housing Authority of the City of Austin | ● Travis County: Travis County Housing Finance Corporation | City of Austin boundary |
| ● Housing Authority of Travis County | | Major Roadways |

APPENDIX 3. State Legal Requirements Governing Non-LIHTC TEPP Properties in Travis County (Highlights)

Chapter 392: PHAs



Income restrictions: 50% units in property reserved for households at or below 80% AMI



No rent restrictions and no tenant protections

Applies to: Housing Authority of the City of Austin: Austin Affordable Housing Corporation (AAHC)

Chapter 394: HFCs

Pre-May 28, 2025:



Income restrictions: 90% units occupied by low and moderate-income persons (*not defined*)



No rent restrictions

Beginning May 28, 2025:



Income restrictions: 10% at 60% AMI/40% at 80% AMI*



Rent restrictions: 30% x AMI level; includes fees*



Public benefits: At least 50% of the tax break must go toward lowering rents below market levels (*upfront and ongoing test*)*



Protections for voucher holders: prohibition on voucher discrimination; affirmative marketing for voucher holders



Tenant protections

Applies to: City of Austin: Austin Housing Finance Corporation (AHFC) | Travis County: Travis County Housing Finance Corporation (TCHFC) | Travis County: Strategic Housing Finance Corporation (Strategic)

**Properties owned by HFCs prior to the new law going into effect have until 2035 to comply with these provisions unless they are sold or refinanced earlier.*

Chapter 303: PFCs

Beginning June 18, 2023*:



Income restrictions: 10% at 80% AMI/40% at 60% AMI



Rent restrictions: 30% x AMI level



Public benefits: Acquisition only—Must meet rehab requirement or heightened income restrictions at 25% at 60% AMI/ 25% at 80% AMI; at least 60% of tax break must go towards lowering rents below market levels (*up front test*)



Protections for voucher holders: prohibition on voucher discrimination; affirmative marketing for voucher holders



Tenant protections

Applies to: Housing Authority of Travis County: Travis County Facilities Corporation (TCFC) | City of Austin: Austin Housing Public Facility Corporation (AHPFC) | Housing Authority of the City of Austin: South Congress Public Facility Corporation (SHPPFC) | SH130 Municipal Management District, No. 1: Texas Workforce Housing Foundation (TWHF), formerly named Texas Essential Housing PFC

**The 2023 reforms include grandfathering provisions for new construction properties approved prior to the effective date and for occupied properties acquired prior to the effective date.*

APPENDIX 4. Examples of TEPP Properties with Hidden Fees

UPLAND APARTMENTS: *Housing Authority of Travis County*

PROPERTY WEBSITE

The screenshot shows the website for 'THE UPLAND NORTH ATX'. The navigation bar includes links for Home, Amenities, Floorplans, Photo Gallery, Neighborhood, Essential Living, and Login. Below the navigation bar, there is a section titled 'It's A Lifestyle At The Upland!' with a description of the essential workforce housing program. Underneath, 'RENTAL RATES:' are listed: 1 Bedroom - Starts at \$1,299; 2 Bedrooms - Starts at \$1,796; 3 Bedrooms - Start at \$2,430. A section titled 'Are You A Qualified Applicant?' provides information on the rental criteria. A yellow arrow points from the text on the right to the rental rates section.

Mandatory monthly fees not disclosed with the rent prices. The rent listed here does not include the following mandatory monthly fees: damage liability waiver, pest control, and valet trash.

HIGHPOINT PRESERVE APARTMENTS: *Travis County Housing Finance Corporation*

ZILLOW POSTING

The screenshot shows a Zillow listing for 'E1-Mockingbird 60%: 5 units available'. The rent is listed as '\$1,012 - \$1,065 / mo'. Below this, it says 'Price is base rent and doesn't include required fees.' The unit is a 'Studio' with '1 bath' and '565 sqft'. There are buttons for 'Request to apply' and 'Request a tour'. Below these is a dropdown menu for 'Unit 312'. A section titled 'Monthly rent & fees' is expanded, showing a table with 'Required' and 'Optional' fees. The 'Required' section shows 'Monthly base rent' as '\$1,012'. The 'Optional' section lists 'Pet rent' as 'Contact', 'Contact property for amount', 'Parking' as 'Contact', and 'Contact property for amount'. At the bottom, the 'Estimated monthly total' is shown as '\$1,012'. A yellow arrow points from the text on the right to the 'Estimated monthly total'.

