

# **SUPPLEMENT FOR THE DECEMBER 18, 2014 BOARD MEETING**

**J. Paul Ozer, Chair  
Juan Muñoz, Vice-Chair**



# **ACTION ITEMS**

2a

**BOARD ACTION REQUEST**  
**MULTIFAMILY FINANCE DIVISION**  
**DECEMBER 18, 2014**

Presentation, Discussion, and Possible Action Regarding the Issuance of Multifamily Housing Revenue Bonds with TDHCA as the Issuer, Resolution No. 15-010 and a Determination Notice of Housing Tax Credits for Patriot's Crossing Apartments

**RECOMMENDED ACTION**

**WHEREAS**, the Board previously approved an issuance of tax-exempt Multifamily Housing Revenue Bonds and an allocation of Housing Tax Credits for Patriot's Crossing Apartments at the Board Meeting of February 20, 2014;

**WHEREAS**, due to delays in the approval process associated with the HUD financing and changes in its organizational structure the Applicant was unable to close on the bonds by the original 150-day deadline of April 13, 2014;

**WHEREAS**, a new Certificate of Reservation was issued by the Bond Review Board on September 8, 2014, with a bond delivery deadline of February 5, 2015; and

**WHEREAS**, the Executive Award and Review Advisory Committee ("EARAC") recommends the issuance of the Determination Notice and no compliance history or previous participation issues in accordance with 10 TAC §1.5 were identified or considered by EARAC;

**NOW, therefore, it is hereby**

**RESOLVED**, that the issuance of up to \$13,000,000 in tax-exempt Multifamily Housing Revenue Bonds Series 2014 for the Patriot's Crossing Apartments, Resolution No. 15-010 is hereby approved in the form presented to this meeting;

**FURTHER RESOLVED**, the issuance of a Determination Notice of \$888,752 in 4% Housing Tax Credits, subject to underwriting conditions that may be applicable as found in the Real Estate Analysis report posted to the Department's website is hereby approved in the form presented to this meeting; and

**FURTHER RESOLVED**, that to the extent the awards are approved, staff is authorized, empowered, and directed, for and on behalf of the Department to execute such documents, instruments and writings and perform such acts and deeds as may be necessary to effectuate the foregoing.



## **BACKGROUND**

*General Information:* The Bonds will be issued under Chapter 1371, Texas Government Code, as amended, and under Chapter 2306, Texas Government Code, as amended, the Department's Enabling Statute (the "Statute"), which authorizes the Department to issue revenue bonds for its public purposes, as defined therein. *(The Statute provides that the Department's revenue bonds are solely obligations of the Department, and do not create an obligation, debt or liability of the State of Texas or a pledge or loan of faith, credit or taxing power of the State of Texas.)*

The Patriot's Crossing Apartments consists of the construction of 162 units targeted to the general population in Dallas, Dallas County, and the site is currently zoned appropriately. The Certificate of Reservation from the Bond Review Board was issued under the Priority 3 designation which does not have a prescribed restriction on the percentage of Area Median Family Income ("AMFI") that must be served. One hundred twenty-nine of the 162 residential units will be rent and income restricted at 60% AMFI. Per a requirement of the City of Dallas HOME loan, 33 residential units will be rent and income restricted at 50% AMFI.

*Organizational Structure and Previous Participation:* The Borrower is Sapphire Road Development Patriot Crossing South, LLC, and the General Partner is Sapphire Road I GP, LLC, which is comprised of Neighborhood Builders CDC, a nonprofit organization and Matthews Affordable Income Development, LLC. The Directors of Neighborhood Builders CDC include the following: Claudia Vargas, Gina Thompson, Jeffrey Douglas Kurz and Executive Director Yigal Lelah. Matthews Affordable Income Development, LLC, is comprised of the following principals: D. Scott Galbraith, Jack Matthews and Kristian Teleki. EARAC met on December 12, 2014, and considered the previous participation review documentation relating to the organizational structure as noted above in accordance with the Previous Participation Reviews rules at 10 TAC §1.5. There were no compliance history or previous participation issues noted, and EARAC recommended the application be presented before the Board.

*Public Hearing:* A public hearing for the proposed development was conducted by the Department on January 28, 2014. There were approximately six people in attendance with two speaking on the record in support. All six individuals indicated they were in support of the proposed development as they signed in. A copy of the hearing transcript is included behind this write-up.

*Public Comment:* The Department has not received any letters of support or opposition for this development.

*Census Demographics:* The development is to be located at 4623 S. Lancaster Road in Dallas. Demographics for the census tract (0057.00) include an AMFI of \$33,078; the total population is 4,400; the percent of population that is minority is 98.61%; the percent of the population that is below the poverty line is 41.10%; the number of owner occupied units is 904 and the number of renter units is 519. (Census information from FFIEC Geocoding for 2014).

### **Summary of Financial Structure**

This transaction is a FHA 221(d)(4) loan originated by Rockhall Funding Corporation and underwritten by Raymond James. This application mirrors the financing structure used by several recent bond transactions approved by the Board.

Under the proposed structure, the Department will issue short-term, tax-exempt fixed rate bonds in an amount not to exceed \$13,000,000 that will be collateralized with the proceeds of a taxable FHA mortgage loan, estimated at \$10,850,000. The bond proceeds will be utilized for project costs and as bond proceeds are drawn down, the proceeds from the FHA loan are simultaneously drawn and placed in an escrow account for the benefit of the bondholders. The mortgage loan, therefore, will be secured by eligible investments including obligations of the United States or money market mutual funds rated "AAA or AA" at all times which offers protection to the bondholder.

The bond mortgage will be subordinate in lien position to the FHA mortgage but as previously indicated, the bond proceeds will also be cash collateralized as long as the bonds are outstanding. The bonds will remain outstanding through the construction and lease-up period, estimated between 18-24 months, and will be retired after this period resulting in a low interest rate, currently estimated to be 4.25%. Given the cash collateralization, the transaction minimizes risk to the Department and also allows for volume cap to be utilized at a time when few bond transactions are being done due to various market factors affecting the rates on tax-exempt bonds. The final maturity date of the bonds, which is ultimately dependent upon the placement in service date, is not expected to extend beyond May 1, 2019, whereas the FHA mortgage will have a 40 year term and amortization.

In addition to the tax-exempt bond financing, there will be a combination of loans from the City of Dallas which include the following: a HOME loan in the amount of \$1,350,000 to be structured as a construction loan with a 35-year term and amortization carrying a 0% interest rate and a forgivable cash flow only loan in the amount of \$1,680,000 with a 0% interest rate.

## **RESOLUTION NO. 15-010**

RESOLUTION AUTHORIZING AND APPROVING THE ISSUANCE, SALE AND DELIVERY OF TEXAS DEPARTMENT OF HOUSING AND COMMUNITY AFFAIRS MULTIFAMILY HOUSING REVENUE BONDS (PATRIOT'S CROSSING APARTMENTS), SERIES 2015; APPROVING THE FORM AND SUBSTANCE AND AUTHORIZING THE EXECUTION AND DELIVERY OF DOCUMENTS AND INSTRUMENTS PERTAINING THERETO; AUTHORIZING AND RATIFYING OTHER ACTIONS AND DOCUMENTS; AND CONTAINING OTHER PROVISIONS RELATING TO THE SUBJECT

WHEREAS, the Texas Department of Housing and Community Affairs (the "Department") has been duly created and organized pursuant to and in accordance with the provisions of Chapter 2306, Texas Government Code, as amended (the "Act"), for the purpose, among others, of providing a means of financing the costs of residential ownership, development, construction and rehabilitation that will provide decent, safe, and affordable living environments for individuals and families of low, very low and extremely low income (as defined in the Act) and families of moderate income (as described in the Act and determined by the Governing Board of the Department (the "Board") from time to time); and

WHEREAS, the Act authorizes the Department: (a) to make mortgage loans to housing sponsors to provide financing for multifamily residential rental housing in the State of Texas (the "State") intended to be occupied by individuals and families of low, very low and extremely low income and families of moderate income, as determined by the Department; (b) to issue its revenue bonds, for the purpose, among others, of obtaining funds to make such loans and provide financing, to establish necessary reserve funds and to pay administrative and other costs incurred in connection with the issuance of such bonds; and (c) to pledge all or any part of the revenues, receipts or resources of the Department, including the revenues and receipts to be received by the Department from such multifamily residential rental development loans, and to mortgage, pledge or grant security interests in such loans or other property of the Department in order to secure the payment of the principal or redemption price of and interest on such bonds; and

WHEREAS, the Board has determined to authorize the issuance of its Texas Department of Housing and Community Affairs Multifamily Housing Revenue Bonds (Patriot's Crossing Apartments), Series 2015 (the "Bonds") pursuant to and in accordance with the terms of a Trust Indenture (the "Indenture") between the Department and Wilmington Trust, National Association, as trustee (the "Trustee"), for the purpose of obtaining funds to finance the Development (defined below), all under and in accordance with the Constitution and laws of the State; and

WHEREAS, the Department desires to use the proceeds of the Bonds to fund a mortgage loan to Sapphire Road Development Patriot Crossing South, LLC, a Texas limited liability company (the "Borrower"), in order to finance the cost of acquisition, construction and equipping of a qualified residential rental development described in Exhibit A attached hereto (the "Development") located within the State and required by the Act to be occupied by individuals and families of low and very low income and families of moderate income, as determined by the Department; and

WHEREAS, the Board, by resolution adopted on November 7, 2013, as supplemented by resolution adopted on July 31, 2014, declared its intent to issue its revenue bonds to provide financing for the Development; and

WHEREAS, the Borrower has requested and received a reservation of private activity bond allocation from the State of Texas;

WHEREAS, it is anticipated that the Department and the Borrower will execute and deliver a Loan Agreement (the "Loan Agreement") pursuant to which (i) the Department will agree to make a mortgage loan

funded with the proceeds of the Bonds (the "Loan") to the Borrower to enable the Borrower to finance the cost of acquisition, construction and equipping of the Development and related costs, and (ii) the Borrower will execute and deliver to the Department a promissory note (the "Note") in an original principal amount equal to the original aggregate principal amount of the Bonds, and providing for payment of interest on such principal amount equal to the interest on the Bonds and to pay other costs described in the Loan Agreement; and

WHEREAS, it is anticipated that the Note will be secured by a subordinate Multifamily Deed of Trust, Security Agreement and Fixture Filing (the "Bond Mortgage") from the Borrower for the benefit of the Department and the Trustee; and

WHEREAS, the Borrower will obtain a first lien mortgage loan from Rockhall Funding Corp. (the "HUD Lender"), and the Board has determined that the HUD Lender, the Trustee, the Department, and the Borrower will execute and deliver a Loan Disbursement Procedures Agreement (the "Disbursement Agreement") pursuant to which the HUD Lender will deposit a portion of the proceeds of such first lien mortgage loan with the Trustee, to be held by the Trustee as security for the Bonds in accordance with the Indenture; and

WHEREAS, the Board has determined that the Department, the Trustee, and the Borrower will execute a Regulatory and Land Use Restriction Agreement (the "Regulatory Agreement") with respect to the Development, which will be filed of record in the real property records of Dallas County, Texas; and

WHEREAS, the Board has been presented with a draft of, has considered and desires to ratify, approve, confirm and authorize the use and distribution in the public offering of the Bonds of an Official Statement (the "Official Statement") and to authorize the authorized representatives of the Department to deem the Official Statement "final" for purposes of Rule 15c2-12 of the Securities and Exchange Commission and to approve the making of such changes in the Official Statement as may be required to provide a final Official Statement for use in the public offering and sale of the Bonds; and

WHEREAS, the Board has further determined that the Department will enter into a Purchase Contract (the "Bond Purchase Agreement") with Raymond James & Associates, Inc. (the "Underwriter"), and the Borrower, setting forth certain terms and conditions upon which the Underwriter will purchase all of the Bonds from the Department and the Department will sell the Bonds to the Underwriter; and

WHEREAS, the Board has examined proposed forms of (a) the Indenture, the Loan Agreement, the Regulatory Agreement, the Disbursement Agreement, the Official Statement and the Bond Purchase Agreement (collectively, the "Issuer Documents"), all of which are attached to and comprise a part of this Resolution and (b) the Bond Mortgage and the Note; has found the form and substance of such documents to be satisfactory and proper and the recitals contained therein to be true, correct and complete; and has determined, subject to the conditions set forth in Article I, to authorize the issuance of the Bonds, the execution and delivery of the Issuer Documents, the acceptance of the Bond Mortgage and the Note and the taking of such other actions as may be necessary or convenient in connection therewith;

NOW, THEREFORE, BE IT RESOLVED BY THE GOVERNING BOARD OF THE TEXAS DEPARTMENT OF HOUSING AND COMMUNITY AFFAIRS:

## ARTICLE 1

### ISSUANCE OF BONDS; APPROVAL OF DOCUMENTS

Section 1.1 Issuance, Execution and Delivery of the Bonds. That the issuance of the Bonds is hereby authorized pursuant to the Act, including particularly Section 2306.353 thereof, and Chapter 1371, Texas Government Code, all under and in accordance with the conditions set forth herein and in the Indenture, and that, upon execution and delivery of the Indenture, the Authorized Representatives of the Department

named in this Resolution are each hereby authorized to execute, attest and affix the Department's seal to the Bonds and to deliver the Bonds to the Attorney General of the State (the "Attorney General") for approval, the Comptroller of Public Accounts of the State for registration and the Trustee for authentication (to the extent required in the Indenture), and thereafter to deliver the Bonds to or upon the order of the initial purchaser thereof pursuant to the Bond Purchase Agreement.

Section 1.2 Interest Rate, Principal Amount, Maturity and Price. That the Chair or Vice Chair of the Board or the Executive Director of the Department are hereby authorized and empowered, in accordance with Chapter 1371, Texas Government Code, to fix and determine the interest rate, principal amount and maturity of, the redemption and tender provisions related to, and the price at which the Department will sell to the Underwriter or another party to the Bond Purchase Agreement, the Bonds, all of which determinations shall be conclusively evidenced by the execution and delivery by the Chair or Vice Chair of the Board or the Executive Director of the Department of the Indenture and the Bond Purchase Agreement; provided, however, that (i) the Bonds shall bear interest at the initial interest rate set forth in the Bond Purchase Agreement and thereafter shall bear interest at the rates determined from time to time by the Remarketing Agent (as such term is defined in the Indenture) in accordance with the provisions of the Indenture; provided that in no event shall the interest rate on the Bonds (including any default interest rate) exceed the maximum interest rate permitted by applicable law; and provided further that the initial interest rate on the Bonds shall not exceed 3% per annum; (ii) the aggregate principal amount of the Bonds shall not exceed \$13,000,000; (iii) the final maturity of the Bonds shall occur not later than May 1, 2019; and (iv) the price at which the Bonds are sold to the initial purchaser thereof under the Bond Purchase Agreement shall not exceed 100% of the principal amount thereof, plus accrued interest, if any.

Section 1.3 Approval, Execution and Delivery of the Indenture. That the form and substance of the Indenture are hereby approved, and that the Authorized Representatives each are hereby authorized to execute the Indenture, and to deliver the Indenture to the Trustee.

Section 1.4 Approval, Execution and Delivery of the Loan Agreement. That the form and substance of the Loan Agreement are hereby approved, and that the Authorized Representatives each are hereby authorized to execute the Loan Agreement, and to deliver the Loan Agreement to the Borrower.

Section 1.5 Approval, Execution and Delivery of the Regulatory Agreement. That the form and substance of the Regulatory Agreement are hereby approved, and that the Authorized Representatives each are hereby authorized to execute, attest and affix the Department's seal to the Regulatory Agreement, and to deliver the Regulatory Agreement to the Borrower and the Trustee and to cause the Regulatory Agreement to be filed of record in the real property records of Dallas County, Texas.

Section 1.6 Approval, Execution and Delivery of the Bond Purchase Agreement. That the sale of the Bonds to the Underwriter and/or any other parties pursuant to the Bond Purchase Agreement is hereby approved, that the form and substance of the Bond Purchase Agreement are hereby approved, and that the Authorized Representatives each are hereby authorized to execute the Bond Purchase Agreement and to deliver the Bond Purchase Agreement to the Borrower, the Underwriter, and/or any other parties to the Bond Purchase Agreement, as appropriate.

Section 1.7 Approval, Execution and Delivery of the Disbursement Agreement. That the form and substance of the Disbursement Agreement are hereby approved, and that the Authorized Representatives each are hereby authorized to execute the Disbursement Agreement, and to deliver the Disbursement Agreement to the HUD Lender, the Trustee and the Borrower.

Section 1.8 Acceptance of the Note and the Bond Mortgage. That the form and substance of the Note and the Bond Mortgage are hereby accepted by the Department and that the Authorized Representatives each are hereby authorized to endorse and deliver the Note to the order of the Trustee without recourse.

Section 1.9 Approval, Execution, Use and Distribution of the Official Statement. That the form and substance of the Official Statement and its use and distribution by the Underwriter in accordance with the terms, conditions and limitations contained therein are hereby approved, ratified, confirmed and authorized; that the Chair and Vice Chair of the Board and the Executive Director of the Department are hereby severally authorized to deem the Official Statement “final” for purposes of Rule 15c2-12 under the Securities and Exchange Act of 1934; that the Authorized Representatives named in this Resolution each are authorized hereby to make or approve such changes in the Official Statement as may be required to provide a final Official Statement for the Bonds; that the Authorized Representatives named in this Resolution each are authorized hereby to accept the Official Statement, as required; and that the use and distribution of the Official Statement by the Underwriter hereby is authorized and approved, subject to the terms, conditions and limitations contained therein, and further subject to such amendments or additions thereto as may be required by the Bond Purchase Agreement and as may be approved by the Executive Director of the Department and the Department’s counsel.

Section 1.10 Taking of Any Action; Execution and Delivery of Other Documents. That the Authorized Representatives are each hereby authorized to take any actions and to execute, attest and affix the Department’s seal to, and to deliver to the appropriate parties, all such other agreements, commitments, assignments, bonds, certificates, contracts, documents, instruments, releases, financing statements, letters of instruction, notices of acceptance, written requests and other papers, whether or not mentioned herein, as they or any of them consider to be necessary or convenient to carry out or assist in carrying out the purposes of this Resolution.

Section 1.11 Power to Revise Form of Documents. That, notwithstanding any other provision of this Resolution, the Authorized Representatives are each hereby authorized to make or approve such revisions in the form of the documents attached hereto as exhibits as, in the judgment of such Authorized Representative, and in the opinion of Bracewell & Giuliani LLP and Bates & Coleman, P.C., Co-Bond Counsel to the Department, may be necessary or convenient to carry out or assist in carrying out the purposes of this Resolution, such approval to be evidenced by the execution of such documents by the Authorized Representatives.

Section 1.12 Exhibits Incorporated Herein. That all of the terms and provisions of each of the documents listed below as an exhibit shall be and are hereby incorporated into and made a part of this Resolution for all purposes:

- Exhibit B - Indenture
- Exhibit C - Loan Agreement
- Exhibit D - Regulatory Agreement
- Exhibit E - Bond Purchase Agreement
- Exhibit F - Note
- Exhibit G - Bond Mortgage
- Exhibit H - Official Statement
- Exhibit I - Disbursement Agreement

Section 1.13 Authorized Representatives. That the following persons are each hereby named as authorized representatives of the Department for purposes of executing, attesting, affixing the Department’s seal to, and delivering the documents and instruments and taking the other actions referred to in this Article I: the Chair or Vice Chair of the Board, the Executive Director of the Department, the Chief of Staff of the Department, the Deputy Executive Director of Asset Analysis and Management of the Department, the Director of Bond Finance of the Department, the Director of Multifamily Finance of the Department, the Director of Texas Homeownership of the Department and the Secretary or any Assistant Secretary to the Board. Such persons are referred to herein collectively as the “Authorized Representatives.” Any one of the Authorized Representatives is authorized to act individually as set forth in this Resolution.

## ARTICLE 2

### APPROVAL AND RATIFICATION OF CERTAIN ACTIONS

Section 2.1 Approval and Ratification of Application to Texas Bond Review Board. That the Board hereby ratifies and approves the submission of the application for approval of state bonds to the Texas Bond Review Board on behalf of the Department in connection with the issuance of the Bonds in accordance with Chapter 1231, Texas Government Code.

Section 2.2 Approval of Submission to the Attorney General. That the Board hereby authorizes, and approves the submission by the Department's Co-Bond Counsel to the Attorney General, for his approval, of a transcript of legal proceedings relating to the issuance, sale and delivery of the Bonds.

Section 2.3 Certification of the Minutes and Records. That the Secretary or Assistant Secretary to the Board hereby is authorized to certify and authenticate minutes and other records on behalf of the Department for the Bonds and all other Department activities.

Section 2.4 Approval of Requests for Rating from Rating Agency. That the action of the Executive Director of the Department or any successor and the Department's consultants in seeking a rating from Standard & Poor's Ratings Services, a Standard & Poor's Financial Services LLC business, is approved, ratified and confirmed hereby.

Section 2.5 Authority to Invest Proceeds. That the Department is authorized to invest and reinvest the proceeds of the Bonds and the fees and revenues to be received in connection with the financing of the Development in accordance with the Indenture and to enter into any agreements relating thereto only to the extent permitted by the Indenture.

Section 2.6 Underwriter. That the underwriter with respect to the issuance of the Bonds will be Raymond James & Associates, Inc., or any other party identified in the Bond Purchase Agreement.

Section 2.7 Engagement of Other Professionals. That the Executive Director of the Department or any successor is authorized to engage auditors to perform such functions, audits, yield calculations and subsequent investigations as necessary or appropriate to comply with the Bond Purchase Agreement and the requirements of Co-Bond Counsel to the Department, provided such engagement is done in accordance with applicable law of the State.

Section 2.8 Ratifying Other Actions. That all other actions taken by the Executive Director of the Department and the Department staff in connection with the issuance of the Bonds and the financing of the Development are hereby ratified and confirmed.

## ARTICLE 3

### CERTAIN FINDINGS AND DETERMINATIONS

Section 3.1 Findings of the Board. That in accordance with Section 2306.223 of the Act and after the Department's consideration of the information with respect to the Development and the information with respect to the proposed financing of the Development by the Department, including but not limited to the information submitted by the Borrower, independent studies commissioned by the Department, recommendations of the Department staff and such other information as it deems relevant, the Board hereby finds:

(a) Need for Housing Development.

(i) that the Development is necessary to provide needed decent, safe, and sanitary housing at rentals or prices that individuals or families of low and very low income or families of moderate income can afford,

(ii) that the financing of the Development is a public purpose and will provide a public benefit, and

(iii) that the Development will be undertaken within the authority granted by the Act to the housing finance division and the Borrower.

(b) Findings with Respect to the Borrower.

(i) that the Borrower, by operating the Development in accordance with the requirements of the Loan Agreement and the Regulatory Agreement, will supply well-planned and well-designed housing for individuals or families of low and very low income or families of moderate income,

(ii) that the Borrower is financially responsible, and

(iii) that the Borrower is not, and will not enter into a contract for the Development with, a housing developer that (A) is on the Department's debarred list, including any parts of that list that are derived from the debarred list of the United States Department of Housing and Urban Development; (B) breached a contract with a public agency; or (C) misrepresented to a subcontractor the extent to which the developer has benefited from contracts or financial assistance that has been awarded by a public agency, including the scope of the developer's participation in contracts with the agency and the amount of financial assistance awarded to the developer by the Department.

(c) Public Purpose and Benefits.

(i) that the Borrower has agreed to operate the Development in accordance with the Loan Agreement and the Regulatory Agreement, which require, among other things, that the Development be occupied by individuals and families of low and very low income and families of moderate income, and

(ii) that the issuance of the Bonds to finance the Development is undertaken within the authority conferred by the Act and will accomplish a valid public purpose and will provide a public benefit by assisting individuals and families of low and very low income and families of moderate income in the State to obtain decent, safe, and sanitary housing by financing the costs of the Development, thereby helping to maintain a fully adequate supply of sanitary and safe dwelling accommodations at rents that such individuals and families can afford.