Monthly rent & fees	
Required	
Monthly base rent	\$1,012
Optional	
Pet rent	Contact
Contact property for amount	
Parking	Contact
Contact property for amount	
Estimated monthly total	\$1,012

Mandatory monthly fees totaling \$100 not disclosed in rent advertisements on Zillow posting. The fees not disclosed include a required cable and internet package (\$65), pest control (\$5), and valet trash (\$30).

44 SOUTH APARTMENTS: *Travis County Housing Finance Corporation*

PROPERTY WEBSITE

OC-AMF180	
STUDIO 1 BATH 587 SQFT 2 UNITS AVAILABLE	
Starting	
\$1,279	
Available Now	

Mandatory monthly fees not disclosed:

- Trash fee (\$32)
- Administrative processing fee (\$5)
- Pest control (\$5)
- Technology fee (\$10)

RETREAT AT NORTH BLUFF APARTMENTS: *Austin Housing Finance Corporation*

PROPERTY WEBSITE

Monthly Charges ⓘ	
Base Rent	\$1,145.00
Total Monthly Charges	\$1,145.00

Mandatory monthly fees of \$33 not disclosed with the rent listing, in the lease quote, or in the application.

PROPERTY WEBSITE APPLICATION PORTAL

Application Deposits And Fees	
Online Application Fee	\$75.00
Online Administrative Fee	\$150.00

In addition, high up-front application-related fees (\$225 for one adult on the lease) are not revealed until the applicant shares personal information in the application.

BRIDGE AT HENLEY APARTMENTS: *Housing Authority of the City of Austin*

PROPERTY WEBSITE

Quote Sheet [Back to Leasing Options](#)

Floor Plan: 2 bedrooms / 1 bathrooms | 1,362Sq.Ft. | B5.2

Lease Terms: Apartment336 | 12 months | 6/7/2025 - 6/6/2026

⑤ Monthly Charges

Rent	\$2,105	Main charge	\$2,105 per month
------	---------	-------------	--------------------------

Mandatory monthly fees not disclosed include valet trash (\$30), pest control (\$5), other (\$14), and renters' insurance (\$20).

AGAVE SOUTH CONGRESS APARTMENTS: *Housing Authority of the City of Austin*

PROPERTY WEBSITE

Quote Sheet [Back to Leasing Options](#)

Floor Plan: 1 bedroom / 1 bathroom | 700Sq.Ft. | A1

Lease Terms: Apartment07-7302 | 12 months | 4/1/2025 - 3/31/2026

⑤ Monthly Charges

Rent	\$1,209	Main charge	\$1,209 per month
------	---------	-------------	--------------------------

At least \$145 in mandatory monthly fees not disclosed with rent listing, including valet trash (\$35), pest control (\$5), tech package (\$85), and amenity fee (\$20).

BRIDGE AT GOODNIGHT RANCH: *Housing Authority of the City of Austin*

PROPERTY WEBSITE

9005-033

Summary

Sq Ft	Bedrooms
971	2
Bathrooms	Building
2.00	0
Floor	Pets permitted
1	Yes

 [VIEW PET POLICY](#)

Amenities

Goodnight Yard

Lease Terms

Lease term	Rent
☒ 12 Months	1,899.00

[APPLY](#)

\$135 in mandatory monthly fees not disclosed with rent listing.

Fees not disclosed include:

- \$70 tech package/cable
- \$5 pest control
- \$10 community amenity fee
- \$20 renters' insurance

BRIDGE AT DAVENPORT: *Housing Authority of the City of Austin*

PROPERTY WEBSITE

[Email](#) | [Quote](#) | [Summary](#) | [Documents](#) | [Alerts](#) | Hi, Anarose ▾

Apartment Summary [Edit](#)

Lease Info [Edit](#)

Additional Rental Options

Apartment	08308	Move-in Date	1/29/2025	Total Additional Monthly Charges:	\$0.00
Address	13301 Dessau Road 08308	Lease Term	12 months		
	Austin, TX 78754	Rent	\$1,296.00		
Floor Plan	A1				
Beds/Baths	1 bed/1 bath				
Area	722 Sq.Ft.				
Availability	Available Now				

Total additional monthly charges listed in the application as \$0, but the property actually charged \$125 in additional mandatory monthly fees.

THE ASPECT APARTMENTS: *Housing Authority of the City of Austin*

PROPERTY WEBSITE

Utilities Paid By Resident Management

 Lawn Care  Pest Control

Property website states that management pays for pest control.

Monthly Rent/Options	Apply Here	Re
Pest Control Reimbursement	\$10.00	
Trash Reimbursement	\$35.00	
Parcel Pending	\$10.00	
RLL Insurance	\$16.00	
Recycle Fees	\$5.00	
Amenity Fee	\$10.00	
Lease Lock Fee	\$33.00	

However, in the application process the website reveals that tenants are responsible for paying a monthly “pest control reimbursement” fee of \$10/month (\$120 a year).

APPENDIX 5. Examples of Other Problematic Fee Practices

THE ASPECT APARTMENTS: Housing Authority of the City of Austin

RENT INVOICE SCREENSHOT

(tenant-identifying information has been redacted)

		Balance: \$3,267.88		
		Lease:		
		Unit:		
		Move In Date:		
		Lease Start Date:		
		Lease End Date:		
Date	Description	Amount	Tax	Total
03/19/2025	Late Charges	\$10.00	\$0.00	\$10.00
03/18/2025	Late Charges	\$10.00	\$0.00	\$10.00
03/17/2025	Late Charges	\$10.00	\$0.00	\$10.00
03/16/2025	Late Charges	\$10.00	\$0.00	\$10.00
03/15/2025	Late Charges	\$10.00	\$0.00	\$10.00
03/14/2025	Late Charges	\$10.00	\$0.00	\$10.00
03/13/2025	Late Charges	\$10.00	\$0.00	\$10.00
03/12/2025	Late Charges	\$10.00	\$0.00	\$10.00
03/11/2025	Late Charges	\$10.00	\$0.00	\$10.00
03/10/2025	Late Charges	\$10.00	\$0.00	\$10.00
03/09/2025	Late Charges	\$10.00	\$0.00	\$10.00
03/08/2025	Late Charges	\$10.00	\$0.00	\$10.00
03/07/2025	Late Charges	\$10.00	\$0.00	\$10.00
03/06/2025	Late Charges	\$10.00	\$0.00	\$10.00
03/05/2025	Late Charges	\$10.00	\$0.00	\$10.00
03/04/2025	Late Charges	\$75.00	\$0.00	\$75.00
03/01/2025	RLL Insurance	\$16.00	\$0.00	\$16.00
03/01/2025	Pest Control Reimbursement	\$10.00	\$0.00	\$10.00
03/01/2025	Water/Sewer Reimbursement	\$23.06	\$0.00	\$23.06
03/01/2025	Water/Sewer Reimbursement	\$44.41	\$0.00	\$44.41
03/01/2025	Water/Sewer Reimbursement	\$5.04	\$0.00	\$5.04
03/01/2025	Water/Sewer Reimbursement	\$3.00	\$0.00	\$3.00
03/01/2025	Trash Reimbursement	\$35.00	\$0.00	\$35.00
03/01/2025	Parcel Pending	\$10.00	\$0.00	\$10.00
03/01/2025	Gas	\$1.33	\$0.00	\$1.33
03/01/2025	Gas	\$0.39	\$0.00	\$0.39
03/01/2025	Gas	\$3.00	\$0.00	\$3.00
03/01/2025	Recycle Fees	\$5.00	\$0.00	\$5.00

This property charges an initial late fee of \$75 and then \$10 a day, which exceeds the state statutory 10% cap.

LEASE QUOTE: MANDATORY NONREFUNDABLE MONTHLY FEE IN LIEU OF SECURITY DEPOSIT

Advertised Rent: \$1,097

Monthly Rent/Options

Pest Control Reimbursement	\$10.00
Trash Reimbursement	\$35.00
Parcel Pending	\$10.00
RLL Insurance	\$16.00
Recycle Fees	\$5.00
Amenity Fee	\$10.00
Lease Lock Fee	\$33.00

The property also requires tenants to sign up for LeaseLock, a mandatory \$33 a month fee in lieu of a traditional security deposit. Unlike a traditional security deposit, this fee is not refundable at the end of the lease term. Applicants at the property, even those with good credit, receive a “lease lock fee” in lease quotes, without any notice that this fee is optional. These practices appear to violate Texas legal requirements governing fees in lieu of security deposits.