Section 3.2 Determination of Eligible Tenants. That the Board has determined, to the extent permitted by law and after consideration of such evidence and factors as it deems relevant, the findings of the staff of the Department, the laws applicable to the Department and the provisions of the Act, that eligible tenants for the Development shall be (1) individuals and families of low and very low income, (2) persons with special needs, and (3) families of moderate income, with the income limits as set forth in the Regulatory Agreement.

Section 3.3 Sufficiency of Loan Interest Rate. That the Board hereby finds and determines that the interest rate on the Loan established pursuant to the Loan Agreement will produce the amounts required, together with other available funds, to pay for the Department's costs of operation with respect to the Bonds



and the Development and enable the Department to meet its covenants with and responsibilities to the holders of the Bonds.

Section 3.4 No Gain Allowed. That, in accordance with Section 2306.498 of the Act, no member of the Board or employee of the Department may purchase any Bond in the secondary open market for municipal securities.

#### ARTICLE 4

##### GENERAL PROVISIONS

Section 4.1 Limited Obligations. That the Bonds and the interest thereon shall be special limited obligations of the Department payable solely from the trust estate created under the Indenture, including the revenues and funds of the Department pledged under the Indenture to secure payment of the Bonds, and under no circumstances shall the Bonds be payable from any other revenues, funds, assets or income of the Department.

Section 4.2 Non-Governmental Obligations. That the Bonds shall not be and do not create or constitute in any way an obligation, a debt or a liability of the State or create or constitute a pledge, giving or lending of the faith or credit or taxing power of the State. Each Bond shall contain on its face a statement to the effect that the State is not obligated to pay the principal thereof or interest thereon and that neither the faith or credit nor the taxing power of the State is pledged, given or loaned to such payment.

Section 4.3 Effective Date. That this Resolution shall be in full force and effect from and upon its adoption.

Section 4.4 Notice of Meeting. This Resolution was considered and adopted at a meeting of the Governing Board that was noticed, convened, and conducted in full compliance with the Texas Open Meetings Act, Chapter 551 of the Texas Government Code, and with §2306.032 of the Texas Government Code, regarding meetings of the Governing Board.

*[Execution page follows]*

PASSED AND APPROVED this 18<sup>th</sup> day of December, 2014.

[SEAL]

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J. Paul Oxer, Chair

ATTEST:

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Secretary

**EXHIBIT A**

**Description of Development**

**Borrower:** Sapphire Road Development Patriot Crossing South, LLC, a Texas limited liability company

**Development:** The Development is a 162-unit 100% affordable multifamily community to be known as Patriot's Crossing Apartments, to be located at 4623 S. Lancaster Road, Dallas, Texas 75216. It will consist of one residential apartment building with approximately 131,930 net rentable square feet. The unit mix will consist of:

24	efficiency/one-bath units
58	one-bedroom/one-bath units
80	two-bedroom/two-bath units
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162	Total Units

Unit sizes will range from approximately 600 square feet to approximately 958 square feet.

2b

## Item 2b

Presentation, Discussion, and Possible Action regarding the Sufficiency  
of a Letter Submitted to meet a Condition of a Housing Tax Credit  
Award for Application #14130, Tays, El Paso

Supplemental Information

## Public Comment

**From:** [Apolonio](#)  
**To:** [Jean Latsha](#)  
**Subject:** Fwd: Tays Apts -El Paso,Tx HA  
**Date:** Friday, December 12, 2014 12:38:37 PM

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FYI

Sent from my iPhone

Begin forwarded message:

**From:** Apolonio <[nono62@swbell.net](mailto:nono62@swbell.net)>  
**Date:** December 11, 2014 at 10:04:12 PM CST  
**To:** Susan Wilson <[Susan.Wilson@hud.gov](mailto:Susan.Wilson@hud.gov)>  
**Subject:** Tays Apts -El Paso,Tx HA

Re: Your 12/9/2014 letter + Garry's 12/9/2014 Memo

I am the consultant to the Laredo,Tx Housing Authority and this email is on their behalf.

With all due respect, I am at a loss on your determinations that the ELPaso HA's proposal meets PH site and neighborhood standards and is suitable to facilitating and furthering full compliance with the Fair Housing Act.

Tays consists of 359 PH units and the "redevelopment" as shown on the tax credits application proposes to increase the number of PH units to 476:

Current PH units.	359
To be demolished	-81
Net	278
Tax Credits Replacement PH Units	+39
Tax Credits - PH to RAD	159
TOTAL	476

(Numbers in HUD memo differ slightly from above).

HUD memo shows: Tays is located in an area that is 96% Hispanic vs 76% in the city. 51% of the area residents have incomes below the poverty level vs 22% for the city. The median income of the area where Tays is located is \$11,989 vs \$32,124 for the city. The Tays area is occupied by SF dwellings of which the majority are rental properties.

Does not increasing the total number of PH / RAD units at Tays increase the undue concentration of low income housing? Does that not also negate providing a wider choice of housing opportunities vs providing affordable housing in better locations spread geographically throughout the city? How does this affirmatively further fair housing?

Memo shows HACEP has attempted to provide assisted housing opportunities in areas of greater ethnic and economic diversity. At the request of Texas HAs, the tax credits QAP by TDHCA allows HAs to relocate their PH to a "neighborhood of higher opportunity." How does the HACEP increasing an already undue concentration of PH in a very low income neighborhood constitute that the HACEP "attempted to provide assisted housing opportunities in areas of greater ethnic and economic diversity"? Why did the HACEP not avail themselves of QAP provision to

relocate PH to a neighborhood of higher opportunity?

In this regard, the Laredo HA owns a 200 unit PH development in a low income area and in their tax credits application proposed to relocate 100 PH units to a neighborhood of higher opportunity in a new construction 112 unit development of which 100 are tax credits units (28 are PH) and 12 are market rent units. The Laredo HA certainly is affirmatively furthering fair housing. But the HUD letters if accepted by TDHCA will result in the Laredo HA not receiving an allocation of tax credits.

Perhaps when other HAs submit proposals similar to the HACEP, HUD will have similar views on site and neighborhood standards and compliance with the Fair Housing Act.

A question on RAD: do not the RAD regulations require that a PH development convert 100% of the units to RAD vs retaining a mix of PH and RAD as the HACEP is proposing?

Apolonio Flores  
San Antonio, Tx  
Ph 210-289-5952

(Susan: I do not have email address for Garry, Virginia and Regina, please forward to them.)

Sent from my iPhone



December 15, 2014

Mr. Tim Irvine  
Executive Director  
Texas Department of Housing  
& Community Affairs  
P. O. Box 13941  
221 East 11th Street  
Austin, Texas 78711-3941

**via Fax: 800.733.5120 and  
email: [Tim.Irvine@tdhca.state.tx.us](mailto:Tim.Irvine@tdhca.state.tx.us)**

Re: TDHCA Application #14130 (the "El Paso Housing Authority Application") Fair Housing Concerns

Dear Mr. Irvine:

As you are aware, the El Paso Housing Authority has challenged the termination of the El Paso Housing Authority Application. As a precondition to reinstating the Application, the TDHCA Board required the applicant to obtain a letter from HUD stating that the proposed project complies fully with the Fair Housing Act.

By way of background, I have been involved in the affordable housing industry in Texas since 1989, first as an affordable housing attorney from 1989 -1994, as a developer from 1995 - 2005, and again as an attorney from 2005 to the present. I was one of the first attorneys in Texas to focus on the low income housing tax credit (LIHTC) program, and was also one of the early pioneers in addressing Fair Housing issues with the LIHTC program, beginning with filing a Fair Housing lawsuit against a North Dallas city back in 1995. Recently our firm was engaged as counsel in handling extensive Fair Housing litigation against St. Bernard Parish Louisiana, and over the last 4 years I have served as Fair Housing counsel to the Texas General Land Office in evaluating Fair Housing issues attendant to the distribution of hurricane disaster relief funds in South Texas, which has involved working with Texas Fair Housing advocates like John Hennenberger, Maddie Jones and Betsy Julian to evaluate Fair Housing concerns over the distribution of federal funds.

I have been engaged by the Laredo Housing Authority to evaluate whether the El Paso Housing Authority Application poses Fair Housing Concerns. At the outset and by way of summary, my review of this proposed Application leads to only one conclusion – this area is one of the lowest income, most-poverty stricken, highest unemployment areas of El Paso, with a large concentration of public housing units literally surrounding this site, with low homeownership and high vacancy and environmental concerns, and an allocation of LIHTC's to this site will not affirmatively further Fair Housing.

Comparing the statistics for this site (using Census Tracts that comprise the area south of Highway 180 and north of Highway 375 – roughly the area known as the "Chamizal Neighborhood") to the overall City of El Paso are daunting (statistics from 2012 Census Data on American Fact Finder):

Census Tract	Poverty %	Median Household Income	Vacancy %	Unemploy. %	Median Year Built
17	55.5%	\$12,083	18.2%	24.4%	1947
18	54.9%	\$19,444	7.1%	13.4%	1945
20	56.3%	\$19,476	13.2%	9.9%	1950
21	64.7%	\$16,092	11.1%	13.7%	1961
28	62.4%	\$18,112	12.8%	14.6%	1953
El Paso	21.5%	\$46,604	7.0%	8.6%	1978

The Chamizal Neighborhood is one of the lowest income neighborhoods in El Paso. The neighborhood has a poverty rate roughly 3 times that of El Paso, has an income level roughly 1/3<sup>rd</sup> of El Paso and an unemployment rate more than 50% higher than El Paso, has a housing vacancy rate more than 50% greater than El Paso and has housing stock that is 25-30 years older than El Paso. 81.6% of the population of this area qualify as low to moderate income, 80% of the households have an income level below that of the City's median, and 41.4% of the residents have an annual income of less than \$10,000 (vs. 13.9% for El Paso as a whole). Homeownership in the neighborhood is only 25% vs. 64% for El Paso, with only 19% of the single family homes being owner-occupied. Materials included in the El Paso Housing Authority Application admit this area is perceived as a poor area where crime is rampant, with gang and drug activities being primary contributors to increasingly high levels of serious crimes.

I would posit that one of the reasons for these statistics is that the Chamizal Neighborhood (which is roughly 1 mile in radius) has two very large Public Housing projects that are directly across the street from the site for this proposed project:

- ❖ Ruben Salazar Public Housing – 286 units constructed in 1973.
- ❖ Tays Public Housing – 359 units constructed in 1941.

These two projects, constituting approximately 11% of all the public housing in El Paso, both feed into Guillen Middle School and Bowie High School. Although the El Paso Housing Authority has indicated that they will demolish a substantial part of the Tays Public Housing as funds are available, currently they are only proposing to remove 81 units – which will leave a substantial overconcentration of public housing in this area directly adjacent to the proposed site.

The Chamizal Neighborhood also suffers from environmental concerns, with the EPA listing 117 “land” sites and 110 “waste” sites in this area.

Although LIHTC applications are not required to score points for “Educational Excellence” or “Opportunity Index”, these points were recently added by TDHCA to the Qualified Allocation Plan in order to balance out concerns raised by Fair Housing advocates over overconcentration of LIHTC projects in areas with low opportunity (high minority, high poverty areas). Clearly this area of El Paso is a low opportunity area under any measures, and the fact that the El Paso Housing Authority Application scored no points in either of these two categories illustrates that this site is not redeemed by having higher education or other benefits to overcome minority, low-income concentration. Furthermore, the El Paso Housing Authority



Application noted very few "Community Assets" in this area – basically Bowie High School, a park, a bus stop, a day care center, a church and a Whataburger.

Placing additional affordable housing units in this close proximity to such a large concentration of public housing in one of the lowest income, most-poverty stricken, highest unemployment areas of El Paso, with high vacancy and environmental concerns simply will not pass Fair Housing scrutiny.

HUD's determination that this project meets HUD's Site and Neighborhood Standards for redevelopment projects by public housing authorities is not dispositive of the Fair Housing concerns. HUD's letter does not state that this project affirmatively furthers Fair Housing (as was required by the THDCA Board), just that HUD has determined that the Site and Neighborhood Standards have been met, and in doing so only focused on the reduction in public housing units and ignored other requirements of the Site and Neighborhood Standards, which clearly cannot be met by this project:

- Is the site accessible to social, recreational, educational, commercial, and health facilities and services and other municipal facilities and services that are at least equivalent to those typically found in neighborhoods consisting largely of unassisted, standard housing of similar market rents? [See discussion above regarding Community Assets]
- Is the neighborhood one that is seriously detrimental to family life or in which substandard dwellings or other undesirable conditions predominate? [See discussion above regarding environmental concerns and vacancy]
- Does the site promote greater choice of housing opportunities and avoid undue concentration of assisted persons in areas containing a high proportion of low-income persons? [See discussion above concerning poverty, income levels and unemployment, as well as concentration of assisted public housing]
- Is the site located in an area of minority concentration? [El Paso is 76.6% Hispanic/Latino, whereas the Chamizal Neighborhood is 96.9% Hispanic/Latino]
- Is this site located in a racially mixed area and/or located in a racially mixed area that, if the project were located there, will cause a significant increase in the proportion of minority to non-minority residents? [See bullet point above – the area is very heavily Hispanic/Latino]
- Is the site free from adverse environmental conditions [See discussion above concerning environmental conditions]
- Is the site consistent with the goal of deconcentrating poverty and expanding housing and economic opportunities? [See discussion above concerning poverty, income levels and unemployment]

In summary, from a Fair Housing perspective the site for this proposed El Paso project and a Beaumont Housing Authority site that I have reviewed early this year are two of the worst sites I have seen in the last 25 years. Based on the foregoing, the conclusion is inescapable -- placing additional affordable housing in this location would directly contradict HUD's and TDHCA's efforts to affirmatively further Fair Housing and could easily be challenged by Fair Housing advocates.

Mr. Tim Irvine  
December 15, 2014  
Page 4

Please feel free to contact me if you have any questions.

Respectfully,

A handwritten signature in blue ink, appearing to read 'RHV', with a long, sweeping flourish extending upwards and to the right.

Robert H. Voelker

RHV:jp

cc: Garry Sweeny, HUD (via email [Garry.L.Sweeney@hud.gov](mailto:Garry.L.Sweeney@hud.gov) & fax 817-978-5876)  
Susan Wilson (via email [Susan.Wilson@hud.gov](mailto:Susan.Wilson@hud.gov))  
Jeanne Latsha (via email [jean.latsha@tdhca.state.tx.us](mailto:jean.latsha@tdhca.state.tx.us))

Board Action Request from July 31, 2014 Board meeting

**BOARD ACTION REQUEST**  
**MULTIFAMILY FINANCE DIVISION**  
**JULY 31, 2014**

Presentation, Discussion, and Possible Action on Timely Filed Appeals under any of the Department's Program Rules

**RECOMMENDED ACTION**

**WHEREAS**, a 2014 Competitive Housing Tax Credit Application was submitted for Tays (#14130);

**WHEREAS**, the application was terminated pursuant to 10 TAC §10.101(a)(4) of the 2014 Uniform Multifamily Rules ("Rules"), related to Undesirable Area Features, because the Development Site was determined to be located within 1,000 feet of a significant presence of blighted structures, significant criminal activity, and an active railway;

**WHEREAS**, the Applicant has timely appealed the termination;

**WHEREAS**, on further review staff determined that the undesirable area features identified do not represent a confluence of features that are of a nature that would not be typical in a neighborhood that would qualify under the Opportunity Index pursuant to §11.9(c)(4) of the 2014 Qualified Allocation Plan ("QAP") and that the implementation of a community revitalization plan provides mitigation for those undesirable features that do not exist; and

**WHEREAS**, staff does seek confirmation regarding the application with respect to how the proposed development accomplishes objectives of the City of El Paso in meeting its own obligations to affirmatively further fair housing;

**NOW, therefore, it is hereby**

**RESOLVED**, the appeal of the termination of Tays (#14130) is hereby granted; and

**FURTHER RESOLVED**, should the application for Tays be recommended for an award of housing tax credits, that the award be conditioned upon the Applicant obtaining a letter from the appropriate officials at HUD with authority to speak for Fair Housing and Equal Opportunity stating that this specific proposed transaction complies fully with the Fair Housing Act.

**BACKGROUND**

A 2014 Competitive Housing Tax Credit application was submitted for Tays, located in El Paso, urban region 13. Pursuant to §10.101(a)(4) of the Rules, the application included a request for pre-clearance

which indicated that the proposed development is located in the Chamizal Neighborhood, described as primarily residential with some commercial business, namely grocery stores, restaurants, repair shops, and retail. The request also included information regarding proximity to recycling centers that, according to the applicant should not be considered “heavy industrial.” It further addressed some instances of blight and crime but also stated that, “small locally owned businesses in the area speak to the opportunities for the revitalization of the area,” and that the “development site does not fall within an area that has an excessive issue with crime relative to the City as a whole and particularly the central part of the city.” Evidence to support these statements was included in the form of pictures of the surrounding area and data from the Neighborhood Scout Crime Index. The request further disclosed proximity to an active railway but explained that this railway served as a “geographic buffer” between residential and industrial areas. Finally the request alluded to the revitalization efforts of the City of El Paso and its focus on this neighborhood. Therefore, on May 13, 2014, staff granted pre-clearance for the site.

Subsequent to that action, staff’s review of a challenge to the Tays application prompted a site visit on May 30, 2014. The challenge contended that the site should be found ineligible pursuant to §10.101(a)(4) of the Rules (among other specific challenges to the application), and the applicant’s response to the challenge only provided limited information with respect to crime issues. Staff visited the site, along with several others proposed in El Paso, and also revisited the community revitalization plan (“CRP”) in order to better understand issues in the neighborhood that may have been addressed in the plan. Both the site visit and statements in the CRP raised concerns for staff, particularly statements in the CRP about “rampant” crime and “substandard” physical conditions of the neighborhood. Additional research regarding the demographics of the area, some of which were mentioned in the CRP, also added to staff’s concerns. Staff found that not only does the development site lie in one of the poorest census tracts in the state, that recent trends do not indicate a significant shift towards becoming an area of higher income or lower poverty. Although data does show a slight decrease in the percentage of the population are below the poverty level in the census tract that contains the subject, from 60.6% to 58.5% over a three year period (according to the American Communities Survey 5-year estimates in 2009 and 2012, respectively), these rates are still very high in general. In addition, the 2000 census data reflects a 53.1% poverty rate, 7.5% lower than the peak during the last decade. The 2000 census data also indicates 8.4% unemployment, which has increased to 12.6% unemployment according to the 2012 ACS 5-year estimate. The Chamizal Neighborhood Revitalization Strategy was adopted in 2008, and staff would typically expect to see more positive change in areas where revitalization efforts had been underway and successful. However, it is possible the data currently available does not reflect more recent positive change.

Subsequent to these reviews, representatives of the applicant met with staff in order to provide additional information about the site. Two of the undesirable features identified by staff are relatively tangible, those being proximity to a junkyard and an active railway. The applicant conceded proximity to the railway, and staff conceded that the junkyard in question is not a factor of eligibility, because, although it is within 1,000 feet of the site it is not within 300 feet of the site. The Rules only call for consideration of junkyards within 300 feet of the proposed site.

The other two features are more difficult to quantify, those being blight and crime. Attached are pictures of the surrounding area taken during staff’s site visit and included among those pictures are pictures taken from google maps at some earlier date. The applicant has explained that this is indeed a

poor area and that its residents do not have the resources to keep the structures in the neighborhood well-maintained. While this could be considered blight, which is defined in part as the “visible and physical decline...due to...the cost of maintaining the quality of older structures” under §10.101(a)(4)(A) of the Rules, staff did not find overwhelming evidence of “economic downturns [or] residents and businesses leaving the area,” which is the other aspect of that definition.

With respect to crime, staff did note that almost of the pictures taken within 1,000 feet or less of the site included some form of graffiti or tagging. In addition, when compared to photographs taken at an earlier date, it appears as though the tagging is recent; in at least one instance it appears as though a building was tagged in the past, cleaned up, and then tagged again more recently. Although not definitive evidence of high crime rates, it is enough to cause concern. While the applicant has provided some evidence that there has been a reduction in crime in the area, the levels of crime compared to those in neighborhoods that are considered high opportunity are still relatively high. The applicant, in their original request for preclearance, noted that according to Neighborhood Scout (an online service providing crime data), the neighborhood in which Tays is located had a higher “crime index” than the City of El Paso as a whole. (Crime index indicates the percentage of cities in the U.S. that are considered less safe than the subject, so a high crime index indicates a relatively safe neighborhood.) Upon further investigation of the same data, staff found that, although the statement in the pre-clearance request is true, that there are many neighborhoods in El Paso that are considered safer than the subject neighborhood, and the subject neighborhood is also surrounded by neighborhoods with relatively low crime indexes. However, this issue is mitigated through the Chamizal Neighborhood Revitalization Plan, which addresses crime; the applicant also provided evidence that crime rates are decreasing, which includes recent data and a letter from the El Paso Police Department, attached here.

Because the specific features initially identified as the reason for the termination have been addressed and have been determined either not to exist or are being mitigated through the implementation of a community revitalization plan, staff is recommending that the Board grant the appeal. However, as stated in the Executive Director’s letter denying the appeal of the termination, a major objective of the undesirable site and area features aspect of the rule was to promote the development of affordable housing in neighborhoods with overall features more in line with higher opportunity areas, and it is not entirely clear that this neighborhood does or will possess those characteristics typical of a neighborhood considered a high opportunity area. The facts presented here speak to issues of Fair Housing which were also raised in the appeal. Therefore, staff is recommending that should the application be recommended for an award of housing tax credits that the award be conditioned upon the applicant obtaining a letter from the appropriate officials at HUD with authority to speak for Fair Housing and Equal Opportunity stating that this specific proposed transaction complies fully with the Fair Housing Act.





Magoffin @ Willow



Address **2098 Magoffin Ave**

Address is approximate



Magoffin @ Willow - no graffiti on sign or fence in older picture from google





approx. 2244 Magoffin



Address **2238 Magoffin Ave**

Address is approximate



approx. 2244 Magoffin earlier picture  
- more graffiti and no "for sale" sign





approx. 2200 Magoffin



Magoffin @ Walnut





Address **2198 Magoffin Ave**

Address is approximate



Magoffin @ Walnut - older picture from google showing graffiti that has since been removed and replaced



Tays (the proposed site)





Magoffin @ Palm St.





Magoffin @ Palm St.





approx. 2305 Magoffin





approx. 2305 Magoffin



Address **2305 Magoffin Ave**  
**El Paso, TX 79901**



same picture taken previously by google - no graffiti





approx. 45 Palm St.





Address **43 Palm St**

Address is approximate



approx. 45 Palm St. - no graffiti in older picture by google



approx. 45 Palm  
St.





S Williams St @ Olive Ave - more than 300 feet from site



## TEXAS DEPARTMENT OF HOUSING AND COMMUNITY AFFAIRS

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June 12, 2014

*Writer's direct phone # 512-475-1676*  
*Email: [jean.latsha@tdhca.state.tx.us](mailto:jean.latsha@tdhca.state.tx.us)*

Mr. Juan J. Olvera  
Housing Authority of the City of El Paso  
500 E. Paisano Dr.  
El Paso, TX 79905

RE: TERMINATION OF HTC APPLICATION #14130, TAYS, EL PASO, TEXAS

Dear Mr. Olvera:

The Texas Department of Housing and Community Affairs (the "Department") has reviewed your request for pre-clearance of the site for the above referenced application in accordance with §10.101(a)(4) of the 2014 Uniform Multifamily Rules ("Rules"). The documentation submitted on behalf of the applicant as well as research by Department staff indicates that there are a number of blighted structures within 1,000 feet of the proposed site. Also in the vicinity is a significant amount of criminal activity that rises to the level of frequent police reports. Included in the documentation submitted as part of the application were statements regarding the "rampant" crime in the Chamizal Neighborhood and specific mention of drugs, prostitution, and gang activity. Staff also found evidence of industrial uses and facilities that appear to be junkyards near the site. Finally, the site is also within 1,000 feet of an active railway. Staff determined that these features are of a nature that would not be typical in a neighborhood that would qualify under the Opportunity Index, pursuant to §11.9(c)(4) of the 2014 Qualified Allocation Plan ("QAP"). Therefore, staff has determined that pursuant to §10.101(a)(4) of the Rules, the application for Tays is hereby terminated.