Source: Aspect website, November 19, 2024

APPENDIX 6. Example of a TEPP Property Disclosing Fees

The following is an example of a property that includes its fees with the total monthly rent advertised and provides an upfront breakdown of fees. This property provides a disclosure model for other TEPP properties to follow.

CROSSTOWN APARTMENTS: *Travis County Housing Finance Corporation*

PROPERTY WEBSITE



Sample Floorplan
1 Bed 1 Bath 992 sq. ft.
\$1,678-\$2,156 / mo*
14 Months (\$1,650 Base Rent)
*Total Monthly Leasing Price

Introducing Total Monthly Leasing Price

Planning your budget is essential, and we're here to make it simpler. Our pricing reflects all fixed, mandatory fees alongside your base rent, giving you a complete picture of your monthly costs. Use our **Calculate My Costs** tool to customize your Total Monthly Leasing Price and plan with confidence.

Transparency meets convenience—so you can focus on finding the perfect home.

Got it

The monthly leasing price includes the base rent and all the monthly mandatory fees.

Total Monthly Leasing Price*	\$1,569
Base Rent ☉	\$1,515
Administrative	
Renters Liability Insurance - Third Party ☉ ≠	Varies
Services	
Community Amenity Fee ☉	\$15
Pest Control Services ☉	\$5
Trash Administrative Fee ☉	\$3
Trash Services - Doorstep ☉	\$25
Trash Services - Hauling ☉	Varies
Utility - Electric - Third Party ☉ ≠	Usage-Based
Utility - Gas ☉	Usage-Based
Utility - Gas Administrative Fee ☉	\$3
Utility - Stormwater/Drainage Admin Fee ☉	\$3
Utility - Water/Sewer ☉	Usage-Based
Utility - Water/Wastewater Submeter Admin Fee ☉	Usage-Based

APPENDIX 7. Examples of TEPPs and Access Barriers for Low-Income Tenants

UPLAND APARTMENTS: *Housing Authority of Travis County*

SOURCE: PROPERTY WEBSITE

We are thrilled to welcome you to our community. We would like to inform you of the standard application fees, which may be applicable for your new home.
Application Fee: \$75
Administration Fee: \$150.00

At the Upland Apartments, for a household with two adults, the total application-related fees are \$300.

CROSTOWN APARTMENTS: *Travis County Housing Finance Corporation*

PROPERTY WEBSITE

Total Monthly Leasing Price*	\$1,569
Est. Application Cost ☉	\$250 - \$350
Est. Move-In Cost ☉	\$1,569

At the Crosstown Apartments, the total application-related fees are \$250–\$300.

HIGHPOINT PRESERVE APARTMENTS: *Travis County Housing Finance Corporation*

PROPERTY WEBSITE

At the time of applying, you will pay a \$150 admin fee, and a \$50 application fee for every applicant over the age of 18.

At the Highpoint Preserve Apartments, the total application-related fees for a family with two adults are \$250.

BRIDGE AT MONARCH BLUFFS: *Housing Authority of the City of Austin*

PROPERTY WEBSITE

Applicants who meet other rental criteria but have no credit history, who do not meet the minimum credit score, or who have delinquencies/collections for non-rental balances may be granted conditional approval and shall be required to pay an additional deposit or non-refundable \$600.00 opportunity fee at move-in.

At the Bridge at Monarch Bluffs, tenants with a poor credit history or lack of credit history are required to pay a nonrefundable \$600 fee at move-in. Tenants do not find out if they are subject to this fee until after they have paid the property's nonrefundable application fees. This policy also exists at several other HACA TEPP properties, including the Bridge at Davenport and Arella Lakeline.

BRIDGE AT DAVENPORT: *Housing Authority of the City of Austin*

PROPERTY WEBSITE

	Charge Description	Charge Amount	Amount Paid	Balance Due	Paid By
☒	Application Fee	\$50.00	\$0.00	\$50.00	
☒	Administration Fee	\$150.00	\$0.00	\$150.00	
Total Amount (before tax and service fee)				\$200.00	

Applicants are responsible for at least \$200 in nonrefundable application-fees (\$50/adult application fee and \$150 administration fee), which are not disclosed until after the applicant reveals personal information such as their social security number, phone number, and employment information.

AUSTIN CITY LIGHTS: *Housing Authority of the City of Austin*

PROPERTY WEBSITE

Terms

- **Rent:** \$1,790
- **Admin Fee:** \$210
- **Application Fee:** \$65
- **Security Deposit:** \$300

Applicants are responsible for a \$210 administrative fee and \$65 fee per adult on the lease.

ASPECT APARTMENTS: *Housing Authority of the City of Austin*

APPLICATION AND OTHER UPFRONT CHARGES

Other Charges

Applicants are responsible for at least \$99 in application fees and then \$100 in fees at move-in.

Due Now

Application Fee	\$75.00
Non-Refundable Administrative Fee	\$24.00
Total.....	\$99.00

Due Later

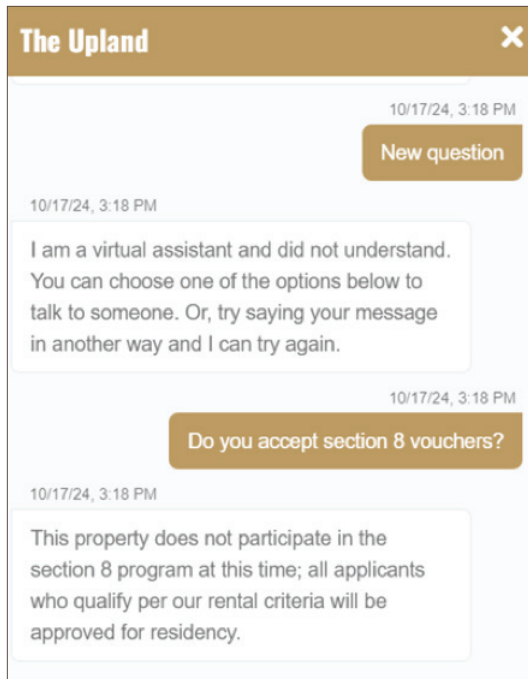
Non-Refundable Gate/Pool Fitness.....	\$50.00
Meter Fee	\$50.00
Total.....	\$100.00

SOURCE: Aspect website, November 19, 2024

APPENDIX 8. Examples of TEPPs and Voucher Discrimination

UPLAND APARTMENTS: *Housing Authority of Travis County*

CHATBOT ON PROPERTY WEBSITE: NON-ACCEPTANCE OF VOUCHERS



The chatbot reported the property does not accept tenants with Section 8 vouchers. This policy was confirmed in a call with property management.

PROPERTY WEBSITE: MINIMUM INCOME

Are You A Qualified Applicant?

To qualify for the essential workforce housing, applicants must qualify according to our Rental Criteria and meet specific income limits and 2.5x monthly income requirement. The income limits are based on the number of occupants and the designated floor plan:

This property also has a minimum income policy and does not list any exceptions for voucher holders.

APPENDIX 9. Example of Problematic Eviction Policies

HOUSING AUTHORITY OF THE CITY OF AUSTIN: *AMP Management*

AMP EVICTION POLICY, 10/28/24

Standard

- Eviction proceedings will begin for any resident who has not paid rent in full by the date specified in the lease.

Rent Payment

1. For a resident who AMP plans to evict, accept only the full balance owed in certified funds. a. Do not accept online payments.
b. Do not accept partial rent payments.
2. Disable the online payment function for the resident in Property Management System (PMS).

HACA's primary apartment management company, AMP Management, has a policy of beginning eviction proceedings as soon as a tenant is late on rent.