An appeals process exists for the Housing Tax Credit Program. The restrictions and requirements relating to the filing of an appeal can be found in §10.902 of the 2014 Uniform Multifamily Rules. Should you choose to appeal this decision to the Executive Director, you must file your appeal, in writing, with the Department not later than seven (7) calendar days after the date of this letter. In an effort to increase the likelihood that appeals are heard by the Board of Directors at the meeting scheduled for June 26, 2014, any appeal of this termination will be automatically placed on the agenda for that meeting.

If you have any questions or concerns, please contact me at 512-475-1676 or by email at [jean.latsha@tdhca.state.tx.us](mailto:jean.latsha@tdhca.state.tx.us).

Sincerely,

A handwritten signature in black ink, appearing to read "Jean M. Latsha", written over a horizontal line.

Jean M. Latsha  
Director of Multifamily Finance



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DIRECT: (713) 653-7395  
FAX: (713) 890-3944

June 19, 2014

Tim Irvine  
Executive Director  
Texas Department of Housing and Community Affairs  
PO Box 13941  
Austin, Texas 78711

Re: Termination of #14130 Due to Undesirable Area Features

Dear Mr. Irvine:

This letter is in response to the termination notice issued by TDHCA on June 12, 2014. In that letter it was explained that the development was terminated for the following reasons:

- There are a number of blighted structures within 1,000 feet of the proposed site.
- In the vicinity is a significant amount of criminal activity that rises to the level of frequent police reports.
- Staff also found evidence of industrial uses and facilities that appear to be junkyards near the site; and
- Finally, the site is also within 1,000 feet of an active railway.

Staff determined that these features are of a nature that would not be typical in a neighborhood that would qualify under the Opportunity Index, pursuant to §11.9(c)(4) of the 2014 Qualified Allocation Plan ("QAP").

We intend to address each of these issues as none of them rise to the level that should result in the termination of this development. Furthermore, Section 42 of the Internal Revenue Code (the "Code"), the Inclusive Communities Project case ("ICP") Remedial Order and the QAP give preferences to revitalization, and the redevelopment of this site falls in line with such revitalization efforts, and does so without hindering fair housing efforts.

3 E. GREENWAY PLAZA, STE 2000, HOUSTON, TEXAS 77046

PHONE: (713) 651-0111 FAX: (713) 651-0220

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### **Pre Clearance Approval was Obtained**

Per the requirements of Section 10.101(a)(4) of the 2014 QAP, the Applicant submitted a pre-clearance request which outlined and addressed all of the items identified by staff in the termination notice. Please see the attached original pre-clearance submission and approval letter.

The Applicant received a pre-clearance letter dated May 20<sup>th</sup> from staff. After pre-clearance approval, staff conducted a site visit and issued a termination notice on June 12<sup>th</sup> citing the same issues that had initially received pre-clearance. For the reasons stated herein, TDHCA should not grant pre-clearance and subsequently rescind it.

### **Conflict between Undesirable Area Feature Rules and Community Revitalization Plan Incentive<sup>1</sup>**

The pre-clearance of undesirable area features found in Section 10.101(a)(4) of the Rules has an origin in the Remedial Plan proposed by TDHCA to the United States District Court in the Inclusive Communities Project case. In the Remedial Plan, TDHCA proposed to adopt rules that would provide a more robust consideration and pre-clearance process for undesirable area features. The Remedial Plan said:

*An Applicant providing disclosure will be encouraged to provide any plans for mitigation of the present undesirable feature(s), which may include a concerted community revitalization plan ....*

The Remedial Order in the ICP case expressly recognized the existence of a Community Revitalization Plan and active community revitalization as mitigating factors. Section 42(m)(1)(B)(ii) of the Code requires TDHCA to allocate tax credits pursuant to a qualified allocation plan that "gives preference" to projects that are located in qualified census tracts, "the development of which contributes to a concerted community revitalization plan." TDHCA includes a Revitalization Index in the QAP, providing points for proposed developments in qualified census tracts that contribute to a concerted community revitalization plan.

Thus, we have Section 10.101(a)(4) in the Rules for TDHCA to consider and potentially pre-clear a Development Site containing certain undesirable site features, and we have Section 11.9(d)(7) of the QAP, awarding points for a Development Site in an area with a targeted community revitalization plan. Interestingly, the surrounding conditions that TDHCA must consider under the two sections are similar - including blight, crime, railroads, industrial development, environmental hazards, and flooding. An Application can be disqualified under Section 10.101 (a)(4) if undesirable area features are present, yet the Application can receive points under Section 11.9(d)(7) if the same kinds of undesirable area features are present and the area is targeted for revitalization. If every Application with undesirable area features were disqualified under Section 10.101 (a)(4), an Application would never be able to achieve points

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<sup>1</sup> The ideas and much of the language in this section is derived from the Cleme Manor termination appeal language authored by Cynthia Bast in her letter to TDHCA dated May 7, 2014, and is being used with her permission.

under Section 11.9(d)(7). Certainly, TDHCA intended these two rules to be able to co-exist. For these rules to work together effectively, **a Development Site surrounded by undesirable area features should be able to proceed if the Development will actually contribute to improving those conditions pursuant to a defined community revitalization plan.**<sup>1</sup>

### Mitigation

**1. Community Revitalization.** The Chamizal Neighborhood Revitalization Strategy, adopted in 2008, was found by TDHCA to be a legitimate revitalization plan, and the rehabilitation/redevelopment of apartment units within their community is one of the plan's goals. The revitalization plan satisfies the requirements of Section 11.9(d)(7) by addressing at least five of the required revitalization factors including blight, crime, environmental conditions, and economic and racial diversity. The redevelopment of Tays will be a making a major contribution to improving the conditions identified in the revitalization plan. Tays is the perfect example of a development in a QCT with legitimate revitalization that was envisioned in the Remedial Plan. The revitalization efforts and associated financial investment have been ongoing and substantial.

Please refer to the attached Chamizal Neighborhood Revitalization Update published by the City of El Paso for an overview of the accomplishments since the plan was adopted in 2008. From 2008 to the present, the City has invested/earmarked over \$23M to the improvement to the neighborhood. Eleven million of which is for the conversion of a building adjacent to the site to a community center and library. Additionally, in 2011 the City of El Paso Housing Authority (HACEP) completed the redevelopment of the Alamito Apartments HOPE VI development in this community, with a total investment of \$50M, \$20M of which came from HUD and the remaining portion through private capital investment. Adjacent to the neighborhood, HACEP developed the \$25M Paisano Green, the first NetZero, fossil fuels free, LEED Platinum, affordable housing community in the United States. This 73-unit senior development is on a site previously occupied by an abandoned housing community.

The City of El Paso's Chamizal and Segundo Barrio areas have seen significant private investments into commercial, residential and cultural segments. Examples of these include a \$75M construction of a baseball stadium, and well over \$200M invested to create the Texas Tech Health Sciences Center along with its Schools of Medicine and Nursing.

### **2. Area Features**

**(a) Blight.** Section 10.101(a)(4) of the Uniform Multifamily Rules defines "blighted" as "being the visible and physical decline of a property or properties due to a combination of economic downturns, residents and businesses leaving the area, and the cost of maintaining the quality of older structures." It must be emphasized that the Chamizal Neighborhood is and has been a thriving community that houses generations of families. The presence of blight is one of the requirements in order to receive points under the Community Revitalization Plan scoring item. However, we disagree that the area has blight because of "downturns" or "residents and businesses leaving the area" or that the presence of any blight

risers to the level of being denied points under the Undesirable Area Features scoring item. The fact is that the Chamizal area is a low income QCT area and residents do not always have the financial means to continually upkeep their homes and businesses.

This is a historic area with many older homes. The Chamizal Neighborhood Revitalization Strategy addresses blight in the context of code violations and substandard physical conditions. The plan describes code enforcement sweeps and cleanups and even notes that many issued code violations were corrected by residents *on their own* prior to scheduled cleanups. While we understand that some properties in the area do not have the neatest exterior, residents can and do improve their properties. Additionally, Tays is a significant multifamily development centrally located within the Chamizal and has influence on the surrounding neighborhood. We believe that the redevelopment of Tays will become a catalyst for positive change in the appearance and conditions of the immediate area.

**(b) Crime.** We understand that staff referred to the community revitalization plan submitted with the full application to make their determination of “rampant” crime in the area. The Chamizal Neighborhood Revitalization Strategy was published in 2008 using crime statistics from the mid 2000s. At that time there were indications that gang and drug activity were primary contributors to crime in the area, and should be the highest priorities for law enforcement in this area. Please see the attached letter from the El Paso Police Department regarding crime and local efforts in the Chamizal Neighborhood around the Tays development site. Since gang activity has been curtailed, crime in the area has significantly declined since the community revitalization plan was published. Currently, this area is **not** one with a significant amount of criminal activity that rises to the level of frequent police reports.

Please refer to the attached crime statistics overview provided by the City of El Paso Police Department. You will note that there has been a significant improvement in the number of calls, to what was already considered a safe neighborhood. Utilizing Weed and Seed Grant funds from the Department of Justice a special emphasis on addressing the presence of gangs and drugs resulted in minimizing related activities such as aggravated assault, burglary, motor vehicle theft and robbery.

**(c) Industrial Uses and Railroad Track.** We understand that TDHCA staff found evidence of “industrial uses and facilities that appear to be junkyards” near the proposed Tays development site and also note that the site is within 1,000 feet of an active railway. Both of these items were disclosed in the pre-clearance request; however, the industrial use is not heavy and junkyard uses are not undesirable area features as listed in Section 10.101(a)(4) of the 2014 Uniform Multifamily Rules. Additionally, the railroad track should not preclude participation in the HTC Program.

The proposed Tays HTC development is a section of a much larger public housing development in downtown El Paso. The section to be redeveloped using tax credits is located at the southeast quadrant of E San Antonio Ave and Eucalyptus St. This section of the development is bordered by Douglas Elementary School to the west, another section of the larger

Tays development to the north, a planned community center and library to the east, and residential to the south. There are no industrial or junkyard uses within at least 700 feet of the boundaries of the proposed Tays HTC development site.

As shown in the attached City of El Paso Zoning Map and letter from the Zoning Department, the Tays HTC site is located within an A-2 Residential zoning district near Commercial and Light Industrial zoning districts. There are only Residential, Commercial, and Light Industrial land uses within 1,000 feet of the site. The Commercial and Light Industrial uses provide employment opportunities for the residents. The City of El Paso has a clear zoning ordinance that differentiates Light Industrial and Heavy Industrial uses and areas. There are no Heavy Industrial zoning districts or uses within 1,000 feet of the development site.

There are two facilities that appear to be junkyards within 1,000 feet of the site. The first is a metal recycling facility on the south side of Olive Ave and west of a railroad track, which is approximately 900 feet from the site. The second is a used auto parts retailer at the northwest corner of Magoffin Ave and Eucalyptus St, which is approximately 715 feet from the site. "Junkyards" are not a consideration under Section 10.101(a)(4) Undesirable Area Features, and because these facilities are located more than 300 feet from the site, they would not be a factor under Section 10.101(a)(3) Undesirable Site Features. Furthermore, these two facilities are located in Light Industrial and Commercial zoning districts, respectively, and would not be considered Heavy Industrial uses.

There is a single railroad track located approximately 800 feet to the west of the development site. We understand TDHCA's position is that the presence of a railroad track more than 300 feet but within 1,000 feet from a development site is not cause for concern in itself, but coupled with other undesirable area features may not be typical in a neighborhood that would qualify under the Opportunity Index. Please note that the railroad track is not visible from the site and serves to divide the residential and commercial area from the larger light industrial uses. The railroad and light industrial uses are buffered by commercial uses as well as an elementary school. We would like to emphasize that there is a current application that qualifies on the Opportunity Index and that is located within 1,000 feet of at least three active railroad tracks as well as industrial facilities larger than those near Tays that are actually zoned Heavy Industrial (wood manufacturing plant with dedicated railroad service, ConAgra Mills plant with dedicated railroad service, box manufacturing, and other industrial uses). Additionally, in Austin, the High Opportunity neighborhoods of Tarrytown and Clarksville are within 800 feet of the Mopac Railroad Line.

We believe that the presence of a single railroad track and light industrial uses approximately 800 feet from the Tays HTC site are of a nature that exist in many High Opportunity neighborhoods.

### **Fair Housing**

In TDHCA's Brief of Appellants to the Fifth Circuit, the Attorney General argued:



The mandate to achieve racial balance also opens up Defendants to future litigation from individuals . . . who want a different distribution of credits than ICP. Take the district court's order [regarding High Opportunity Area as a tiebreaker]. It is not difficult to imagine a suit filed by a developer on the losing side of that tiebreaker, claiming the use of "HOA" was simply a proxy for race. . . . [T]he existence of a court order alone is no guarantee that Defendants would not be held liable.<sup>2</sup>

Here, TDHCA relies on proxies for areas of minority concentration – blight, high crime, etc. – and rescinds its preclearance because the neighborhood features are not typical of high-opportunity areas, a proxy for predominantly white neighborhoods. High-Opportunity areas do have similar undesirable area features and TDHCA should be reluctant to substitute its judgment for that of local elected officials for sites that have local support and are located in areas where there is an approved Community Revitalization Plan.

The Tays project in its current state is quite aged, but it remains occupied. Tenants live here and will continue to live here due to the high need for housing in the area, whether or not redevelopment occurs. The issue is not whether the site will be located here or another area, as this is already an existing public housing project and the residents will be living at Tays regardless. However, the circumstance under which they live is at issue. If funding is denied, the residents of Tays will remain in housing that is sub-par. On the other hand, approval of this Project will provide an opportunity for residents to live in new units built with high standards and modern amenities, something that is unavailable to them with the apartments in their current state. Fair Housing advocates have not targeted this area as a concern because the area is representative of the typical housing available in the area. El Paso is a city with unique characteristics due to its proximity to the US-Mexico border and the majority-minority demographics and average income level of the residents in the area. El Paso is largely made up of families with average incomes lower than that of the rest of Texas and the area is not very ethnically diverse by nature of it being a border town. It is important to note that this is not only a characteristic of the Project site, but of the City as a whole. This neighborhood where the Project will be located has job opportunities, schools and community amenities that are comparable to the rest of the area. If funds are denied to this Project due to undesirable area features, then much of the City would be red-lined out of funding availability simply by virtue of the characteristics normally found in El Paso, which is contradictory to the area's needs, desires of the residents and local government, and the goals of fair housing. A denial of investment to this area by TDHCA could ultimately result in a disparate impact on the Hispanic population.

Furthermore, the Fair Housing Act does not require TDHCA to abandon legacy public housing sites. HUD's FHEO guidance in the Public Housing program allows housing authorities to rebuild on-site as long as no more than 50% of the demolished units are enough to house residents who intend to return to the site. TDHCA should similarly exercise its discretion

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<sup>2</sup> *The Inclusive Communities Project, Inc. v. TDHCA, et al.*, Brief of Appellants at 66-67.



consistent with the pre-clearance approval, to allow the application to proceed because of the existence of a Community Revitalization Plan.

The development of the Tays project, as shown by its approval to participate in the HUD Rental Assistance Demonstration Program (“RAD”), affirmatively furthers fair housing in accordance with HUD standards. The City and the Housing Authority of the City of El Paso are also obligated to affirmatively further fair housing and they fully support this Project. The conversion of the Public Housing Units to Tax Credit units through RAD will result in a more stratified income mix in the area by expanding the affordability restrictions from being entirely at 30% AMI to a range of mixed income units that cater to tenants up to 60% AMI.

### **Conclusion**

All of the reasons stated for termination in the TDHCA Termination Letter had been previously disclosed during the pre-clearance process and the site was, in fact, previously approved. The features that warranted pre-clearance to prevent application termination under the Undesirable Area Features rules are the same ones incentivized under the Community Revitalization Plan scoring item where points are awarded based on plans recognizing such features as factors needing to be addressed. Blight, crime and industrial areas are all factors taken into account in the approved Community Revitalization Plan and in this instance they do not rise to the level necessitating termination of the application.

Tays, in its current state, is the kind of project the Federal, State and local governments are seeking to transform, and the proposed redevelopment will accomplish this goal and spur additional modernization in the surrounding area. This is precisely the intent of community revitalization. Fair Housing issues are not a concern because this kind of project is permitted by HUD and even encouraged, will lead to a better mix of higher income tenants, and a denial of funds has the potential to have the opposite effect and could result in the very action TDHCA is seeking to avoid.

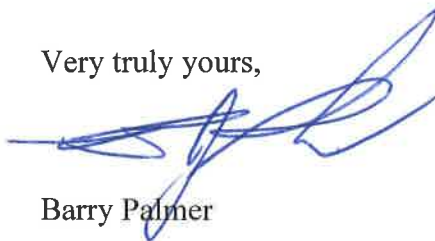
The site is located in an area specifically delineated for revitalization and several efforts have already been completed and more are under way. Significant investment has been contributed so far and this Project only adds to the plans that are actively being executed. The construction of the new Tays development is a crucial component of the area’s revitalization strategy. The distinct nature of El Paso requires realistic expectations of what is common in the area. El Paso cannot be expected to look similar to other major Texas cities such as Houston and Dallas, especially when viewed in light of the historical evolution of the area. Taking all of these factors into account, we are requesting that you, as Executive Director, use your discretion in reinstating the Tays application and recognize the uniqueness of El Paso and the role the Project plays in the revitalization of the surrounding area. If you feel you cannot grant this request, we ask to be placed on the agenda for the next Board Meeting for consideration by the Board of Directors.

June 19, 2014

Page 8

Thank you for the opportunity to respond to these issues and for taking the time to meet with us in person earlier this week. Please feel free to contact me or Sarah Anderson directly at (512) 554-4721 if you have any additional questions or comments regarding any items in this response.

Very truly yours,



Barry Palmer

BP:elv

Attachments

cc: Gerald Cichon  
Stan Waterhouse  
Juan Olvera  
Sara Anderson  
Alyssa Carpenter  
Andrea Hope J. Steel

## **Tays Development** **Undesirable Area Features Disclosure**

### **Overview of the Area**

The Tays Development is a public housing development, located at 2114 Magoffin Ave in El Paso, TX in a census tract that is a 2014 QCT. The development is comprised of 359 units that were constructed in approximately 1941. The Paisano Housing Redevelopment Corporation is proposing an initial development phase that will eventually result in the demolition and reconstruction of 198 units.

The development is located in the heart of the Chamizal Neighborhood and this area has identified by the City of El Paso as a revitalization area that they are intent on focusing resources to bring about change for the community.

Chamizal is a predominantly residential neighborhood with a mix of single family and multifamily housing, but also a mix of light to heavy commercial businesses. Businesses operate along Alameda Avenue, Texas Avenue, Piedras Street and Paisano Drive. Along Alameda and Texas you will find small grocery stores, convenience stores, bars, restaurants, bakery, appliance repair shops, furniture store, cabinet makers, and auto repair shops. Directly to the west of Eucalyptus, approximately 900 feet from the property site, the area is bisected by railroad tracts – the treats act as geographic buffer to what is a more industrial area.

The Housing Authority of the City of El Paso (HACEP) has a presence in the Chamizal Neighborhood, owning two large developments in the area. The Tays and Ruben Salazar housing communities take up 20 acres, which is 7.8% of the land area in the Chamizal neighborhood. The Tays complex holds 359 units and is the oldest public housing community in El Paso constructed in 1941 and recently renovated in 2003. The Salazar complex was built in 1973 with 286 units. HACEP has plans to redevelop both of these complexes utilizing the Tax Credits and the RAD Program.



### **Blighted Structures**



This is an area that is a 2014 QCT. While there are incidences of blight in the area, the public housing properties are well maintained and the predominance of small locally owned businesses in the area speak to the opportunities for the revitalization of the area.

Single family homes to the south of the site.



Current Property



Offices in the neighborhood



Small businesses in the neighborhood.



Adjacent to the east of the property – the site of a proposed new Mercado for the neighborhood.



This is an area that the city identified as needing assistance and is investing in as evidenced by the Chamizal Neighborhood Revitalization Strategy Plan. The redevelopment of the Public Housing units will continue to spur progress for the community.

### **Industrial Uses Within 1000 Feet**

All of these businesses are to the west of the development site. They are outside of 300 feet, but within 1000 feet. We do not believe them to be considered Heavy Industrial in nature.

Silver Recycling, Inc.: Full service recycling center. This business is the west of the development – outside of 300 feet, approximately 900 feet from the boundary of the site.

Mid-West Textile Co – Clothes and Shoes recycling center

Auto Part Re-Purposing/recycling at the NW corner of Magoffin and Eucalyptus



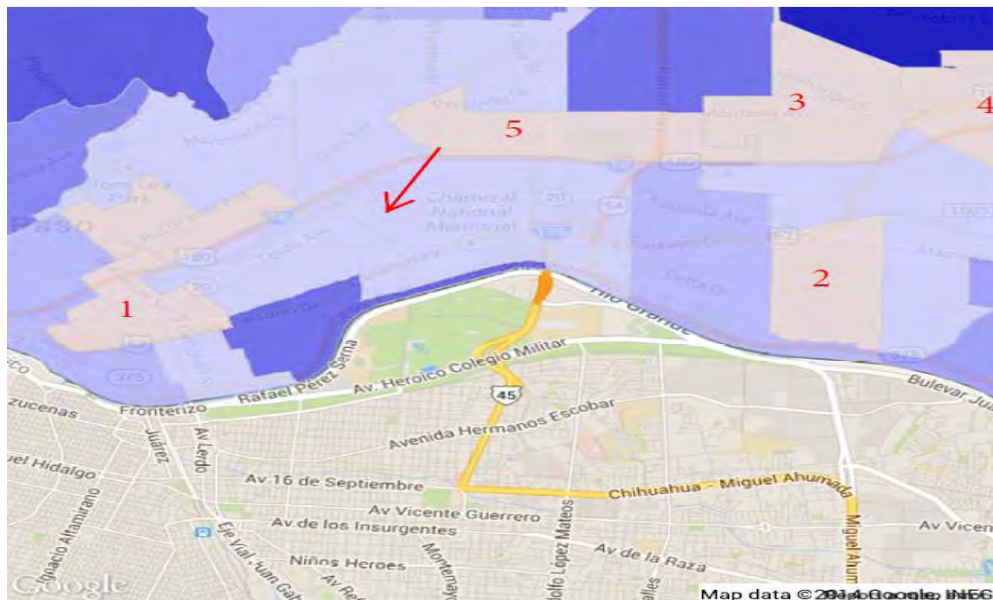


### Active Railway

There is an active railway 800 feet to the west of the development boundary. The railway acts as a geographic buffer between the industrial and residential areas of this neighborhood.

### Presence of Crime

Our crime preclearance research has led us to believe that the subject development site does not fall within an area that has an excessive issue with crime relative to the City as a whole and particularly the central part of the city. The site falls within the "E Paisano Dr / S Pierdas St" neighborhood of the city which has Crime Index of 29 (safer than 29% of the cities in the US). The City of El Paso, as a whole, has a Crime Index of 27, lower than the neighborhood containing the proposed site.



The Crime Index of the City Center area (1) is 8, while the crime index of the other marked areas (2-5) range from 19 to 22. Furthermore, the property crime rate in the neighborhood including the subject site is lower than the Texas average 32.62 (per 1,000 residents) vs. 33.62 (per 1,000 residents).

The data used for the Neighborhood Scout Crime Index are from the seven UCR crimes tracked by the FBI: Homicide, Forcible Rape, Armed Robbery, Aggravated Assault, Burglary, Larceny, and Motor Vehicle Theft. In order to compare statistical information on a national basis the FBI came up with a common definition for UCR crime comparison.

### **Summary**

The Neighborhood surrounding the development site is versatile with uses ranging from industrial to residential. The industrial area is geographically set off from the neighborhood by the railroad tracks. It is a vibrant diverse neighborhood that offers its residents access to jobs or opportunities for small business ownership.

We do not believe any of the items addressed in this submission should rise to the level of undesirable area features.