Endnotes

- 1 For a summary of the 2023 reforms, see Cynthia Bast, [2023 Changes to Texas Law: Property Tax Exemption for Public Facility Corporations Owning Affordable Housing](#), JD Supra, June 12, 2023.
- 2 Texas Local Gov’t Code § 392.055.
- 3 For a summary of the 2025 reforms, see Cynthia Bast, [Analysis of Texas House Bill 21—Property Tax Exemptions for Housing Finance Corporations Owning Affordable Housing](#) (July 11, 2025).
- 4 The University of Texas School of Law Entrepreneurship and Community Development Clinic, [Public Facility Corporations and the Section 303.042\(f\) Tax Break for Apartment Developments](#) (2020).
- 5 Elizabeth Blackford, et al., [Combatting Junk Fees in Texas Rental Housing: A Pathway to Fairer and More Transparent Leasing Practices](#), University of Texas School of Law Housing Policy Clinic, Jan. 2024; Ariel Nelson et al., [Too Damn High: How Junk Fees Add to Sky Rocketing Rents](#), National Consumer Law Center (March 2023).
- 6 Tex. Prop. Code §92.019.
- 7 Mary K. Cunningham et al., [Pilot Study of Landlord Acceptance of Housing Choice Vouchers](#), Urban Institute (Aug. 20, 2018).
- 8 The percentage is based on 2024 American Community Survey 1-Year Estimates for Travis County, Table B25032, “Tenure by Units in Structure.” According to the ACS data, there were 185,156 multifamily units in Travis County in 2024. For purposes of our calculation here, “multifamily housing units” is defined as renter-occupied housing units in buildings with ten or more units. The TEPP unit count was based on the number of units listed in the Travis County Appraisal District (TCAD) records. A unit count was not available for five TEPP properties.
- 9 The Travis Central Appraisal District’s appraisal roll was \$488 billion in 2024. TCAD, “Appraisal Notices on Their Way to Travis County Property Owners” (April 11, 2024).
- 10 Apartment Advisor, [Rent Prices Over Time in Austin](#) (median rent on Dec. 12, 2024).
- 11 Audrey McGlinchy, [Rents in the Austin Area Have Been Falling for a Year Now](#), KUT (June 13, 2024).
- 12 U.S. Census Bureau, 2023: 5-Year Estimates, Table S2502, “Demographic Characteristics for Occupied Housing Units.”
- 13 Based on AISD’s projected starting teacher salary for 2024–25 of \$55,584. [AISD Pay Systems Review Draft](#) (Jan. 2024).
- 14 Meeting with Ron Kowal, Vice President of AAHC Housing Development and Asset Management, Oct. 10, 2024.

- 15 See IRS Guide for Completing IRS Forms 8823, Chapter 11 and Tex. Admin Code §10.622(c)(1).
- 16 The percentage of renter households with vouchers in Travis County is based on an estimate of the total number of renter households with vouchers divided by an estimate of the total number of renter households in Travis County. The number of renter households with vouchers is based on voucher data provided by HATC and HACA to BASTA in Summer and Fall 2024. We removed vouchers used outside of Travis County. The voucher data includes Housing Choice Vouchers as well as other voucher types, although we are uncertain as to whether the housing authorities provided us with all voucher types, so these numbers are an estimate. The total number of renter households (306,687) in the county is based on data from the 2024 American Community Survey 1-Year Estimates for Travis County, Table B25032, “Tenure by Units in Structure.”
- 17 Wonyoung So, et al., [Choice Denied: Impact of income and credit-based tenant screening on the Housing Choice Voucher Program](#), Housing Studies, 2025, pp. 1-26.
- 18 [Tex. H.B. 21](#), 85th Leg., R.S. (2025).
- 19 See endnotes 8 and 16 for sources regarding the estimates of Housing Choice Vouchers and the number of occupied multifamily units and all occupied rental housing units in Travis County.
- 20 For examples of jurisdictions and organizations that have adopted these eviction mitigation strategies, see Local Housing Solutions, [Eviction prevention strategies from Grand Rapids, MI; Boulder, CO; and Syracuse, NY](#) (Aug. 1, 2023).
- 21 AMP Management Eviction Policy (Aug. 18, 2021), provided by the Housing Authority of the City of Austin.
- 22 In a written response to an earlier draft of this report, HACA reported to us that the Bridge at Loyola has a policy to delay eviction filings for at least 30 days after a payment is missed, along with other policies to support tenants and prevent evictions.
- 23 The eviction filing data that BASTA receives from Travis County does not delineate whether an eviction filing involved a single-family or multi-family building.
- 24 Peter Hebburn, et al., Racial and Gender Disparities among Evicted Americans, 7 Sociological Science 649 (2020); Robert Collinson and Davin Reed, Eviction and Poverty in American Cities, 139(1) The Quarterly Journal of Economics 57 (Feb. 2024).