TEXAS DEPARTMENT OF HOUSING AND COMMUNITY AFFAIRS

[www.tdhca.state.tx.us](http://www.tdhca.state.tx.us)

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GOVERNOR

May 20, 2014

Writer's direct phone # 512.475.1676  
Email: [jean.latsha@tdhca.state.tx.us](mailto:jean.latsha@tdhca.state.tx.us)

Juan A. Olvera  
Tays, LP  
5300 E. Paisano Dr.  
El Paso, TX 79905

RE: PRE-CLEARANCE OF POTENTIAL UNDESIRABLE AREA FEATURE (§10.101(a)(4)) FOR TAYS  
(#14130)

Dear Mr. Olvera:

We have reviewed your request for pre-clearance with regard to the above named development's proximity to a potential undesirable area feature pursuant to §10.101(a)(4) of the Uniform Multifamily Rules. Staff determined that the presence of the features disclosed in your request would not preclude participation in the 2014 tax credit application round. Pre-clearance for the above named development site is granted.

This approval is limited in that it is based solely on the information provided in your request for staff pre-clearance. Should the fact pattern change, particularly with respect to the boundaries of the proposed site, or should additional relevant information come to light, this determination may be null and void. Moreover, additional information may be requested during the course of a program review or underwriting of the full application, should one be submitted. This determination does not bind the Department's Governing Board.

Should you have any additional questions or concerns, please feel free to contact me at [jean.latsha@tdhca.state.tx.us](mailto:jean.latsha@tdhca.state.tx.us).

Sincerely,

Jean Latsha  
Director, Multifamily Finance

cc: Alyssa Carpenter





## CHAMIZAL NEIGHBORHOOD REVITALIZATION SUMMARY

### Chamizal NRSA Investment (2008-2013)

Project	Funding Source	Funding Amount
Affordable Multi-Family Housing	HOME	\$1,747,162
Social Services Collaborative	CDBG	\$550,000
Parks Improvements	CDBG	\$677,800
Neighborhood Cleanups	CDBG	\$40,000
Proactive Code Enforcement	CDBG	\$96,550
ADA Curb Cuts	CDBG	\$100,000
Mercado Mayapan Equip & Staffing Grants	CDBG	\$400,000
New Street Light Installation	El Paso Electric Co.	\$6,945
Project Vida Healthcare Facility	DHHS	\$6,000,000
Strengthening Communities Fund	DHHS ARRA	\$250,000
Weed and Seed	DOJ	\$403,000
PAHO Healthy Kids, Healthy Communities	RWJF	\$360,000
Camp Thunderbird	PAHO	\$5,000
St. Anne's Purchase and Rehab	City of El Paso CIP	\$250,000
Mercado Mayapan ED Loan	City of El Paso	\$250,000
39th Year Targeted CDBG (various projects)	CDBG	\$1,005,000
Chamizal Neighborhood Community Center	2012 QOL Bond	\$11,000,000
<b>TOTAL INVESTMENT</b>		<b>\$23,141,457</b>

### Community Services Outcomes



In the first year of implementation (2008-2009) 1,101 residents of the Chamizal Neighborhood participated in at least one program or activity that was funded through the CDBG Social Services Collaborative. 1,156 residents participated in the second year, 1,556 in the third, and 1,880 in the fourth (2011-2012). Following is a breakdown of some of the services that Chamizal residents have utilized:

- 100 youths per year were expected to be provided with after school recreation programming. 705 youths have participated in this program in the first four years of implementation, with 192 of those being in the previous year (2011-2012).
- 20 residents per year were expected to enroll in GED classes. 252 residents have enrolled in classes in the first four years of implementation, with 78 of those being registered in the previous year.

- 20 youths per year were expected to be mentored through various programs. 135 youths have participated in the Girls Scouts mentoring program, with 33 of those being in the previous year.
- 1 job fair per year was expected to be hosted in the neighborhood. 5 job fairs have been conducted, with the one in the previous year having 295 residents in attendance.
- 1 community services/health fair was expected to be conducted each year. Numerous community events have been held each year with a total of attendance of 3,607 residents. 712 residents attended health fairs and community services fairs in the previous year.

In addition to those stated goals:

- Over the past four years, 128 youths have participated in the after school arts program;
- Over the past two years, 177 youths have received tutoring services;
- In the first two years of implementation, 384 families received Volunteer Income Tax Assistance returning a total of \$946,427 to residents of the neighborhood.
- 38 residents have taken ESL classes;
- 11 new youths have been enrolled in a latch-key program; and
- 10 businesses have received technical assistance.

#### Other Revitalization Efforts in the Chamizal NRSA

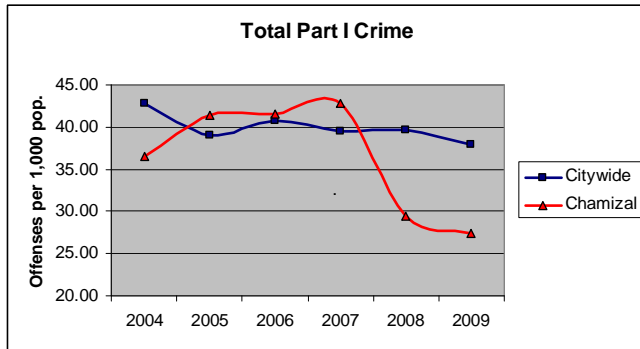


Four intensive cleanups have resulted in over 227 tons of trash and debris being removed from the neighborhood.

Code enforcement efforts in the neighborhood from 2008-2010 resulted in 2,659 correction notices and 309 citations, court cases, or referrals to Solid Waste. A marked decrease in the number of correction notices and citations from the first through to the final year indicates that conditions in the neighborhood have improved significantly.

The 3100 block of Findley has been identified as an area of special need. Two crumbling homes have been condemned and demolished and the Police Department is addressing a property where the tenants are causing regular nuisances for neighbors due to loud noise and other perceived law violations.





Weed and Seed efforts in both the Chamizal and Segundo Barrio from 2008-2010 have resulted in an overall Part I crime rate reduction of 36%. Resident participation on the Weed and Seed Steering Committee provided Police with intelligence and a prioritization of crime issues in the neighborhood.

The City-owned St. Anne's building at 600 S. Piedras has undergone asbestos abatement. An RFP has been issued for the sale or lease of the property to organizations or agencies looking to provide services to residents of the neighborhood.

Project Vida, a non-profit partner in this neighborhood revitalization effort, has received over \$1.7 million in HOME funds to construct affordable rental housing in the neighborhood. Project Vida has also received a U.S. Department of Health and Human Services (DHHS) grant totaling \$6 million for the construction of a new health care facility in the neighborhood.

Outreach for housing programs has been targeted into the neighborhood, and The Home Depot has assisted three elderly/disabled residents with rehabilitation, landscaping and façade improvements on their homes.

A bond election was held, and approved by voters in November 2012, that provides \$11 Million for a new community center (including a small library) in the Chamizal Neighborhood.

A majority of the City's 39<sup>th</sup> (2013-2014) Year CDBG allocation has been targeted into two areas, the Chamizal Neighborhood being one of them. Approved projects under this funding include alley paving, a new community garden, improvements to El Barrio Park, and curb cut, sidewalk and other improvements for pedestrians.



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**SERVICE SOLUTIONS SUCCESS**



June 18, 2014

Mr. Gerry Cichon  
Executive Director  
Housing Authority of the City of El Paso  
P.O. Box 9895  
El Paso, Texas 79995-2895

Dear Mr. Cichon:

The City of El Paso has earned the designation of the Safest City among cities with populations over 500,000 for the last four consecutive years. The recognition is a testament to the hard work, dedication and commitment of several agencies working together within the community to rid the City of crime and the elements associated.

To better serve the community the city and police department undertook several initiatives to reduce the fear associated with crime and victimization. One area addressed was the Chamizal Neighborhood and Segundo Barrio, which was incorporated to be the first Weed and Seed Community in El Paso County. The neighborhood had a population of 14,703 residents within a 2 square mile area. Since its inception in 2008, several agencies worked together for 3 years under the Weed and Seed concept to dramatically reduce crime. The area received a concentration of different police services, such as community policing initiatives, gang identification and enforcement, drug/gang-related awareness programs and extensive law enforcement patrols.

These police efforts, along with several non-profit agencies assisting to provide community support, have resulted in a safe community environment, which has resulted in a 30 percent decrease in Part 1 Index Crimes since 2003. Due to partnerships developed and a strong sense of community ownership, community involvement has been sustained.

The Chamizal area now holds several City-wide sponsored events, such as Music Under the Stars, which brings in several different styles of musical entertainment to the area. The Chamizal area has and will continue to thrive under the philosophy of community based partnership. The law enforcement community continues to stay committed to this area with our community based policing philosophy.



911 N. Raynor  
El Paso, Texas 79903  
(915) 564-7000 – [www.eppd.org](http://www.eppd.org)

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Oscar Leeser

**City Council**

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*District 2*  
Larry Romero

*District 3*  
Emma Acosta

*District 4*  
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*District 5*  
Dr. Michiel R. Noe

*District 6*  
Eddie Holguin Jr.

*District 7*  
Lily Limón

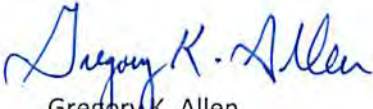
*District 8*  
Cortney C. Niland

**Interim City Manager**  
Sean P. McGlynn

**Chief of Police**  
Gregory K. Allen

The Housing Authority of the City of El Paso has been a vibrant and economically sound partner with new infrastructures within the revitalized community. Their continued partnership and development of available housing communities is welcomed to maintain the familial environment being established.

Sincerely,



Gregory K. Allen  
Chief of Police

Attachment 1



911 N. Raynor  
El Paso, Texas 79903  
(915) 564-7000 – [www.eppd.org](http://www.eppd.org)

## Updated Crime Statistics for the Chamizal Neighborhood

Part I Crimes

Chamizal W&S

	*2003	*2004	*2005	**2012	**2013	**2014 YTD
Aggravated Assault	55	60	72	48	35	27
Arson	3	5	4	0	1	0
Burglary	140	136	184	59	59	18
Larceny/Theft	180	218	182	235	189	99
Motor Vehicle Theft	68	65	102	53	31	26
Murder	0	1	0	0	1	0
Rape	10	8	14	5	5	0
Robbery	23	26	28	22	12	7
Total Part 1 Crimes	479	519	586	422	333	177
Percentage Change YoY	-	8.35%	12.91%	-27.99%	-21.09%	-46.85%

*change from 2005*

\*Numbers associated for 2003, 2004 and 2005, were obtained from the Weed and Seed Grant

\*\*Obtained using Targeted Districts in LEM System, overlaying the W&S grant to current sub-districts and obtained from EPPD ILEADS Records



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S E R V I C E      S O L U T I O N S      S U C C E S S

City Development Department

June 18, 2014



Housing Authority of the City of El Paso  
5300 E. Paisano Drive  
El Paso, TX 79905

Attention: Juan Olvera

Re: Two Parcels, Tays Housing Project, El Paso, Texas  
C & D Bassett, All of Blocks and 3 & 4, 120 Bassett, City of El Paso, El Paso County, Texas

Mr. Olvera:

In response to your request concerning zoning districts within 1,000 feet of the referenced property, there are seven zone districts, as demonstrated on the zoning map provided with this letter:

1. The purpose of the A-3 district is to promote and preserve residential development within the city associated with a landscape more urban in appearance and permitting a mixture of housing types. It is intended that the district regulations allow for medium densities of dwelling units supported by higher intensity land uses located at the periphery of single-family neighborhoods providing that the overall character and architectural integrity of the neighborhood is preserved. The regulations of the districts will permit building types designed for transition from areas of low density residential neighborhoods to other residential areas, and certain nonresidential uses and support facilities.
2. The purpose of the A-O district is to promote and preserve residential development within the city associated with a landscape more urban in appearance and permitting a mixture of housing types. It is intended that the district regulations allow for medium densities of dwelling units supported by higher intensity land uses located at the periphery of single-family neighborhoods providing that the overall character and architectural integrity of the neighborhood is preserved. The regulations of the districts will permit building types designed for transition from areas of low density residential neighborhoods to other residential areas, and certain nonresidential uses and support facilities.
3. The purpose of C-1 district is to serve the needs of surrounding residential neighborhoods by providing compatible neighborhood convenience goods and services that serve day-to-day needs. The regulations of the districts will permit location of business and professional offices and retail category uses within adjacent residential areas of medium and high densities.
4. The purpose of the C-3 district is to accommodate establishments providing goods or rendering services which are used in support of the community's trade and service establishments and serving multi-neighborhoods within a planning area of the city. The regulations of the districts will permit intensities designed to be compatible with each

**Mayor**

Oscar Leeser

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*District 7*

Lily Limón

*District 8*

Cortney C. Niland

**Interim City Manager**

Sean P. McGlynn

City Development Department

801 Texas Avenue | El Paso, Texas 79901 | (915) 212-0088

**EL PASO. IT'S ALL GOOD.**

other and to provide for a wide range of types of commercial activity, including light automobile related uses.

5. The purpose of the C-4 district is to provide for locations for the most intensive commercial uses intended to serve the entire city. It is intended that the district regulations permit heavy commercial uses characterized by automotive and light warehousing. The regulations of the district are intended to provide a transition from general business areas to industrial and manufacturing uses, and to accommodate major locations of commerce, service and employment activities.
6. The purpose of the M-1 district is to provide locations for light-intensity industries involving manufacturing, assembling, distributing and warehousing. It is intended that the districts will serve the entire city and will permit supporting commercial uses. The regulations of the districts are intended to preserve a light industrial nature particularly with regard to noise, smoke, odors, dust, vibrations and other noxious conditions.
7. The purpose of the S-D district is to provide an opportunity for mixed-use projects, integrated in design, in certain older residential areas where there is a desire to permit a variety of nonresidential uses while maintaining the established residential appearance and landscaping of the area. The regulations of this district are designed to ensure compatibility with existing uses in the district; to permit the production, exhibit or sale of goods and the providing of services to the public in such older residential areas; to protect the traffic capacity of streets serving such older residential areas; to encourage flexibility by prescribing general performance standards for such older residential areas; and to protect the environment of adjacent areas. For the purpose of this district, older areas of the city shall be deemed those areas where development has existed for at least twenty-five years.

Actual land uses in the subject area may be nonconforming due to their existence prior to 1955, the effective date of the City of El Paso Zoning Code. Please note that the C-4 zoned parcel abutting the referenced property at the northeasterly property line is owned by the City of El Paso and is proposed to be developed as a City of El Paso community center and library; Liza Ramirez-Tobias, City of El Paso Capital Assets Manager, can be contacted at (915) 212-1719 regarding the proposed development.

The El Paso Municipal Code, Title 20, Zoning, is available online at <http://www.elpasotexas.gov/virtual.asp>. Please also refer to Appendices A, B and C: the Tables of Permissible Uses, Density and Dimensional Standards and Parking Requirements and Standards.

If you have any questions regarding this letter, please call me at (915) 212-1611.

Sincerely,



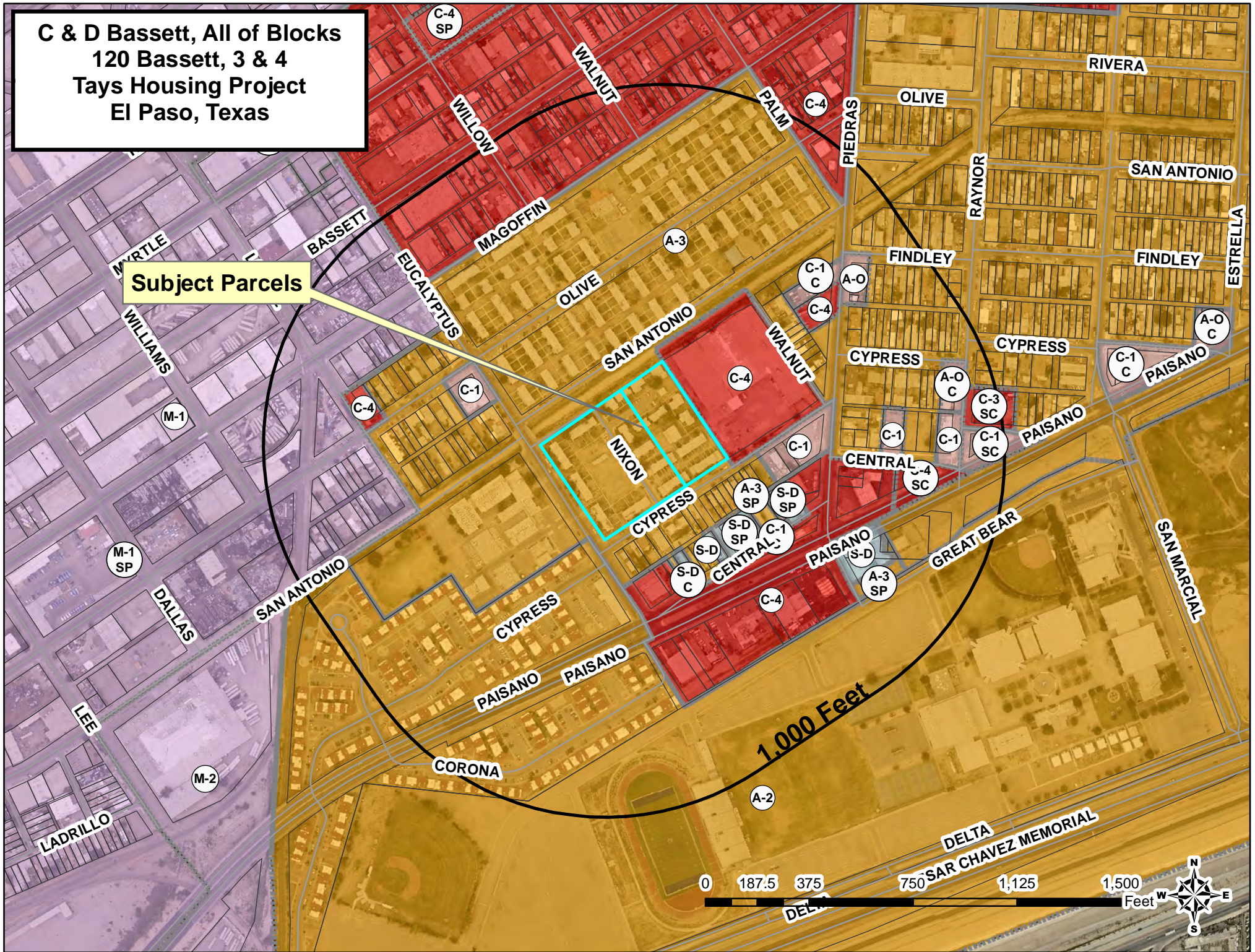
Linda Castle  
Senior Planner

Enclosure: Zoning Map



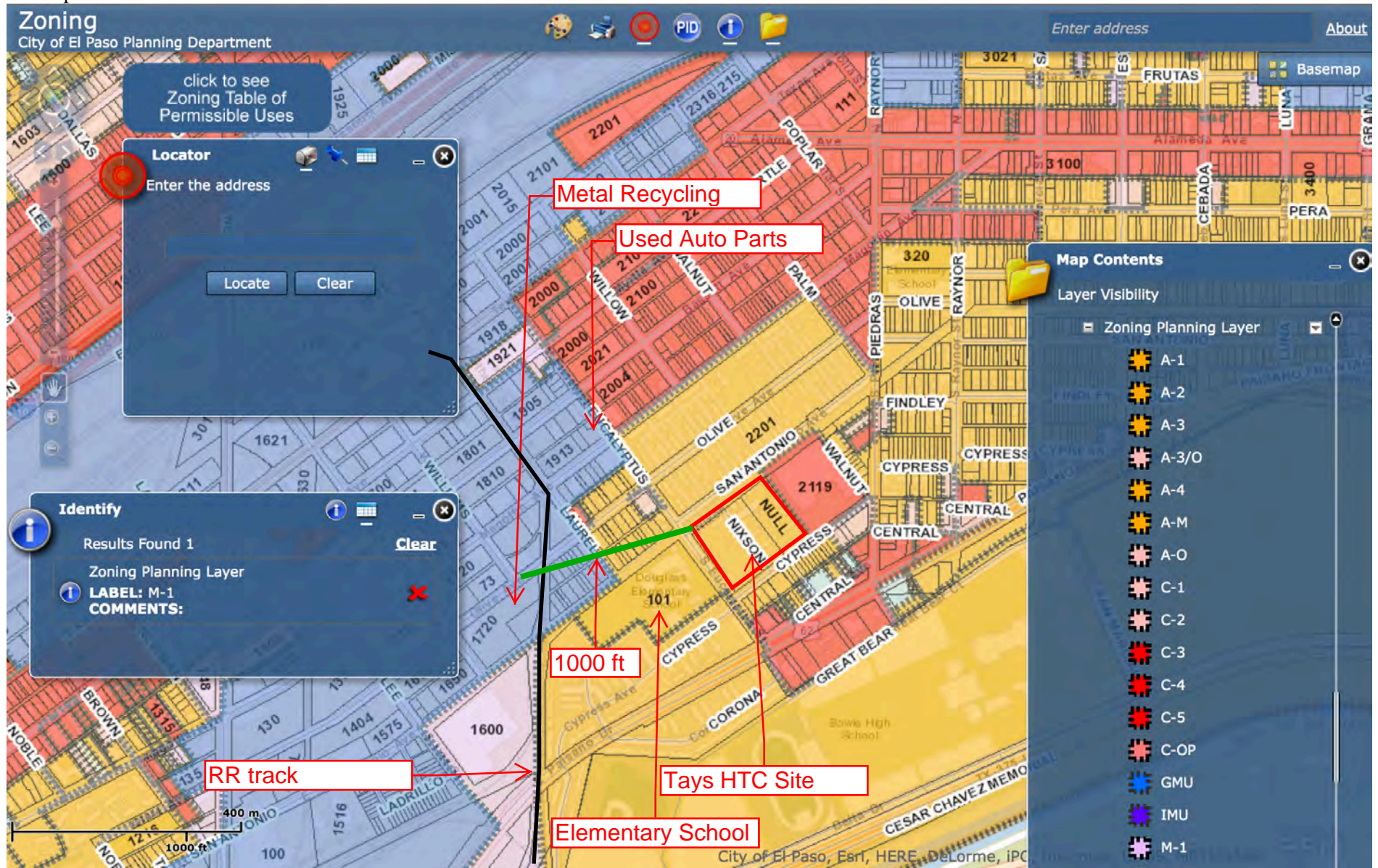
**C & D Bassett, All of Blocks  
120 Bassett, 3 & 4  
Tays Housing Project  
El Paso, Texas**

**Subject Parcels**





Blue area on map is zoning M-1, which is light manufacturing. Yellow on map are zoning A-2 and A-3, which are residential. Red area on map is zoning C-4, which is commercial. Pink area with "1600" on the map is zoning M-2, which is heavy industrial; however, that area is over 1,000 feet from the Tays HTC development site.





## **Introduction**

Please refer to the following:

- **Explanation** of the various zone districts
- **Table of Permissible Uses**, organized by
  - **categories of uses.** For example, 1.00 Agricultural and related uses, 2.00 Commercial storage and processing, etc., and by
  - **zone district.** Look at the column headings for the zone district.

*Disclaimer: Every effort is being made to keep the Table current but it is subject to change. If more specific information is required or if an official determination of permitted uses is needed, please contact the Planning Division at (915) 541-4024.*

---

## **ZONING CATEGORIES**

### **RESIDENTIAL DISTRICTS**

#### **Light Density Residential Districts**

“R-1, R-2, R-2A, R-3 and R-3A”	Residential Districts
“R-4, R-5”	Residential Districts
“RMH”	Residential Mobile Home District

*Low density of dwelling units supporting a suburban-urban interface that permits developments utilizing varying lot configurations, permit primarily single-family and two-family residential areas, and recreational and institutional uses incidental to and serving the neighborhood.*

#### **Medium Density Residential Districts**

“A-1”	Apartment District
“A-2”	Apartment District
“A-3”	Apartment District
“A-O”	Apartment/Office District

*Medium densities of dwelling units supported by higher intensity land uses located at the periphery of single-family neighborhoods providing that the overall character and architectural integrity of the neighborhood is preserved. Permit building types designed for transition from areas of low density residential neighborhoods to other residential areas, and certain non-residential uses and support facilities.*

#### **High Density Residential Districts**

“A-4”	Planned Apartment District
“A-3/O”	Apartment/Office High Density District
“A-M”	Apartment/Mobile Home Park District

*A diversity of residential dwelling types at the highest densities and to provide for the integration of compatible business and professional office uses to complement the areas and to allow for concentrations of population through the use of multi-story facilities. Permit site diversification for high-density residential development in which adequate public facilities are available for present and future needs.*

### **COMMERCIAL DISTRICTS**

#### **Neighborhood Commercial Districts**

“C-OP”	Office Park District
“C-1”	Commercial District

*Provide compatible neighborhood convenience goods and services that serve day-to-day needs. Permit locations for business and professional offices and retail category uses within adjacent residential areas of medium and high densities.*

#### **Community Commercial Districts**

“C-2” Commercial District

“C-3” Commercial District

*Establishments providing goods or rendering services which are used in support of the community’s trade and service establishments and serving multi-neighborhoods. Permit intensities designed to be compatible with each other and to provide for a wide range of types of commercial activity, including light automobile related uses.*

### **Regional Commercial Districts**

“C-4” Commercial District

“C-5” Central Business District

*Commercial uses intended to serve the entire City to permit heavy commercial uses characterized by automotive and light warehousing. Provide a transition from general business areas to industrial and manufacturing uses, and to accommodate major locations of commerce, service and employment activities. Within the Central Business District, more intensive commercial uses are allowed, the predominant of which are retail trade and service uses, providing less restrictive height and area regulations.*

## **INDUSTRIAL AND MANUFACTURING DISTRICTS**

### **Light Industrial Districts**

“M-1” Light Manufacturing District

*Light-intensity industries involving manufacturing, assembling, distribution and warehousing while supporting commercial uses and to preserve a light industrial nature particularly with regard to noise, smoke, odors, dust, vibrations and other noxious conditions.*

### **Heavy Industrial Districts**

“Q” Quarry District

“M-2” Heavy Manufacturing District

“M-3” Unrestricted Manufacturing District

*Industrial uses which may be characteristic of nuisance or hazardous conditions, regulations will require reasonable standards for the protection and preservation of the compatibility of such uses and adjacent areas.*

## **SPECIAL PURPOSE DISTRICTS**

“R-F” Ranch & Farm District

*Primarily fallow or agricultural areas within the City, protect and conserve these areas within and adjacent to urban development and intended to afford areas where semi-rural (very-low density) residential and agricultural uses can be maintained without impairment from higher density residential, commercial or industrial development. Designed to protect, stabilize and enhance the development of agricultural resources and to prohibit those activities that would adversely affect the urban-rural characteristics of this district.*

“PMD” Planned Mountain Development District

*Significant natural features of the mountain development and hillside area within the City. Provide design alternatives which help to minimize disturbances to the natural character of the area and which enhance the open space and aesthetic qualities of the land and to protect, stabilize and enhance the development of these environmentally sensitive lands and to preserve them from the encroachment of more intensive forms of development.*

“S-D” Special Development District

*Mixed-use projects, integrated in design, in certain older residential areas where there is a desire to permit a variety of nonresidential uses while maintaining the established residential appearance and landscaping of the area. Designed to ensure compatibility with existing uses in the district; to permit the production, exhibit or sale of goods and the providing of services to the public in such older residential areas; to protect the traffic capacity of streets serving such older residential areas; to encourage flexibility by prescribing general performance standards for such older residential areas; and to protect the environment of adjacent areas. Older areas of the city shall be deemed those areas where development has existed for at least twenty-five years.*

“U-P”

#### Union Plaza District

*Mixed-use environment with the provision of standards and guidelines designed to encourage the preservation of existing building architecture; ensure that reconstruction of existing buildings or new construction projects is consistent with the architectural and design guidelines adopted for the Union Plaza District; and encourage a variety of commercial and residential uses that coexist in a mixed-use area.*

“P-R I”

#### Planned Residential District I

*Planned developments that create a superior living environment through unified planning and building operations at lower residential densities; encourage a variety in housing needed to meet changing housing demands; provide adequate community facilities well-located with respect to needs; protect the natural beauty of the landscape; encourage preservation and more efficient use of open space; offer an opportunity for design flexibility; and encourage innovations which may result in improved relationships between uses of different types and between land uses and transportation facilities.*

“P-R II”

#### Planned Residential District II

*Planned developments that create a superior living environment through unified planning and building operations at higher residential densities; encourage variety in housing needed to meet changing housing demands; provide adequate community facilities well-located with respect to needs; protect the natural beauty of the landscape; encourage preservation and more efficient use of open space; offer an opportunity for design flexibility; and encourage innovations which may result in improved relationships between uses of different types and between land uses and transportation facilities.*

“P-C”

#### Planned Commercial District

*Retail shopping and personal service facilities of integrated design in appropriate locations to serve residential neighborhoods, developed as a unit according to an approved plan, adaptable to shopping centers of various sizes, as well as development of general business properties where the use of shared parking and access.*

“P-I”

#### Planned Industrial District

*Establish an industrial environment for certain types of manufacturing, business or industrial uses which are compatible with any adjacent land use by performance, appearance, and general operating characteristics. Regulations are designed so that all operations and activities, specifically including but not limited to, the storage of materials of all kinds are conducted within a building or appropriately screened.*

“SRR”

#### Special Residential Revitalization District

*Developments approved, shall be designed to eliminate potential use conflicts through creative design methods, to allow mixing residential environments with workplaces and services and must accommodate transportation systems, surrounding environments and pedestrian movements.*

“R-MU”

#### Residential Mixed Use District

*Neighborhood-serving residential and commercial land uses, that provide service to a neighborhood with uses compatible with the residential areas that the uses serve, and to allow flexibility and encourage more creative, efficient and aesthetically desirable design and placement of land uses.*

“G-MU”

#### General Mixed Use District

*Large-scale developments that are able to function as individual neighborhoods, as small-scale developments requiring flexibility because of unique design characteristics, or as transitional areas between dissimilar land uses.*

“I-MU”

#### Industrial Mixed Use District

*Commercial and industrial land uses with good access and high visibility that are designed to create compatibility between diverse uses and adjacent zoning districts.*

“NOS”

Natural Open Space District

*Preserve and protect natural features of the mountain and hillside, arroyo, and desert flatland areas. Shall remain undeveloped, except allowed and in accordance with an approved detailed site plan and any approved special permit.*

“URD”

Urban Reserve District

*Area that has development value with open space opportunities, preserving the land for sustainable transit served, form based code development and redevelopment when such land becomes necessary to serve growth in the region. May have instinctive value as open space and may contain such features as scenic corridors, view sheds, arroyos, steep slopes, or protected habitat that should remain in its natural state once development occurs.*





## TEXAS DEPARTMENT OF HOUSING AND COMMUNITY AFFAIRS

[www.tdhca.state.tx.us](http://www.tdhca.state.tx.us)

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July 3, 2014

*Writer's direct phone # 512-475-3296*  
*Email: [tim.irvine@tdhca.state.tx.us](mailto:tim.irvine@tdhca.state.tx.us)*

Barry Palmer  
Coats Rose  
3 E. Greenway Plaza, Suite 2000  
Houston, TX 77046

RE: APPEAL OF TERMINATION OF HTC APPLICATION #14130 TAYS, EL PASO

Dear Mr. Palmer:

The Texas Department of Housing and Community Affairs (the "Department") is in receipt of your appeal, dated June 19, 2014, of the termination of the above referenced Application. The Application was terminated on June 12, 2014, due to a number of undesirable area features, including blighted structures within 1,000 feet of the proposed site, criminal activity that rises to the level of frequent police reports, industrial uses and facilities that appear to be junkyards near the site, and an active railway within 1,000 feet of the site.

In order to understand this appeal a recital of facts that have lead to this point is useful. The applicant sought pre-clearance for these features and the Department staff granted that pre-clearance request on May 20, 2014, subject to the *caveats* and other language in the letter advising of pre-clearance. The granting of pre-clearance at that time was based solely on the documentation submitted in the pre-clearance request. A challenge to the site prompted a more thorough reassessment of these issues, and staff went to El Paso for an onsite visit. Following that visit representatives of the applicant came and met with staff to provide additional background on these matters. The termination was based on the totality of the information. In order for me to grant the appeal it is necessary for me to find, based upon all of the information in the record, that the site is eligible, I am not able to do so, and accordingly I must deny the appeal. However, the additional information which the applicant has provided has contributed to a far better understanding of the site and area, and in order to facilitate the Board's possible consideration of an appeal I am going to try to lay out my assessment of the site and area issues which are blight, crime, junkyard, and railway. It is also essential to analyze these in the context of the information regarding a community revitalization plan.

**Blight:** The applicant contends that what was observed is not actually blight but the condition of an area of significant poverty. Blight is described by the Qualified Allocation Plan as "the visible and



physical decline of a property or properties due to a combination of economic downturns, residents, and businesses leaving the area, and the cost of maintaining the quality of older structures.” (10 TAC §10.101(a)(4)(B)) ~~The area in question has been represented by applicants as an area that continues to thrive in terms of residents and businesses remaining in the area and continuing to occupy homes and businesses, but where property owners and tenants merely lack the resources to maintain their properties in the same manner as would be encountered in areas of greater wealth. In other words, while it may be true that some residents find it prohibitively costly to maintain their older structures, it is not an area of downturn and loss of residents; it is merely an area beset by poverty. Photographs of the area appear to support this position. The area lacks the many boarded-up and apparently abandoned structures that typify the blighted areas described by the rules. These structures do not present the same declining condition described by the rule. Based upon applicant’s representations, Staff believes that if the application is reinstated this issue should be considered cleared.~~

**Crime:** The applicant has described a significant community revitalization plan (“CRP”). Among the factors the CRP is intended to address is a significant level of criminal activity. This is an area where the information has not been sufficiently developed for us to conclude whether it should be deemed cleared or not. If the applicant chooses to appeal this termination to the Board, in that appeal the applicant should present and the Board should consider whether the level of criminal activity in this area will or will not be in line with the level of criminal activity in a high opportunity area.

**Junkyard:** The phases of the development were explained and it was demonstrated to our satisfaction that this feature is not within 300 feet of the proposed site. Accordingly, staff believes that if the application is reinstated this issue should be considered cleared.

**Railroad:** The development site is within 1,000 feet of an active railway, a fact which the applicant does not dispute. Staff believes that, should all other issues be considered cleared, this feature alone would not be sufficient cause enough to deem the site ineligible.

**General:** A major objective of the undesirable site and area features aspect of the rule was to promote the development of affordable housing in neighborhoods with overall features more in line with higher opportunity areas. Similarly, the objective of CRPs is to use a resident driven process to identify and address features to restore the neighborhood to a “vital” status where the problems identified are systematically addressed with significant dedicated resources to the end that they will no longer be of a disproportionate nature compared to a similar site in a higher opportunity area.

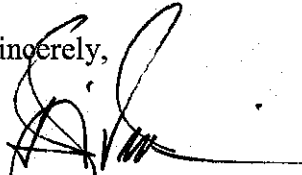
The appeal letter also points out the conflicting nature of §10.101(a)(4) of the Uniform Multifamily Rules (“Rules”), which deals with undesirable area features and §11.9(d)(7) of the 2014 Qualified Allocation Plan, which awards points for Development Sites in an area with a targeted community revitalization plan, and states that because a legitimate Community Revitalization Plan exists that mitigates the undesirable area features, the preclearance should stand and the application should be reinstated.

While the appeal does address the issues raised by the application concerning §10.101(a)(4) of the Rule (undesirable area features), the Department still has general concern with respect to the surrounding area. While issues of blight and crime may not be as pronounced as originally assessed, the area does not have characteristics typical of a neighborhood that would be considered a high opportunity area. The proposed development is located in a census tracts with a poverty rate of almost 62% (for individuals) and a median household income of \$14,551; only 36 of over 5,200 census tracts in Texas

has a lower median household income. These facts speak to the issues of Fair Housing which were also raised in the appeal, and it is with respect to these issues that the Department staff still has concerns. A demonstration as to how the proposed development accomplishes objectives of the City of El Paso in ~~meeting its own obligation to affirmatively further fair housing would be very helpful.~~ Information about the impact of the CRP on income and poverty levels in the area would be especially relevant.

It is the Department's understanding that the applicant does wish to appeal this termination to the Board, and the item will be placed on the agenda for the meeting scheduled for July 31, 2014. If you have any questions, please contact Jean Latsha, Director of Multifamily Finance, at 512-475-1676 or by email at [jean.latsha@tdhca.state.tx.us](mailto:jean.latsha@tdhca.state.tx.us)

Sincerely,

A handwritten signature in black ink, appearing to read 'T. Irvine', with a horizontal line extending to the right from the end of the signature.

Timothy K. Irvine  
Executive Director

JML

# COATS | ROSE

*A Professional Corporation*

July 17, 2014

Mr. Tim Irvine  
Executive Director  
Texas Department of Housing and Community Affairs  
PO Box 13941  
Austin, TX 78711

RE: Response to Executive Director Appeal for TDHCA #14130 (Tays)

Dear Mr. Irvine:

I am writing this letter to follow up on to your determination regarding TDHCA #14130 (Tays) located in El Paso, TX. In your letter you cleared the items regarding blight, and proximity to a railroad and junk yard. Thank you for your careful review and determination of those items. You also mentioned that you would like additional information related to the following:

- 1) Whether the level of criminal activity is in line with those of higher opportunity areas.
- 2) How the Chamizal Neighborhood Revitalization Strategy has impact the income and poverty levels in the area.
- 3) How the proposed development affirmatively furthers fair housing

Below we have attempted to answer each of those items.

## **Criminal Activity**

In our original response to termination, we submitted crime statistics provided by the City of El Paso Police Department, which showed that there had been a significant improvement in the number of calls, to what was already considered a safe neighborhood. Utilizing Weed and Seed Grant funds from the Department of Justice a special emphasis on addressing the presence of gangs and drugs resulted in minimizing related activities such as aggravated assault, burglary, motor vehicle theft and robbery.

Attached you will also find a letter from the El Paso Police Department confirming that there are high opportunity tracts in El Paso that have similar or higher crime statistics as the area where the Tays development is located. The Chief of Police points out that high opportunity areas such as Loma Terrace has a higher crime rate than the Chamizal neighborhood. Attached you will also find statistics that show the levels of crime in other large Texas cities compared to El Paso, showing again why El Paso is considered the safest city of its size the country.

3 East Greenway Plaza, Suite 2000 Houston, Texas 77046-0307  
Phone: 713-651-0111 Fax: 713-651-0220  
Web: [www.coatsrose.com](http://www.coatsrose.com)



July 17, 2014

Page 2

In summary, the crime in this area has been addressed and reduced significantly. Additionally, the rate of crime in the area surrounding our site is no greater than in high-opportunity areas in the City of El Paso. Crime should not be a reason to terminate the application.

### **Revitalization Plan's Impact on Income and Poverty**

Please refer to the attached letter from the City of El Paso which outlines the Impact the Chamizal Neighborhood Revitalization Strategy has had on the area surrounding the development. As shown in the letter, the area has seen a 12.5% increase in the median household income from 2009 to 2012. Additionally, the poverty rate declined 3.5% from 2009 to 2012 and 7% from 2010 to 2012, and the median home value increased 31.2% from 2009 to 2012.

In our previous response to you, we outlined the substantial investment (approximately \$23M) the City has made in the Chamizal Neighborhood. We believe that the figures outlined above show that there has been a significant positive impact on the community as a result of the revitalization efforts.

### **Fair Housing**

Your letter points out that while many of the initial concerns – blight, junkyard, and railroad – are now to be considered cleared, but that with respect to issues of Fair Housing, Department staff still has concerns. The Department should not terminate this application on Fair Housing grounds because (1) the QAP does not authorize TDHCA to do so, and (2) the application does affirmatively further fair housing.

The court order in the *Inclusive Communities Project v. TDHCA* lawsuit resulted in significant changes to the QAP and uniform multifamily rules, but those concerns should not cause the Department to terminate an application in El Paso. Many of the changes in the Department's rules were not compelled by the court's order, which was geographically focused only on the Dallas region. Dallas is a majority-minority city with majority-white suburbs. When the Department extends those remedial measures to the state's border with Mexico, the fair housing obligation becomes less clear. The City of El Paso is 76.6% Hispanic. El Paso County is 82% Hispanic. The fair housing logic of "high-opportunity area," which TDHCA itself argued to the Fifth Circuit is a term that is merely a proxy for non-Hispanic white area, breaks down along the border. Moreover, the text of the QAP does not authorize TDHCA to terminate an application because of the income or racial demographics of a neighborhood.

The attached letter from the City of El Paso specifically outlines how this development helps the City to address its obligation to affirmatively further fair housing. The City points out there is no concentration of public housing in certain parts of El Paso. Affirmatively furthering fair housing means preventing segregation, and the city's letter states clearly that "public housing units in El Paso are equitably distributed throughout the city."

HUD's site and neighborhood standards – the official federal guidance on affirmatively furthering fair housing—allow public housing to be replaced on-site so long as the number of public housing units being constructed is the minimum number needed to house current residents who want to remain at the site (24 CFR 941.202(c)(2)(ii), attached). The Chamizal public

July 17, 2014

Page 3

housing redevelopment plan satisfies this HUD standard and does affirmatively further fair housing.

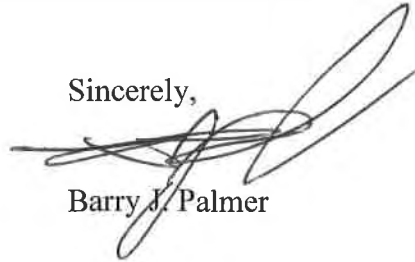
We would also like to reiterate that this development is being undertaken using HUD's RAD program, which is intended to privatize and increase the length of affordability of existing public housing units. The development was part of a portfolio application that went through a competitive application process, was thoroughly reviewed by HUD, and was subsequently awarded by HUD. We believe that any fair housing implications have already been addressed by HUD in this review process.

**Conclusion**

We appreciate the opportunity to address the remaining questions regarding the Tays development and are confident that all of these remaining items have been adequately addressed. We would again ask that this termination be overturned at the Executive level. In the event that this cannot be done at this time, we ask that the item be taken to the Board with a staff recommendation to approve the reversal of the termination and allow this development to be reinstated.

Thank you for your attention to this matter. Please feel free to contact me directly if you have any questions or comments.

Sincerely,

A handwritten signature in black ink, appearing to read "Barry J. Palmer", written over a horizontal line.

Barry J. Palmer



## El Paso Police Department

---

### Mayor

Oscar Leeser

### City Council

#### *District 1*

Ann Morgan Lilly

#### *District 2*

Larry Romero

#### *District 3*

Emma Acosta

#### *District 4*

Carl L. Robinson

#### *District 5*

Dr. Michiel R. Noe

#### *District 6*

Eddie Holguin Jr.

#### *District 7*

Lily Limón

#### *District 8*

Cortney C. Niland

### City Manager

Tommy Gonzalez

July 18, 2014

Tim Irvine

Executive Director

Texas Department of Housing and Community Affairs

P.O. Box 13941

Austin, TX 78711

Dear Mr. Irvine:

This letter is in response to your July 3, 2014, letter regarding the proposed Tays redevelopment in the Chamizal Neighborhood of El Paso. We understand that your department is unsure how crime in this neighborhood compares to crime in a "high opportunity area."

We previously provided a letter regarding the significant decrease in crime in the Chamizal Neighborhood due to local police efforts, such as the Weed and Seed Program. Looking at 2012 crime data, the Chamizal Neighborhood/Census Tract 28 reported approximately 43 total crimes per 1,000 residents. This rate is similar to Census Tract 43.14 in the Montwood/George Dieter area and less than Census Tract 41.07 in the Loma Terrace area. We understand that Census Tracts 43.14 and 41.07 would be considered "high opportunity areas." Our data shows that the Chamizal/Census Tract 28 area that includes the proposed Tays redevelopment has a similar overall crime rate to other census tracts within El Paso that would be considered "high opportunities areas." Therefore, the Chamizal/Census Tract 28 area does not have a higher crime rate or more frequent police reports than what may be found in certain "high opportunity area" census tracts.

El Paso has earned the designation of the Safest City among cities with populations over 500,000 for the last four consecutive years. In 2012, for the City overall, El Paso reported approximately 30 crimes per 1,000 residents. This is much lower than other large Texas cities, such as Houston with approximately 61 crimes per 1,000 residents and San Antonio with approximately 68 crimes per 1,000 residents. We believe that the crime rate of the Chamizal/Census Tract 28 would be comparable or better than some "high opportunity area" census tracts one might find in these larger cities.

Thank you for the opportunity to provide additional clarification regarding the crime statistics in the area. We look forward to continuing the hard work, dedication, and commitment to further reduce crime in the City of El Paso.

Sincerely,

Peter F. Pacillas

Assistant Chief of Police

**Gregory K. Allen, Chief of Police**

911 N. Raynor | El Paso, Texas 79903 | (915) 564-7000

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El Paso Crime Compared to Other Texas Cities

City of El Paso

2011 Population: 640066

	*2012	*2013	*2014 YTD
Aggravated Assault	2181	1879	805
Burglary	1826	1771	706
Larceny/Theft	13425	12993	4962
Motor Vehicle Theft	1160	794	334
Murder	23	10	6
Rape	184	176	151
Robbery	471	457	185
Total Part 1 Crimes	19270	18080	7149

30.1 | 2012 Crimes/1000 residents

\*2014 May

\*EPPD Records Data

Houston Police Department

2011 Population: 2089090

	*2012	*2013	*2014 YTD
Aggravated Assault	11343		
Burglary	26630		
Larceny/Theft	67978		
Motor Vehicle Theft	13070		
Murder	217		
Rape	665		
Robbery	9385		
Total Part 1 Crimes	129288		

61.9 | 2012 Crimes/1000 residents

<http://www.city-data.com/city/Houston-Texas.html>

WEBSITE

San Antonio Police Department

2011 Population: 1313155

	*2012	*2013	*2014 YTD
Aggravated Assault	4441	5901	1035
Burglary	15668	14850	3221
Larceny/Theft	60633	58567	13805
Motor Vehicle Theft	6367	6577	1983
Murder	89	72	19
Rape	549	663	245
Robbery	1864	2192	442
Total Part 1 Crimes	89611	88822	20750

68.2 | 2012 Crimes/1000 residents

\* March 2014

<http://www.city-data.com/city/San-Antonio-Texas.html>

<http://www.sanantonio.gov/sapd/UniformCrimeReports.aspx#lt-3026621-2014>

WEBSITE





## Office of the City Manager

July 10, 2014

### Mayor

Oscar Leeser

### City Council

#### District 1

Ann Morgan Lilly

#### District 2

Larry Romero

#### District 3

Emma Acosta

#### District 4

Carl L. Robinson

#### District 5

Dr. Michiel R. Noe

#### District 6

Eddie Holguin Jr.

#### District 7

Lily Limón

#### District 8

Cortney C. Niland

### City Manager

Tommy Gonzalez

Tim Irvine, Executive Director  
Texas Department of Housing and Community Affairs  
PO Box 13941  
Austin, Texas 78711

Dear Mr. Irvine:

I am writing this letter to respond to your letter of July 3, 2014 regarding the termination of the Tays development due to fair housing concerns with regard to financing a development in a low income census tract with high poverty. You asked how the proposed development accomplished the objectives of the City of El Paso in meeting its obligation to affirmatively further fair housing and to provide information regarding the impact of revitalization efforts in the community.

### Fair Housing

The census tract you reference is located in the Chamizal Neighborhood. Residents take pride in the neighborhood and choose to live there for reasons including ethnic heritage, tight-knit social fabric, family bonds, location and many others.

**Revitalization Planning:** The concentration of lower income minority populations can be reflective of historic patterns of housing discrimination and segregation. The Chamizal Neighborhood was identified as an area that might be impacted by these patterns, and should be revitalized as a result. The community-based neighborhood revitalization efforts undertaken as part of the *Chamizal Neighborhood Revitalization Strategy* provide an excellent opportunity to provide fair housing education and outreach at the grassroots level. Eliminating housing discrimination is a key aspect of creating neighborhoods of opportunity and reversing vestiges of official policies that promoted discrimination and segregated housing patterns. Creation of new housing choice and the reconstruction or rehabilitation of existing housing stock, directly addresses the affordable housing goals outlined in the Plan.

**Lack of Affordable Housing and its Disparate Impact:** Affordable housing issues can become fair housing issues if the lack of affordable housing has a disparate impact on protected classes. In addition affordable housing is often a fair housing issue because minorities often have lower incomes and have greater affordable housing needs. For El Paso, the fair housing implication of this development is not about its placement, but its lack of funding. El Paso has a severe lack of affordable housing. Almost half of renters and one-third of homeowners are cost burdened. El Paso residents are 2.25 times more likely to live in overcrowded/severely overcrowded conditions compared to the nation. Affordable housing is a fair housing issue in El Paso because the lack of affordable housing has a disparate impact on Hispanics (members of a protected class) because Hispanics earn significantly less than non-Hispanic whites. Affordable housing is a fair housing issue based on El Paso's demographic profile. Supporting the investment of funds and extending the life of affordable housing in any part of the city furthers our obligation to further fair housing.

Office of the City Manager

City 1 | 300 N. Campbell | El Paso, Texas 79901 | (915) 212-0000 or 3-1-1

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**Concentration:** The development in question is currently a public housing development that is 100% rent restricted to Extremely Low Income populations. Once the property is redeveloped the income base of the population will actually expand and allow for higher income residents, resulting in less concentration of lower income populations.

**Housing Choice:** When choice is a factor in maintaining a higher percentage of minorities or other protected classes in certain neighborhoods, it is not problematic unless choice is restricted in other areas for these residents. In the case of the residents of the existing development, it is my understanding that when offered the opportunity to relocate to other areas of town, including higher income areas, over eighty percent (80+%) have indicated that they intend to return to the community when construction is complete. Understanding that the City's public policies can affect minority concentrations I would like to point out that the city's Section 8 vouchers, public housing, and Low Income Housing Tax Credit (LIHTC) units are appropriately distributed throughout the city and provide housing choice not only to the residents of the existing development, but the neighborhood as a whole should they choose to relocate to other parts of the City. Finally, existing public housing units in El Paso are equitably distributed throughout the city. Also note that the tax credit developments awarded in the last 10 years indicate that housing choice has been and continues to be made available in higher income census tracts, as well as other areas of the city.

**Neighborhood Revitalization Strategy**

You requested information on the impact of the Chamizal Neighborhood Revitalization Strategy on the income and poverty levels in this area. The City adopted the Chamizal Neighborhood Revitalization Strategy in January 2008 and over \$23 million has been invested in the neighborhood in accordance with that strategy. This investment has had a demonstrable positive impact in the neighborhood. The following figures are US Census American Community Survey (ACS) 5-Year Estimates for each data year from 2009 through 2012. The most recent 2012 data figures clearly indicate that the Chamizal neighborhood has a trend of decreasing poverty, increasing incomes, and increasing home values.

**Poverty, Income, and Home Values for Chamizal Neighborhood/Census Tract 28**

Year	Poverty Rate		Median Household Income		Owner-Occupied Median Home Value	
2008-2012 ACS	58.5%	3.5% Decrease in Poverty from 2009 to 2012. 7% Decrease from 2010-2012	\$15,409	12.5% Increase in Income from 2009 to 2012	\$70,600	31.2% Increase in Median Home Value from 2009 to 2012
2007-2011 ACS	61.9%		\$14,551			
2006-2010 ACS	62.9%		\$13,787			
2005-2009 ACS	60.6%		\$13,691			

In conclusion, the Neighborhood Revitalization Strategies on the Chamizal Neighborhood have positively impacted the community and redevelopment of Tays will help the City of El Paso in meeting its obligation to affirmatively further fair housing.

Sincerely,

Tommy González  
City Manager

Office of the City Manager

City Hall | 300 N. Campbell | El Paso, Texas 79901 | (915) 212-0000 or 3-1-1

**HACEP Property Distribution**



**HOUSING AUTHORITY**  
of the City of El Paso, Texas

§ 941.202

public housing units, the PHA so classified shall engage a HUD-approved program manager to develop and implement the PHA's proposal. HUD shall review the solicitation and the selection before award of a contract is made by such a PHA.

(d) *Local cooperation.* The PHA must provide a cooperation agreement between the PHA and the applicable local governing body for the area in which the public housing project is to be located as evidence that the local governing body will provide the local cooperation required by HUD pursuant to the Act. This local cooperation shall include exemption from real and personal property taxes, acceptance of PHA payments in lieu of taxes, and the provision at no cost or at no greater cost by the local governing body of the same public services and facilities normally furnished to others in the community.

[45 FR 60838, Sept. 12, 1980. Redesignated at 49 FR 6714, Feb. 23, 1984, as amended at 61 FR 38017, July 22, 1996]

§ 941.202 **Site and neighborhood standards.**

Proposed sites for public housing projects to be newly constructed or rehabilitated must be approved by the field office as meeting the following standards:

(a) The site must be adequate in size, exposure and contour to accommodate the number and type of units proposed, and adequate utilities (e.g., water, sewer, gas and electricity) and streets must be available to service the site.

(b) The site and neighborhood must be suitable from the standpoint of facilitating and furthering full compliance with the applicable provisions of Title VI of the Civil Rights Act of 1964, Title VIII of the Civil Rights Act of 1968, E.O. 11063, and HUD regulations issued pursuant thereto.

(c)(1) The site for new construction projects must not be located in:

(i) An area of minority concentration unless (A) sufficient, comparable opportunities exist for housing for minority families, in the income range to be served by the proposed project, outside areas of minority concentration, or (B) the project is necessary to meet overriding housing needs which cannot oth-

24 CFR Ch. IX (4-1-11 Edition)

erwise feasibly be met in that housing market area. An "overriding need" may not serve as the basis for determining that a site is acceptable if the only reason the need cannot otherwise feasibly be met is that discrimination on the basis of race, color, religion, creed, sex, or national origin renders sites outside areas of minority concentration unavailable; or

(ii) A racially mixed area if the project will cause a significant increase in the proportion of minority to non-minority residents in the area.

(2) Notwithstanding any other provision of this paragraph (c), public housing units constructed after demolition of public housing units may be built on the original public housing site, or in the same neighborhood, if one of the following criteria is satisfied:

(i) The number of public housing units being constructed is no more than 50 percent of the number of units in the original project;

(ii) In the case of replacement of a currently occupied project, the number of public housing units being constructed is the minimum number needed to house current residents who want to remain at the site; or

(iii) The public housing units being constructed constitute no more than twenty-five units.

(d) The site must promote greater choice of housing opportunities and avoid undue concentration of assisted persons in areas containing a high proportion of low-income persons.

(e) The site must be free from adverse environmental conditions, natural or manmade, such as instability, flooding, septic tank back-ups, sewage hazards or mudslides; harmful air pollution, smoke or dust; excessive noise vibration, vehicular traffic, rodent or vermin infestation; or fire hazards. The neighborhood must not be one which is seriously detrimental to family life or in which substandard dwellings or other undesirable elements predominate, unless there is actively in progress a concerted program to remedy the undesirable conditions.

(f) The site must comply with any applicable conditions in the local plan approved by HUD.



(g) The housing must be accessible to social, recreational, educational, commercial, and health facilities and services, and other municipal facilities and services that are at least equivalent to those typically found in neighborhoods consisting largely of similar unassisted standard housing.

(h) Travel time and cost via public transportation or private automobile, from the neighborhood to places of employment providing a range of jobs for low-income workers, must not be excessive. (While it is important that elderly housing not be totally isolated from employment opportunities, this requirement need not be adhered to rigidly for such projects.)

(i) The project may not be built on a site that has occupants unless the relocation requirements referred to in § 941.207 are met.

(j) The project may not be built in an area that has been identified by HUD as having special flood hazards and in which the sale of flood insurance has been made available under the National Flood Insurance Act of 1968, unless the project is covered by flood insurance as required by the Flood Disaster Protection Act of 1973, and it meets any relevant HUD standards and local requirements.

[45 FR 60638, Sept. 12, 1980. Redesignated at 49 FR 6714, Feb. 23, 1984, as amended at 61 FR 38017, July 22, 1996]

#### § 941.203 Design and construction standards.

(a) Physical structures shall be designed, constructed and equipped so as to improve or harmonize with the neighborhoods they occupy, meet contemporary standards of modest comfort and liveability, promote security, and be attractive and marketable to the people they are intended to serve. Building design and construction shall strive to encourage in residents a proprietary sense, whether or not homeownership is intended or contemplated.

(b) Projects must comply with:

(1) A national building code, such as Uniform Building Code, Council of American Building Officials Code, or Building Officials Conference of America Code;

(2) Applicable State and local laws, codes, ordinances, and regulations; and

(3) Other Federal requirements, including any Federal fire-safety requirements and HUD minimum property standards (e.g., 24 CFR part 200, subpart S, and § 941.208).

(c) Projects for families with children shall consist to the maximum extent practicable of low-density housing (e.g., non-elevator structures, scattered sites or other types of low-density developments appropriate in the community).

(d) High-rise elevator structures shall not be provided for families with children regardless of density, unless the PHA demonstrates and HUD determines that there is no practical alternative. High-rise buildings for the elderly may be used if the PHA demonstrates and HUD determines that such construction is appropriate, taking into consideration land costs, the safety and security of the prospective occupants, and the availability of community services.

[61 FR 38017, July 22, 1996]

#### § 941.205 PHA contracts.

(a) *ACC requirements.* In order to be considered as eligible project expenses, all development related contracts entered into by the PHA shall provide for compliance with the provisions of the ACC.

(b) *Contract forms.* HUD may prescribe the form of any development related contracts, and the PHA shall use such forms. If a form is not prescribed, the PHA may develop its own form; however, it must contain all applicable federal requirements.

(c) *When HUD approval is required.* The PHA is authorized to execute all development-related contracts without prior HUD review or approval with the exception of:

(1) All forms of site or property acquisition contracts regardless of development method; and

(2) Contracts whose amount exceeds a contract approval threshold established by HUD for that PHA; and

(3) A contract for the selection of a program manager to develop and implement the PHA's proposal (see § 941.201(c)).

(d) Each PHA shall certify before executing any contract with a contractor that the contractor is not suspended,

July 11, 2014

Housing Authority of the City of El Paso  
Mr. Stan Waterhouse  
5300 E. Paisano  
El Paso Tx 79905-2931

**RE: Brokers Opinion of Value regarding Tays**

Mr. Waterhouse at your request we have studied the area around the El Paso Housing Authority's property known as the Tays Complex at 2174 Magoffin Drive, El Paso, Texas, to determine viability of the area for future development and to prove or disprove HUD's assumption that the area is blighted. The definition of blight is "something that is in a ruined state". However, we understand that for purposes of HUD's analysis blight means an area where flight is taking place. In other words, more people are moving out than moving in, and generally the area is in poor condition and declining. We will show by demographics and real estate statistics in the area, the means by which we have drawn our conclusion.

Our real estate analysis focused on the area bordered by Interstate 10 on the North, Paisano on the South, Cotton Street on the West and Piedras Street to the East. In researching the sales of single family homes in the area through the Multiple Listing Service of the El Paso Board of Realtors we found that only ten homes have been sold in that area from 2004 though April of 2014. Presently there are no homes available for sale and no sales pending in the area.

Of the homes that sold in the last ten years, one of them was sold, remodeled and sold again. So, there were actually only nine different houses sold. The "Days on Market", or DOM, which measures the length of time it took to sell these homes ranged from 37 to 157 days. The most recent two sales were on the market 37 and 69 days respectively. Normally, in a tight "Sellers Market" where the availability of homes is low and demand is high the average DOM would be 60 days. In more normal times when the supply and demand is balanced the average DOM would be 120 to 180 days. So, homes in this area seem to sell faster than the norm.

Our conclusion, based on the sale and availability of single-family homes in the immediate area of the Tays complex, is that the public demand for housing in the area is high and the supply is low. Following the statistics for the area to the natural conclusion, we would suggest that more housing could be built and quickly absorbed in the area.

**Personal Opinion:**

Many people from outside of the El Paso community see numerous areas of “Old El Paso” as poor, not attractive to live in, and even “blighted”. However, having lived in El Paso for over 60 years I can tell you first hand that the residents of El Paso do not consider these areas as blighted. The people of Hispanic culture, which is prevalent in El Paso, especially in the South and Southeast portions of the community, prefer to purchase their homes with cash or very little financing. They tend to pay off their homes quickly. And, inevitably, they pass those homes on the generations of descendants. Rarely, does the family sell. And, many times when they do it is to find a larger home in the area, not to move out of the area. Family, and the proximity to family, is more important to many of these people than re-locating.

Therefore, what some might consider “Blight” is actually stability of neighborhoods with residents who like where they live, have no desire to move, and stay in their homes for generations. As a result, and because of their low income and general financial status, they do not keep their homes in first quality condition as some other affluent areas of the city. But, you will find that pride of home ownership is no less in these poor areas than it is in the more affluent areas.

**Population census from 2010**

The U.S. Census Bureau’s census from 2010 reveals many interesting facts that seem to support our conclusion. On the attached Profiles you will see that the population within a one-mile radius of the Tays complex has decreased a slight .75% from 2000-2010. And, the population in a 3-mile radius has decreased .85%. In our opinion this is due to natural attrition. As the younger generation grows older and more educated they may tend to move out of the area. But less than one percent in ten years does not imply “flight”. In our opinion, if more single and multi-family housing units were built in the area this trend would reverse itself, as people would move into, or return, to the area. Even the Census Bureau’s own projection as seen on the attached Executive Summary, predicts the area will grow from now until 2018 by 1.27% annually and has already grown .85% annually since 2010. The median age is lower at 32.9 than the national median age of 37.3 demonstrating that younger people are either staying or continuing to move into this area.

The attached Population Growth Chart shows that the area surrounding Tays was in slight decline from 2000 to 2010, but is now on an upswing and is expected to continue growing.



**Eddie W. Karam**

[eddie@wfkaram.com](mailto:eddie@wfkaram.com)

**Conclusion**

Respectfully, we submit to you and HUD that the area surrounding the Tays complex is stable, beginning to grow again, and still attractive to a large portion of the El Paso population. Rather than be considered as blighted we consider it an opportunity for rehabilitation of older homes and apartments and re-development of properties that have reached the end of their economic life. As more of the younger generation who grew up in that area get older and more educated they will desire to move close to family. Thereby, the Tays location will remain in strong demand for the foreseeable future.

Sincerely,  
W.F.Karam, Inc.

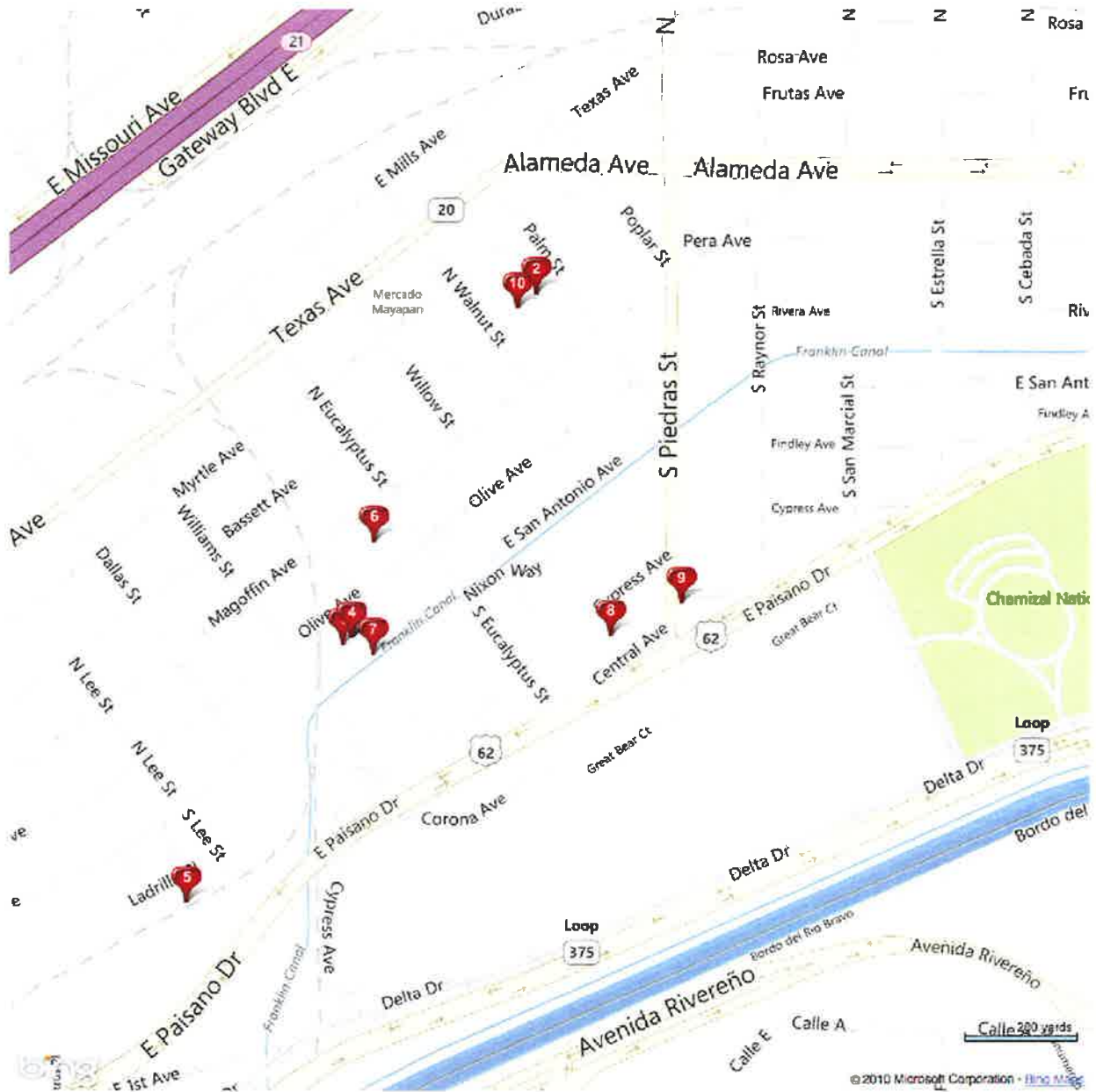
A handwritten signature in blue ink, appearing to read 'E. Karam', is written over a light blue horizontal line.

By: Eddie W. Karam, President



## RES Default Grid

#	ML#	Address	ST	City	St	Area	SqFt	Bd	FB	HB	3QB	List S	LP/SF	Firm#	LOFFC LA ID	DT	PT	VT	Img	List Date
1	375789	1804 OLIVE	S	EL PASO	TX	02	1,701	4	1	0	0	\$23,900	\$14.05	6690	6690 5197	DET	RS	Y	6	05/26/2009
2	229294	2223 BASSETT	S	EL PASO	TX	02	884	3	1	0	1	\$35,000	\$39.59	1164	1164 2683	DET	RS			02/10/2004
3	397522	1812 OLIVE	S	EL PASO	TX	02	700	2	1	0	0	\$36,000	\$51.43	6690	6690 5197	DET	RS	Y	8	10/03/2010
4	396249	1812 OLIVE	S	EL PASO	TX	02	700	2	1	0	0	\$39,900	\$57.00	6690	6690 5197	DET	RS	Y	1	09/08/2010
5	305914	1612 LADRILLO	S	EL PASO	TX	02	1,380	3	1	2	0	\$45,000	\$32.61	70	70 3797	DET	RS		5	12/31/2004
6	534864	1916 MAGOFFIN	S	EL PASO	TX	02	1,260	3	1	0	1	\$48,000	\$38.10	870	870 3093	DET	RS	Y	1	04/16/2013
7	549590	1831 SAN ANTONIO A	S	EL PASO	TX	02	2,046	3	1	0	0	\$48,000	\$23.46	1654	1654 4864	DET	RS	Y	11	02/04/2014
8	324171	2108 CYPRESS	S	EL PASO	TX	02	1,136	1	1	0	0	\$57,000	\$50.18	1800	1800_1 2961	DET	RS		1	05/19/2006
9	360761	2901 CENTRAL	S	EL PASO	TX	02	742	2	0	0	1	\$59,900	\$80.73	222	222 222	DET	RS		6	06/20/2008
10	375079	2211 BASSETT AVE	S	EL PASO	TX	02	1,008	3	1	0	0	\$95,000	\$94.25	1132	1132 3322	DET	RS	N	4	05/12/2009



RES 375789 S

1804 OLIVE, El Paso TX 79901

LP \$ 23,900

SP: \$23,000

List: Jorge Leon 915-726-7637 (F) 915-779-4658 of Vision Realty 915-594-1012

Firm: 6690 Agt: 5197

Sell: Jorge Leon 915-726-7637 915-779-4658 of Vision Realty 915-594-1012

Firm: 6690 Agt: 5197

Co L-Agt:

Co S-Agt:



Media Viewer

County: EL PASO
Subdivision: BASSETT
Mapsco: 735V
Listing Type: ER
Taxes Apx : \$ 493
Exemptions: HMSTED
School District: EL PASO
Middle School: NONE
Parcel ID: B20299901902600
Builder Name:
Vacant Property: Y

Area / Zone: 02
Unit #:
Property Class: DET
Zoning: R1
Tax Year: 2008
Defects: OWNER NOT AWARE
Elem School: BASSETT
High School: BOWIE
Bk Up Offers Acpt:
Water District: OTHER

Legal Desc: 19 BASSETT 7 & 8

Bedrms: 4 Full Baths: 1 Half Baths: 0 3/4 Baths: 0 MBR: M-Desc:
Maids Rm: N Fireplaces: Year Blt: 1912 2BD: 2-Desc:
Apx SF Main: 1,701 SqFt 2: Measured: Appraiser CAD 3BD: 3-Desc:
Acres: 0.140 Acres Range: 0-0.5 4BD: 4-Desc:
5BD: 5-Desc:

Construtn Phase: Completion:
Detached Property Type: RESALE LP/SqFt: \$ 14.051 House N Laundry Rm: None
Attached Property Type: OTHER Units: 1 Location: Stories/Prop:1 #Sty/Bldg:
Manufactured Prop Width: Length: Model: P-Fdtn:
Int Features: Other See Remarks

Ext Features: Back Yard Access

Appliances: Range Hood
Spec'l Notes: None
Lighting:
Kitchen Counter Tops
Kitchen Sinks:

Kitchen Counter Tops

Bath Vanities
Cabinets:

Style: 1 Story
Roof: Flat
Heating: Gas
Cooling: None
Pool: No
Garage: Sgl Car Port

Land Use: Subdivided
Construction: Adobe
Water/Sewer: City Water
Landscape: None
Flooring: Carpet, Vinyl
Lot Desc: Standard Lot
Lot Size: 0

Windows/Treatmnts: No Treatments
Showing Instru: Appt with LA

Financing Considered Cash, Conventional

HOA Covers: None
HOA Y/N: N HOA Dues/Mo: HOA Required: Rented Y/N: Rent/Mo:
HOA Name: HOA Ph: Tenant Stays:

Public Remarks: CENTRAL LOCATION GREAT INVESTMENT OPPORTUNITY SITUATED IN TWO LOTS. PLEASE VERIFY ALL INFORMATION. RENTAL OPPORTUNITY, SOLD ` AS IS ` .DON`T MISS THIS OPPORTUNITY. PRICED TO SELL FAST!!!

Internet OK: N Internet Addr: N IDX Broker Recip: Y VOW AVM Y/N: N VOW Comnts: N

Seller Name: EMMA & JESUS LOPEZ

Tenant Name:

Seller Phone: 915-726-7637

Seller Ph 2:

Tenant Phone:

Confidential Remarks: House is not liveable. Vacant on lock box. Please make sure to properly secure the house.

Byr Broker Fee: 3 Sub Agent Flat Fee: Var Rate Comm N Cancelled Date :
List Date: 05/26/09 Seller Assist Offered: N Lkbox: N Wthdr/Off Mkt Date:
Expiration Date : 11/30/09 HER Index: 0 Active w. Ctngcy: Pend/Contrct Date: 08/19/09
DOM/CDOM: 85 / 92 Sold Price / \$13.52 Option: Begin Date:
Sold/Lsd Price: \$ 23,000 Terms Of Sale: CASH Flat Fee: End Date:
Loan Term #: Cash Down: Projected Cls Date:
Appraiser SqFt: Concession YN: Concessn: Sold/Leased Date: 08/26/09
Orig List Price: \$30,000 Loan Ofcr Email:
Title Company: SIERRA TITLE Title Officer: KRISTEN
Title Co. Address: MESA & SHADOW MOUNTAIN Title Co. Ph: 915-584-9451

RES 229294 S

2223 BASSETT, El Paso TX 79901

LP \$ 35,000

SP: \$35,000

List: TODD HOUTKOOPER 915-630-7557 of eRealty Network 915-592-6900

Firm: 1164 Agt: 2683

Sell: TODD HOUTKOOPER 915-630-7557 of 1st Choice Real Estate 915-629-7355

Firm: 954 Agt: 2683

Co L-Agt:

Co S-Agt:

No Photo Available	<b>County:</b>	EL PASO	<b>Area / Zone:</b>	02
	<b>Subdivision:</b>	BASSETT	<b>Unit #:</b>	
	<b>Mapsco:</b>	733r	<b>Property Class:</b>	DET
	<b>Listing Type:</b>	ER	<b>Zoning:</b>	R1
	<b>Taxes Apx :</b>	\$ 74	<b>Tax Year:</b>	3
	<b>Exemptions:</b>	HMSTED	<b>Defects:</b>	OWNER NOT AWARE
	<b>School District:</b>	EL PASO	<b>Elem School:</b>	BEALL
	<b>Middle School:</b>	GUILLEN	<b>High School:</b>	BOWIE
	<b>Parcel ID:</b>	B20299903909100	<b>Bk Up Offers Acpt:</b>	
	<b>Builder Name:</b>	unknown	<b>Water District:</b>	NONE
<b>Vacant Property:</b>				

Media Viewer

Legal Desc: 39 BASSETT LOT 28 (3000 SQ FT)

<b>Bedrms:</b> 3	<b>Full Baths:</b> 1	<b>Half Baths:</b> 0	<b>3/4 Baths:</b> 1	<b>MBR:</b>	<b>M-Desc:</b>
<b>Maids Rm:</b> N	<b>Fireplaces:</b>	<b>Year Blt:</b> 1949		<b>2BD:</b>	<b>2-Desc:</b>
<b>Apx SF Main:</b> 884	<b>SqFt 2:</b>	<b>Measured:</b> Other		<b>3BD:</b>	<b>3-Desc:</b>
<b>Acres:</b> 0.000	<b>Acres Range:</b> 0-0.5			<b>4BD:</b>	<b>4-Desc:</b>
				<b>5BD:</b>	<b>5-Desc:</b>

<b>Construtn Phase:</b>	<b>Completion:</b>	<b>House</b>	<b>Laundry Rm:</b> None
<b>Detached Propert</b> Type: RESALE	<b>LP/SqFt:</b> \$ 39.593	<b>Stories/Prop:</b>	<b>#Sty/Bldg:</b>
<b>Attached Propert</b> Type:	<b>Units:</b> Location:	<b>Model:</b>	<b>P-Fdtn:</b>
<b>Manufactured Prop</b> Width:	<b>Length:</b>		
<b>Int Features:</b> Ceiling Fan(s), Live In Room			

Ext Features: Security Wrought Iron

Appliances: Dryer HU, Freestanding Gas Range, Range Hood, Washer HU

Spec'l Notes: Environmental Hazards

<b>Lighting:</b>	<b>Kitchen Counter Tops</b>	<b>Bath Vanities</b>
<b>Kitchen Sinks:</b>		<b>Cabinets:</b>

<b>Style:</b> 1 Story	<b>Land Use:</b>
<b>Roof:</b> Flat	<b>Construction:</b> Slump Rock, Stucco
<b>Heating:</b> Radiant	<b>Water/Sewer:</b>
<b>Cooling:</b> 2+ Units, Evaporative	<b>Landscape:</b> None
<b>Pool:</b> No	<b>Flooring:</b> Carpet, Vinyl
<b>Garage:</b> Sgl Detached	<b>Lot Desc:</b> Standard Lot
	<b>Lot Size:</b> 0

Windows/Treatmts:

Showing Instru: Appt with LA

Financing Considered Cash, Conventional

<b>HOA Covers:</b>	<b>HOA Y/N:</b> N	<b>HOA Dues/Mo:</b>	<b>HOA Required:</b>	<b>Rented Y/N:</b> N	<b>Rent/Mo:</b>
<b>HOA Name:</b>		<b>HOA Ph:</b>		<b>Tenant Stays:</b> N	
Public Remarks: FIXER UPPER'S DREAM! TAKE A LOOK AT THIS HOUSE. THE HOUSE CONTAINS ANOTHER ROOM THAT CAN BE RENTED OUT.					

Internet OK: N Internet Addr Y IDX Broker Recip: Y VOW AVM Y/N: Y VOW Comnts: Y

Seller Name: HERRERA JOSE L

Tenant Name:

Seller Phone: CALL LA

Seller Ph 2:

Tenant Phone:

Confidential Remarks: LISTING INFORMATION IS GATHERED FROM SOURCES DEEMED RELIABLE. INFORMATION IS HOWEVER, SUBJECT TO ERRORS, OMISSIONS, AND CHANGES WITHOUT PRIOR NOTICE.

<b>Byr Broker Fee:</b> 3	<b>Sub Agent Flat Fee:</b>	<b>Var Rate Comm</b> N	<b>Cancelled Date :</b>
<b>List Date:</b> 02/10/04	<b>Seller Assist Offered:</b>	<b>Lkbox:</b>	<b>Wthdr/Off Mkt Date:</b>
<b>Expiration Date :</b> 08/31/04	<b>HER Index:</b> 0	<b>Active w. Ctnncy:</b>	<b>Pend/Contrct Date:</b> 02/12/04
<b>DOM/CDOM:</b> 2 / 131	<b>Sold Price /</b> \$39.59	<b>Option:</b>	<b>Begin Date:</b>
<b>Sold/Lsd Price:</b> \$ 35,000	<b>Terms Of Sale:</b> CASH	<b>Flat Fee:</b>	<b>End Date:</b>
<b>Loan Term #:</b>	<b>Cash Down:</b>	<b>Concessn:</b>	<b>Projected Cls Date:</b>
<b>Appraiser SqFt:</b>	<b>Concession YN:</b>		<b>Sold/Leased Date:</b> 06/20/04
<b>Orig List Price:</b> \$35,000	<b>Loan Ofcr Email:</b>		
<b>Title Company:</b> 1ST AMRICAN MWD		<b>Title Officer:</b> Sammie Munoz	
<b>Title Co. Address</b>		<b>Title Co. Ph:</b>	



RES 396249 S

1812 OLIVE, El Paso TX 79901

LP \$ 39,900

SP: \$27,000

List: Jorge Leon 915-726-7637 (F) 915-779-4658 of Vision Realty 915-594-1012

Firm: 6690 Agt: 5197

Sell: Jorge Leon 915-726-7637 915-779-4658 of Vision Realty 915-594-1012

Firm: 6690 Agt: 5197

Co L-Agt:

Co S-Agt:



Media Viewer

County: EL PASO
Subdivision: BASSETT
Mapsco: 735V
Listing Type: ER
Taxes Apx : \$ 200
Exemptions: 65+
School District: EL PASO
Middle School: GUILLEN
Parcel ID: B20299901901600
Builder Name:
Vacant Property: Y

Area / Zone: 02
Unit #:
Property Class: DET
Zoning: A1
Tax Year: 2010
Defects: OWNER NOT AWARE
Elem School: BASSETT
High School: BOWIE
BK Up Offers Acpt:
Water District: OTHER

Legal Desc: 19 Bassett lot 5

Bedrms: 2 Full Baths: 1 Half Baths: 0 3/4 Baths: 0 MBR:
Maids Rm: N Fireplaces:0 Year Blt: 1912 2BD:
Apx SF Main: 700 SqFt 2: Measured: Appraiser CAD 3BD:
Acres: Acres Range: 0-0.5 4BD: 5BD:
M-Desc:
2-Desc:
3-Desc:
4-Desc:
5-Desc:

Construtn Phase:FINISH Completion:
Detached Property Type: RESALE LP/SqFt: \$ 57.0 House N Laundry Rm: None
Attached Property Type: Units: Location: Stories/Prop: #Sty/Bldg:
Manufactured Prop Width: Length: Model: P-Fdtm:
Int Features: Basement

Ext Features: Back Yard Access

Appliances: Refrigerator
Spec Notes: None
Lighting: Kitchen Counter Tops Bath Vanities
Kitchen Sinks: Cabinets:

Style: 1 Story Land Use: Subdivided
Roof: Composition Construction: Adobe
Heating: Central Forced Air, Gas Water/Sewer: City Water
Cooling: Evaporative Landscape: None
Pool: No Flooring: Carpet, Vinyl
Garage: None Lot Desc: Standard Lot
Lot Size: 3,000

Windows/Treatmts: Other See Remarks
Showing Instru: Appt with LA

Financing Considered Cash

HOA Covers: None
HOA Y/N: N HOA Dues/Mo: HOA Required: Rented Y/N: Rent/Mo:
HOA Name: HOA Ph: Tenant Stays:

Public Remarks: Take advantage of this inexpensive home centrally located with easy access to Paisano and Freeway. House needs minor repairs but it is liveable. Call me today for more information.

Internet OK: N Internet Addr Y IDX Broker Recip: Y VOW AVM Y/N: Y VOW Comnts: Y

Seller Name: Mrs. Lopez Tenant Name:
Seller Phone: Seller Ph 2: Tenant Phone:

Confidential Remarks: Please verify all information before taking action. Subject to errors and omissions.

Byr Broker Fee: 3 Sub Agent Flat Fee: Var Rate Comm N Cancelled Date :
List Date: 09/08/10 Seller Assist Offered: N Withdr/Off Mkt Date:
Expiration Date : 03/01/11 HER Index: 0 Active w. Ctnegy: Pend/Contract Date: 09/09/10
DOM/CDOM: 1 / 12 Sold Price / \$38.57 Option: Begin Date:
Sold/Lsd Price: \$ 27,000 Terms Of Sale: CASH Flat Fee: End Date:
Loan Term #: Cash Down: Projected CIs Date:
Appraiser SqFt: Concession YN: Concessn: Sold/Leased Date: 09/20/10
Orig List Price: \$35,000 Loan Ofcr Email:
Title Company: Sierra Title Title Officer: Kristen
Title Co. Address Mesa and Shadow Mountain Title Co. Ph:

RES 397522 S

1812 OLIVE, El Paso TX 79901

SP: \$34,000

List: Jorge Leon 915-726-7637 (F) 915-779-4658 of Vision Realty 915-594-1012

Firm: 6690 Agt: 5197

Sell: Jorge Leon 915-726-7637 915-779-4658 of Vision Realty 915-594-1012

Firm: 6690 Agt: 5197

Co L-Agt:

Co S-Agt:



Media Viewer

County: EL PASO  
 Subdivision: BASSETT  
 Mapsco: 735V  
 Listing Type: ER  
 Taxes Apx : \$ 250  
 Exemptions: UNKNWN  
 School District: EL PASO  
 Middle School: BASSETT  
 Parcel ID: B20299901901600  
 Builder Name:  
 Vacant Property: Y

Area / Zone: 02  
 Unit #:  
 Property Class: DET  
 Zoning: A1  
 Tax Year: 2009  
 Defects: OWNER NOT AWARE  
 Elem School: BASSETT  
 High School: BOWIE  
 Bk Up Offers Acpt:  
 Water District: OTHER

Legal Desc: 19 Bassett Lot 5

Bedrms: 2 Full Baths: 1 Half Baths: 0 3/4 Baths: 0 MBR: M-Desc:  
 Maids Rm: N Fireplaces: Year Blt: 1912 2BD: 2-Desc:  
 Apx SF Main: 700 SqFt 2: Measured: Appraiser CAD 3BD: 3-Desc:  
 Acres: Acres Range: 0-0.5 4BD: 4-Desc:  
 5BD: 5-Desc:

Construtn Phase: Completion:  
 Detached Property Type: RESALE LP/SqFt: \$ 51.429 House Laundry Rm: None  
 Attached Property Type: Units: Location: Stories/Prop: #Sty/Bldg:  
 Manufactured Prop Width: Length: Model: P-Fdtn:  
 Int Features: Basement, Breakfast Area

Ext Features: Back Yard Access

Appliances: Refrigerator, Cooktop-Gas

Spec Notes: None

Lighting:

Kitchen Counter Tops

Bath Vanities  
 Cabinets:

Style: 1 Story Land Use: Subdivided  
 Roof: Composition Construction: Adobe  
 Heating: Other See Remarks Water/Sewer: City Water  
 Cooling: Evaporative Landscape: None  
 Pool: No Flooring: Carpet  
 Garage: None Lot Desc: Other See Remarks  
 Lot Size: 0

Windows/Treatmts: Security Bars  
 Showing Instru: Appt with Owner

Financing Considered Cash

HOA Covers: None  
 HOA Y/N: N HOA Dues/Mo: HOA Required: Rented Y/N: Y Rent/Mo: 500  
 HOA Name: HOA Ph: Tenant Stays: Y

Public Remarks: Great Opportunity for your client to buy this property in Central El Paso. It features 2 bedrooms, basement, living room, breakfast area kitchen. Refrigerator and new stove purchased Oct 22, 2010. House is currently being rented on a month to month basis for \$ 500.

Internet OK: N Internet Addr Y IDX Broker Recip: Y VOW AVM Y/N: Y VOW Comnts: Y

Seller Name: Rivera

Tenant Name: Luis Retana

Seller Phone:

Seller Ph 2:

Tenant Phone: 915-867-5570

Confidential Remarks: Great return on investment on this property. Low taxes, good rent and great price!

Byr Broker Fee: 3.0 Sub Agent Flat Fee:  
 List Date: 10/03/10 Seller Assist Offered:  
 Expiration Date : 03/31/11 HER Index: 0  
 DOM/CDOM: 63 / 73 Sold Price / \$48.57  
 Sold/Lsd Price: \$ 34,000 Terms Of Sale: CASH  
 Loan Term #: Cash Down:  
 Appraiser SqFt: Concession YN:  
 Orig List Price: \$39,950 Loan Ofcr Email:  
 Title Company: Sierra Title  
 Title Co. Address: Mesa & Shadow Mountain

Var Rate Comm N Canceled Date :  
 Lkbox: Y Wthdr/Off Mkt Date:  
 Active w. Ctngcy: Pend/Contrct Date: 12/05/10  
 Option: Begin Date:  
 Flat Fee: End Date:  
 Concessn: Projected Cls Date:  
 Sold/Leased Date: 12/15/10

Title Officer: Kristen  
 Title Co. Ph:

RES 305914 S

1612 LADRILLO, El Paso TX 79901

LP \$ 45,000

SP: \$40,000

List: Cynthia Trujillo 915-276-4246 of Century 21 APD & Associates 915-779-5611

Firm: 70 Agt: 3797

Sell: Paul Barraza 915-691-9580 915-858-8888 of Rio Grande Real Estate 915-691-9580

Firm:731\_1 Agt: 2443

Co L-Agt:

Co S-Agt:



Media Viewer

County: EL PASO
Subdivision: HEAFIELD AND HUDP
Mapsco: 735v
Listing Type: ER
Taxes Apx : \$ 717
Exemptions: UNKNWN
School District: EL PASO
Middle School: GUILLEN
Parcel ID: H21199900404100
Builder Name:
Vacant Property:

Area / Zone: 02
Unit #:
Property Class: DET
Zoning: M1
Tax Year: 2004
Defects: OWNER NOT AWARE
Elem School: HART
High School: BOWIE
Bk Up Offers Acpt:
Water District: OTHER

Legal Desc: LOT 10 BLOCK 4 HEAFIELD AND HUDSPETH

Bedrms: 3 Full Baths: 1 Half Baths: 2 3/4 Baths: 0 MBR: M-Desc:
Maids Rm: N Fireplaces: Year Blt: 1964 2BD: 2-Desc:
Apx SF Main: 1,380 SqFt 2: Measured: Appraiser CAD 3BD: 3-Desc:
Acres: 0.060 Acres Range: 0-0.5 4BD: 4-Desc:
5BD: 5-Desc:

Construtn Phase: Completion:
Detached Property Type: RESALE LP/SqFt: \$ 32,609 House Laundry Rm: Common
Attached Property Type: Units: Location: Stories/Prop: #Sty/Bldg:
Manufactured Prop Width: Length: Model: P-Fdtn:
Int Features: Breakfast Area

Ext Features: Patio open

Appliances: Dryer HU, Washer HU

Spec'l Notes: None

Lighting:

Kitchen Sinks:

Kitchen Counter Tops

Bath Vanities
Cabinets:

Style: 1 Story
Roof: Composition
Heating: Gas
Cooling: Evaporative
Pool: No
Garage: Other See Remarks

Land Use: Other See Remarks
Construction: Block
Water/Sewer: City Water
Landscape: Other See Remarks
Flooring: Concrete, Vinyl
Lot Desc: Standard Lot
Lot Size: 0

Windows/Treatmts: Other See Remarks

Showing Instru: Vacant on Lockbox

Financing Considered Cash, Owner

HOA Covers: None

HOA Y/N: N

HOA Dues/Mo:

HOA Required:

Rented Y/N: N

Rent/Mo:

HOA Name:

HOA Ph:

Tenant Stays: N

Public Remarks: MOTHER IN LAW QUARTERS, FIXER UPPER, VERY SPACIOUS. SOLD AS IS. OWNER WILLING TO OWNER-FINANCE WITH 5 DOWN. OWNER LOOKING AT ALL OFFERS.

Internet OK: N

Internet Addr Y

IDX Broker Recip: Y

VOW AVM Y/N: Y

VOW Comnts: Y

Seller Name: RAMON AND RAFAELA ORTIZ

Tenant Name:

Seller Phone:

Seller Ph 2:

Tenant Phone:

Confidential Remarks: VACANT ON LOCKBOX. PLEASE ENTER THROUGH PATIO DOOR, DOORS IN BACK OF HOUSE ARE OPEN, MOTHER IN LAW QUARTER IS ALSO OPEN, PUSH IN. BRING OFFERS!!!

Byr Broker Fee: 3
List Date: 12/31/04
Expiration Date : 07/30/05
DOM/CDOM: 147 / 181
Sold/Lsd Price: \$ 40,000
Loan Term #:
Appraiser SqFt:
Orig List Price: \$45,000
Title Company: STEWART
Title Co. Address

Sub Agent Flat Fee:
Seller Assist Offered:
HER Index: 0
Sold Price / \$28.99
Terms Of Sale: CONVENTIONAL
Cash Down:
Concession YN:
Loan Ofcr Email:

Var Rate Comm N
Lkbox:
Active w. Ctngcy:
Option:
Flat Fee:
Concessn:

Cancelled Date :
Wthdr/Off Mkt Date:
Pend/Contract Date: 05/27/05
Begin Date:
End Date:
Projected Cls Date:
Sold/Leased Date: 06/30/05

Title Officer: -
Title Co. Ph:

RES 534864 S

1916 MAGOFFIN, El Paso TX 79901

LP \$ 48,000

SP: \$44,000

List: Geraldine Parra 915-588-3802 (F) 915-834-4054 of Coldwell Banker De Wetter Hovi 915-834-4000

Firm: 870 Agt: 3093

Sell: Anna Cosgrove 915-875-4701 915-877-3739 of KB Realty 915-857-6800

Firm: 2740 Agt: 4104

Co L-Agt:

Co S-Agt:



County: EL PASO  
 Subdivision: BASSETT  
 Mapsco:  
 Listing Type: ER  
 Taxes Apx : \$ 2,354  
 Exemptions: UNKNWN  
 School District: EL PASO  
 Middle School: GUILLEN  
 Parcel ID: B20299902900600  
 Builder Name:  
 Vacant Property: Y

Area / Zone: 02  
 Unit #:  
 Property Class: DET  
 Zoning: M1  
 Tax Year: 2013  
 Defects: OWNER NOT AWARE  
 Elem School: DOUGLASS  
 High School: BOWIE  
 Bk Up Offers Acpt:  
 Water District:

Media Viewer

Legal Desc: 29 Bassett 6 & E 1/2 of 7 & 29 Bassett 8 & W 1/2

Bedrms: 3 Full Baths: 1 Half Baths: 0 3/4 Baths: 1 MBR: M-Desc:  
 Maids Rm: N Fireplaces: Year Blt: 1912 2BD: 2-Desc:  
 Apx SF Main: 1,260 SqFt 2: 805 Measured: Appraiser CAD 3BD: 3-Desc:  
 Acres: 0.103 Acres Range: 0-0.5 4BD: 4-Desc:  
 5BD: 5-Desc:

Construtn Phase: Completion:  
 Detached Propert Type: RESALE LP/SqFt: \$ 38,095 House Laundry Rm: Util Room  
 Attached Propert Type: Units: Location: Stories/Prop: #Sty/Bldg:  
 Manufactured Prop Width: Length: Model: P-Fdtn:  
 Int Features: Breakfast Area

Ext Features: Back Yard Access

Appliances: Freestanding Gas Range

Specil Notes: Fixer Upper

Lighting: Kitchen Counter Tops  
 Kitchen Sinks: Bath Vanities  
 Cabinets:

Style: 1 Story Land Use: Subdivided  
 Roof: Composition, Pitched Construction: Brick, Stucco  
 Heating: Wall Unit Water/Sewer: City Water, Sewer-City  
 Cooling: Other See Remarks Landscape: None  
 Pool: No Flooring: Hardwood, Vinyl  
 Garage: None Lot Desc: Standard Lot  
 Lot Size: 4,500

Windows/Treatmtns: Wood, No Treatments

Showing Instru: Appt with LA

Financing Considered: Cash

HOA Covers: None  
 HOA Y/N: N HOA Dues/Mo: HOA Required: Rented Y/N: Rent/Mo:  
 HOA Name: HOA Ph: Tenant Stays:

Public Remarks: Great opportunity in this large double lot. Main home has 1260 sq ft; back home has 805 sq ft. Seller does not know if back home is structurally sound. Neighboring properties are zoned commercial. Great priced "AS IS" and potential to transform for several different uses. This is an estate, so seller does not know the condition of the home.

Internet OK: Y Internet Addr: Y IDX Broker Recip: Y VOW AVM Y/N: Y VOW Comnts: Y

Seller Name: Call Listing Agent

Tenant Name:

Seller Phone:

Seller Ph 2:

Tenant Phone:

Confidential Remarks: This is 1916 & 1918 Magoffin. Probably won't be approved for financing; cash or hard money loan. Sq. ft. and taxes are combined for both homes and lots.

Byr Broker Fee: 3 Sub Agent Flat Fee: Var Rate Comm: N Cancelled Date:  
 List Date: 04/16/13 Seller Assist Offered: Lkbox: Wthdr/Off Mkt Date:  
 Expiration Date: 10/16/13 HER Index: Active w. Ctnqcy: Pend/Contrct Date: 04/29/13  
 DOM/CDOM: 13 / 37 Sold Price / \$34.92 Option: Begin Date:  
 Sold/Lsd Price: \$ 44,000 Terms Of Sale: OTHER Flat Fee: End Date:  
 Loan Term #: Cash Down: Concessn: Projected Cls Date:  
 Appraiser SqFt: Concession YN: N Sold/Leased Date: 05/23/13  
 Orig List Price: \$48,000 Loan Ofcr Email:  
 Title Company: El Paso Title Title Officer: Suzi Phillips  
 Title Co. Address: 1201 N. Mesa Title Co. Ph:



↓ LP \$ 48,000

RES 549590 S

1831 SAN ANTONIO AVE, El Paso TX 79901

SP: \$40,000

List: Yolanda Moran 915-760-3962 (F) 915-599-0099 of El Paso Real Estate Consultant 915-474-0041

Firm: 1654 Agt: 4864

Sell: Andy Truett 915-500-9105 915-307-5218 of Keller Williams Realty 915-603-5293

Firm: 411 Agt: 4322

Co L-Agt:

Co S-Agt:



Media Viewer

County: EL PASO  
 Subdivision: BASSETT  
 Mapsco:  
 Listing Type: ER  
 Taxes Apx : \$ 280  
 Exemptions: 65+,HMSTED  
 School District: EL PASO  
 Middle School: DOUGLAS  
 Parcel ID: B20299901909100  
 Builder Name:  
 Vacant Property: Y

Area / Zone: 02  
 Unit #:  
 Property Class: DET  
 Zoning: M1  
 Tax Year: 2013  
 Defects: OWNER NOT AWARE  
 Elem School: BEALL  
 High School: BOWIE  
 Bk Up Offers Acpt:  
 Water District:

Legal Desc: 19 BASSETT 29 & 30 (6000 SQ FT)

Bedrms: 3 Full Baths: 1 Half Baths: 0 3/4 Baths: 0 MBR: M-Desc:  
 Maids Rm: N Fireplaces: Year Blt: 1912 2BD: 2-Desc:  
 Apx SF Main: 2,046 SqFt 2: Measured: Appraiser CAD 3BD: 3-Desc:  
 Acres: 0.138 Acres Range: 0-0.5 4BD: 4-Desc:  
 5BD: 5-Desc:

Construtn Phase: Completion:  
 Detached Property Type: RESALE LP/SqFt: \$ 23.46 House N Laundry Rm: None  
 Attached Property Type: Units: 1 Location: Stories/Prop: #Sty/Bldg:  
 Manufactured Prop Width: Length: Model: P-Fdtn:  
 Int Features: 2+ Living Areas, Den, Country Kitchen

Ext Features: Workshop, Fenced All

Appliances: Other See Remarks

Spec Notes: Fixer Upper

Lighting:

Kitchen Counter Tops

Bath Vanities  
 Cabinets:

Kitchen Sinks:

Style: 1 Story  
 Roof: Flat  
 Heating: Wall Unit  
 Cooling: Evaporative  
 Pool: No  
 Garage: None

Land Use: Subdivided  
 Construction: Stucco  
 Water/Sewer: Sewer-City  
 Landscape: Lawn Grass  
 Flooring: Tile, Laminate  
 Lot Desc: Standard Lot  
 Lot Size: 6,000

Windows/Treatmts: Blinds  
 Showing Instru: Lockbox Call First

Financing Considered Cash, Conventional

HOA Covers:

HOA Y/N: N HOA Dues/Mo: HOA Required: Rented Y/N: Rent/Mo:  
 HOA Name: HOA Ph: Tenant Stays:

Public Remarks: Great investment Rental property, gated for security, pecan trees, Fixer upper, Near downtown, 3 bedrooms Living room, Den, 1 bath, Fixer upper

Internet OK: Y Internet Addr Y IDX Broker Recip: Y VOW AVM Y/N: Y VOW Comnts: Y

Seller Name: BELLEZA GERVACIO

Tenant Name:

Seller Phone:

Seller Ph 2:

Tenant Phone:

Confidential Remarks: Vacant on Lock box -( code 0118) There is a man living in back room but house is vacant on Lockbox. Driving instructions: S. Cotton, turn left on Texas, Right on Williams, Left on Olive and Right on Laurel, it is in alley road [ymoran2005@yahoo.com](mailto:ymoran2005@yahoo.com)

Byr Broker Fee: 3 Sub Agent Flat Fee: Var Rate Comm Y Canceled Date :  
 List Date: 02/04/14 Seller Assist Offered: Lkbox: Wthdr/Off Mkt Date:  
 Expiration Date : 10/31/14 HER Index: Active w. Ctngcy: Pend/Contract Date: 04/07/14  
 DOM/CDOM: 62 / 69 Sold Price / \$19.55 Option: Begin Date:  
 Sold/Lsd Price: \$ 40,000 Terms Of Sale: CASH Flat Fee: End Date:  
 Loan Term #: Cash Down: Concessn: Projected Cls Date:  
 Appraiser SqFt: Concession YN: N Sold/Leased Date: 04/14/14  
 Orig List Price: \$54,000 Loan Ofcr Email:  
 Title Company: Sierra Title Company Title Officer: Kristen Gonnell  
 Title Co. Address 120 Shadow Mountain Title Co. Ph:

LP \$ 57,000

RES 324171 S

2108 CYPRESS, El Paso TX 79905

SP: \$59,360

List: Joaquin Santoyo 915-630-7600 (F) 915-603-3057 of N thuz 4 real estate 915-440-0532

Firm: 1800\_1 Agt: 2961

Sell: Eva Antillon 915-740-1073 915-581-8497 of Prudential BKB, REALTORS 915-581-5316

Firm: 5880 Agt: 1650

Co L-Agt:

Co S-Agt:



Media Viewer

County: EL PASO
Subdivision: BASSETT
Mapsco: 736N
Listing Type: ER
Taxes Apx : \$ 900
Exemptions: UNKNWN
School District: EL PASO
Middle School: DOUGLAS
Parcel ID: B202999000B3400
Builder Name:
Vacant Property:

Area / Zone: 02
Unit #:
Property Class: DET
Zoning: A3
Tax Year: 2005
Defects: OWNER AWARE
Elem School: BEALL
High School: BOWIE
Bk Up Offers Acpt:
Water District: NONE

Legal Desc: B Bassett LOT 22 (2750SQ FT)

Bedrms: 1 Full Baths: 1 Half Baths: 0 3/4 Baths: 0 MBR: M-Desc:
Maids Rm: N Fireplaces: Year Blt: 1912 2BD: 2-Desc:
Apx SF Main: 1,136 SqFt 2: Measured: Appraiser CAD 3BD: 3-Desc:
Acres: Acres Range: 0-0.5 4BD: 4-Desc:
5BD: 5-Desc:

Construtn Phase: Completion:
Detached Propert Type: RESALE LP/SqFt: \$ 50,176 House Laundry Rm: Util Room
Attached Propert Type: Units: Location: Stories/Prop: #Sty/Bldg:
Manufactured Prop Width: Length: Model: P-Fdtn:
Int Features: Breakfast Area, Dining Rm

Ext Features: Back Yard Access, Fenced Backyard

Appliances: Dryer HU, Washer HU
Spec'l Notes: None, Owner Agent
Lighting: Kitchen Counter Tops
Kitchen Sinks: Bath Vanities Cabinets:

Style: 1 Story Land Use: Other See Remarks
Roof: Pitched Construction: Adobe-Part
Heating: Central Forced Air Water/Sewer: City Water
Cooling: Evaporative Landscape: None
Pool: No Flooring: Hardwood, Terrazzo Ceramic
Garage: None, Other See Remarks Lot Desc: Standard Lot
Lot Size: 2,750

Windows/Treatmts: No Treatments
Showing Instru: Vacant on Lockbox

Financing Considered Cash, Conventional

HOA Covers: None
HOA Y/N: N HOA Dues/Mo: HOA Required: Rented Y/N: N Rent/Mo:
HOA Name: HOA Ph: Tenant Stays: N

Public Remarks: Beautifull samal house totally remodeled shows very good ,conviniently located, priced to sell!!!

Internet OK: N Internet Addr Y IDX Broker Recip: Y VOW AVM Y/N: Y VOW Comnts: Y

Seller Name: Tenant Name:

Seller Phone: Seller Ph 2: Tenant Phone:

Confidential Remarks: -None of the furniture conveys with the property,(washer, dryer, refrigerator etc...) seller will pick up as soon as needed

Byr Broker Fee: 2.5 Sub Agent Flat Fee: Var Rate Comm N Cancelled Date :
List Date: 05/19/06 Seller Assist Offered: Lkbox: Withdr/Off Mkt Date:
Expiration Date : 05/19/07 HER Index: 0 Active w. Ctnqcy: Pend/Conctrct Date: 10/23/06
DOM/CDOM: 157 / 157 Sold Price / \$52,25 Option: Begin Date:
Sold/Lsd Price: \$ 59,360 Terms Of Sale: CONVENTIONAL Flat Fee: End Date:
Loan Term #: Cash Down: Concessn: Projected Cls Date:
Appraiser SqFt: Concession YN: Y Loan Ofcr Email: Sold/Leased Date: 10/23/06
Orig List Price: \$57,000 Title Officer: Irma white
Title Company: Del Norte Title Title Co. Ph:
Title Co. Address

RES 360761 S

2901 CENTRAL, El Paso TX 79905

LP \$ 59,900

SP: \$54,000

List: Dona Stout 915-276-4116 (F) 915-584-2219 of RE/MAX Homes Plus, Inc. 915-584-2200

Firm: 222 Agt: 222

Sell: Dona Stout 915-276-4116 915-584-2219 of RE/MAX Homes Plus, Inc. 915-584-2200

Firm: 222 Agt: 222

Co L-Agt:

Co S-Agt:



Media Viewer

County: EL PASO  
 Subdivision: GARDEN  
 Mapsco: 736q  
 Listing Type: ER  
 Taxes Apx : \$ 119  
 Exemptions: 65+  
 School District: EL PASO  
 Middle School: GUILLEN  
 Parcel ID: G12699900301100  
 Builder Name:  
 Vacant Property:

Area / Zone: 02  
 Unit #:  
 Property Class: DET  
 Zoning: A1  
 Tax Year: 2008  
 Defects: OWNER NOT AWARE  
 Elem School: BEALL  
 High School: BOWIE  
 Bk Up Offers Acpt:  
 Water District: NONE

Legal Desc: P-2 Garden S 62 ft of 1&2

Bedrms: 2 Full Baths: 0 Half Baths: 0 3/4 Baths: 1 MBR: M-Desc:  
 Maids Rm: N Fireplaces: Year Blt: 1940 2BD: 2-Desc:  
 Apx SF Main: 742 SqFt 2: Measured: Appraiser CAD 3BD: 3-Desc:  
 Acres: 0.070 Acres Range: 0-0.5 4BD: 4-Desc:  
 5BD: 5-Desc:

Construtn Phase: Completion:  
 Detached Property Type: RESALE LP/SqFt: \$ 80.728 House S Laundry Rm: Room  
 Attached Property Type: Units: Location: Stories/Prop: #Sty/Bldg:  
 Manufactured Prop Width: Length: Model: P-Fdtn:  
 Int Features: Handicap Access, Smoke Alarm(s)

Ext Features: Fenced All, Security Wrought Iron

Appliances: Dryer HU, Freestanding Gas Range, Range Hood, Washer HU

Spec Notes: None

Lighting:

Kitchen Counter Tops

Bath Vanities  
 Cabinets:

Kitchen Sinks:

Style: 1 Story Land Use: Subdivided  
 Roof: Shingle Construction: Stucco  
 Heating: Wall Unit Water/Sewer: City Water  
 Cooling: Evaporative Landscape: None  
 Pool: No Flooring: Carpet, Vinyl  
 Garage: Car Pad Lot Desc: Corner  
 Lot Size: 0

Windows/Treatmts: Blinds

Showing Instru: Vacant on Lockbox

Financing Considered: Cash, Conventional, FHA, Tx Veteran, VA

HOA Covers: None

HOA Y/N: N

HOA Dues/Mo:

HOA Required:

Rented Y/N:

Rent/Mo:

HOA Name:

HOA Ph:

Tenant Stays:

Public Remarks: This home has great potential for commercial or residential purposes. Don't let this one get away.

Internet OK: Y Internet Addr Y IDX Broker Recip: Y VOW AVM Y/N: Y VOW Comnts: Y

Seller Name: Alicia Aldana and Inez Martinez

Tenant Name:

Seller Phone: 915-598-8887

Seller Ph 2:

Tenant Phone:

Byr Broker Fee: 3

Sub Agent Flat Fee:

Var Rate Comm N

Cancelled Date :

List Date: 06/20/08

Seller Assist Offered:

Lkbox:

Wthdr/Off Mkt Date:

Expiration Date : 12/20/08

HER Index: 0

Active w. Ctngcy:

Pend/Contract Date: 08/11/08

DOM/CDOM: 52 / 97

Sold Price / \$72.78

Option:

Begin Date:

Sold/Lsd Price: \$ 54,000

Terms Of Sale: CONVENTIONAL

Flat Fee:

End Date:

Loan Term #:

Cash Down:

Concessn:

Projected Cls Date:

Appraiser SqFt:

Concession YN:

Sold/Leased Date: 09/25/08

Orig List Price: \$59,900

Loan Ofcr Email:

Title Officer: Claudia Hampton

Title Company: Sierra Title

Title Co. Ph: 915-584-9451

Title Co. Address 120 Shadow Mountain

RES 375079 S

2211 BASSETT AVE, El Paso TX 79901

LP \$ 95,000

SP: \$80,000

List: Monica Paz 915-549-7639 of Barraza Realty 915-774-4222

Firm: 1132 Agt: 3322

Sell: Guy Da Prato 915-731-1118 of GDP Realty 915-731-1118

Firm: 1499 Agt: 2373

Co L-Agt:

Co S-Agt:



Media Viewer

County: EL PASO  
 Subdivision: BASSETT  
 Mapsco: 0  
 Listing Type: ER  
 Taxes Apx :  
 Exemptions: HMSTED  
 School District: EL PASO  
 Middle School: GUILLEN  
 Parcel ID: B20299903906100  
 Builder Name:  
 Vacant Property: N

Area / Zone: 02  
 Unit #:  
 Property Class: DET  
 Zoning: C4  
 Tax Year: 2009  
 Defects: OWNER NOT AWARE  
 Elem School: BEALL  
 High School: BOWIE  
 Bk Up Offers Acpt:  
 Water District: OTHER

Legal Desc: 33 BASSETT LOT 22 AND 23

Bedrms: 3 Full Baths: 1 Half Baths: 0 3/4 Baths: 0 MBR: M-Desc:  
 Maids Rm: N Fireplaces:1 Year Blt: 1912 2BD: 2-Desc:  
 Apx SF Main: 1,008 SqFt 2: Measured: Appraiser CAD 3BD: 3-Desc:  
 Acres: Acres Range: 0-0.5 4BD: 4-Desc:  
 5BD: 5-Desc:

Construtn Phase: Completion:  
 Detached Property Type: RESALE LP/SqFt: \$ 94,246 House Laundry Rm: Kitchen  
 Attached Property Type: Units: Location: Stories/Prop: #Sty/Bldg:  
 Manufactured Prop Width: Length: Model: P-Fdtn:  
 Int Features: Basement, Live In Room

Ext Features: Back Yard Access

Appliances: Freestanding Gas Range, Washer HU

Spec Notes: None

Lighting:

Kitchen Counter Tops

Bath Vanities  
Cabinets:

Kitchen Sinks:

Style: 1 Story  
 Roof: Shingle  
 Heating: Gas  
 Cooling: Evaporative  
 Pool: No  
 Garage: None

Land Use: Subdivided  
 Construction: Stucco  
 Water/Sewer: City Water  
 Landscape: Front  
 Flooring: Terrazzo Ceramic  
 Lot Desc: Other See Remarks  
 Lot Size: 0

Windows/Treatmts: Bars WO Release

Showing Instru: Appt with LA, Lockbox Call First, Other See Remarks

Financing Considered: Cash, Conventional

HOA Covers: None

HOA Y/N: N

HOA Dues/Mo:

HOA Required: N

Rented Y/N: N

Rent/Mo:

HOA Name:

HOA Ph:

Tenant Stays: N

Public Remarks: NICE HOUSE SITTING IN COMMERCIAL PROPERTY ZONE C-4 ... WITH ADDITIONAL LOT.... CLOSE TO DOWN-TOWN VERY CENTRALLY LOCATED. 1 STORY 3BD, 1BATHROOM LIVING ROOM, DINING, FIREPLACE AND BASEMENT. IF YOU WANT TO START A BUSINESS HERE IT IS DON'T LOOK NO MORE.....

Internet OK: Y Internet Addr Y IDX Broker Recip: Y VOW AVM Y/N: N VOW Comnts: N

Seller Name: GUADALUPE R AGUILAR

Tenant Name:

Seller Phone: 915-544-2640

Seller Ph 2:

Tenant Phone:

Confidential Remarks: OWNER IS AN ELDERLY PERSON MOST OF THE TIME AT HOME PLEASE CALL HER IF SHE DOESN'T ANSWER KNOCK DOOR THEN USE LOCK BOX.

Byr Broker Fee: 2.5

Sub Agent Flat Fee:

Var Rate Comm N

Cancelled Date :

List Date: 05/12/09

Seller Assist Offered: N

Lkbox: Y

Withdr/Off Mkt Date:

Expiration Date : 05/11/10

HER Index: 0

Active w. Ctnegy:

Pend/Contrct Date: 07/12/09

DOM/CDOM: 61 / 108

Sold Price / \$79.37

Option:

Begin Date:

Sold/Lsd Price: \$ 80,000

Terms Of Sale: CONVENTIONAL

Flat Fee:

End Date:

Loan Term #:

Cash Down:

Concessn:

Projected Cls Date:

Appraiser SqFt:

Concession YN:

Sold/Leased Date: 08/28/09

Orig List Price: \$95,000

Loan Ofcr Email:

Title Officer: Thelma Padilla

Title Company: Lone star title

Title Co. Ph:

Title Co. Address: Zaragoza





# 2010 Census Profile

Tays Housing  
 2174 Magoffin Ave, El Paso, Texas, 79901,  
 Ring: 1 mile radius

Prepared by Michael Okies

Latitude: 31.761185  
 Longitude: 105.412236

	2000	2010	2000-2010 Annual Rate
Population	15,566	14,443	-0.75%
Households	5,047	4,955	-0.18%
Housing Units	5,666	5,368	-0.54%

## Population by Race

	Number	Percent
Total	14,442	100.0%
Population Reporting One Race	14,134	97.9%
White	11,880	82.3%
Black	201	1.4%
American Indian	118	0.8%
Asian	18	0.1%
Pacific Islander	4	0.0%
Some Other Race	1,913	13.2%
Population Reporting Two or More Races	308	2.1%

Total Hispanic Population 13,719 95.0%

## Population by Sex

Male	6,820	47.2%
Female	7,623	52.8%

## Population by Age

Total	14,442	100.0%
Age 0 - 4	1,278	8.8%
Age 5 - 9	1,255	8.7%
Age 10 - 14	1,227	8.5%
Age 15 - 19	1,210	8.4%
Age 20 - 24	967	6.7%
Age 25 - 29	845	5.9%
Age 30 - 34	766	5.3%
Age 35 - 39	782	5.4%
Age 40 - 44	786	5.4%
Age 45 - 49	782	5.4%
Age 50 - 54	892	6.2%
Age 55 - 59	850	5.9%
Age 60 - 64	713	4.9%
Age 65 - 69	553	3.8%
Age 70 - 74	476	3.3%
Age 75 - 79	418	2.9%
Age 80 - 84	361	2.5%
Age 85+	282	2.0%
Age 18+	9,937	68.8%
Age 65+	2,090	14.5%

## Median Age by Sex and Race/Hispanic Origin

Total Population	32.9
Male	30.8
Female	34.6
White Alone	33.2
Black Alone	33.0
American Indian Alone	30.8
Asian Alone	43.8
Pacific Islander Alone	47.5
Some Other Race Alone	31.1
Two or More Races	34.2
Hispanic Population	32.1

**Data Note:** Hispanic population can be of any race. Census 2010 medians are computed from reported data distributions.  
**Source:** U.S. Census Bureau, Census 2010 Summary File 1. Esri converted Census 2000 data into 2010 geography.



# 2010 Census Profile

Tays Housing  
 2174 Magoffin Ave, El Paso, Texas, 79901,  
 Ring: 3 mile radius

Prepared by Michael Okies

Latitude: 31.47017272  
 Longitude: 106.4642518

	2000	2010	2000-2010 Annual Rate
Population	97,750	89,757	-0.85%
Households	32,450	31,993	-0.14%
Housing Units	35,886	34,468	-0.40%

## Population by Race

	Number	Percent
Total	89,758	100.0%
Population Reporting One Race	87,623	97.6%
White	74,183	82.6%
Black	1,376	1.5%
American Indian	671	0.7%
Asian	475	0.5%
Pacific Islander	67	0.1%
Some Other Race	10,851	12.1%
Population Reporting Two or More Races	2,135	2.4%
Total Hispanic Population	80,316	89.5%

## Population by Sex

Male	42,848	47.7%
Female	46,909	52.3%

## Population by Age

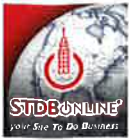
Total	89,758	100.0%
Age 0 - 4	6,464	7.2%
Age 5 - 9	6,361	7.1%
Age 10 - 14	6,408	7.1%
Age 15 - 19	7,122	7.9%
Age 20 - 24	7,080	7.9%
Age 25 - 29	5,845	6.5%
Age 30 - 34	4,732	5.3%
Age 35 - 39	4,896	5.5%
Age 40 - 44	4,905	5.5%
Age 45 - 49	5,507	6.1%
Age 50 - 54	5,913	6.6%
Age 55 - 59	5,255	5.9%
Age 60 - 64	4,478	5.0%
Age 65 - 69	3,688	4.1%
Age 70 - 74	3,225	3.6%
Age 75 - 79	3,016	3.4%
Age 80 - 84	2,602	2.9%
Age 85+	2,261	2.5%
Age 18+	66,362	73.9%
Age 65+	14,792	16.5%

## Median Age by Sex and Race/Hispanic Origin

Total Population	35.9
Male	33.0
Female	38.5
White Alone	37.0
Black Alone	25.5
American Indian Alone	31.6
Asian Alone	29.5
Pacific Islander Alone	24.8
Some Other Race Alone	31.4
Two or More Races	35.3
Hispanic Population	35.5

**Data Note:** Hispanic population can be of any race. Census 2010 medians are computed from reported data distributions.

**Source:** U.S. Census Bureau, Census 2010 Summary File 1. Esri converted Census 2000 data into 2010 geography.



# Executive Summary

Tays Housing  
 2174 Magoffin Ave, El Paso, Texas, 79901,  
 Rings: 1, 3, 5 mile radii

Prepared by Michael Okies

	1 mile	3 miles	5 miles
<b>Population</b>			
2000 Population	15,566	97,750	150,407
2010 Population	14,443	89,757	144,812
2013 Population	14,847	91,270	146,577
2018 Population	15,816	95,863	153,445
2000-2010 Annual Rate	-0.75%	-0.85%	-0.38%
2010-2013 Annual Rate	0.85%	0.52%	0.37%
2013-2018 Annual Rate	1.27%	0.99%	0.92%
2013 Male Population	47.3%	47.8%	49.0%
2013 Female Population	52.7%	52.2%	51.0%
2013 Median Age	33.4	36.3	32.9

In the identified area, the current year population is 146,577. In 2010, the Census count in the area was 144,812. The rate of change since 2010 was 0.37% annually. The five-year projection for the population in the area is 153,445 representing a change of 0.92% annually from 2013 to 2018. Currently, the population is 49.0% male and 51.0% female.

### Median Age

The median age in this area is 32.9, compared to U.S. median age of 37.3.

### Race and Ethnicity

2013 White Alone	81.9%	82.3%	80.6%
2013 Black Alone	1.5%	1.6%	2.8%
2013 American Indian/Alaska Native Alone	0.9%	0.8%	0.8%
2013 Asian Alone	0.1%	0.5%	0.8%
2013 Pacific Islander Alone	0.0%	0.1%	0.1%
2013 Other Race	13.4%	12.3%	12.0%
2013 Two or More Races	2.1%	2.4%	2.8%
2013 Hispanic Origin (Any Race)	95.2%	90.0%	84.6%

Persons of Hispanic origin represent 84.6% of the population in the identified area compared to 17.4% of the U.S. population. Persons of Hispanic Origin may be of any race. The Diversity Index, which measures the probability that two people from the same area will be from different race/ethnic groups, is 51.9 in the identified area, compared to 62.1 for the U.S. as a whole.

### Households

2000 Households	5,047	32,450	50,293
2010 Households	4,955	31,993	51,280
2013 Total Households	5,134	32,774	52,279
2018 Total Households	5,529	34,796	55,335
2000-2010 Annual Rate	-0.18%	-0.14%	0.19%
2010-2013 Annual Rate	1.10%	0.75%	0.60%
2013-2018 Annual Rate	1.49%	1.20%	1.14%
2013 Average Household Size	2.82	2.70	2.67

The household count in this area has changed from 51,280 in 2010 to 52,279 in the current year, a change of 0.60% annually. The five-year projection of households is 55,335, a change of 1.14% annually from the current year total. Average household size is currently 2.67, compared to 2.69 in the year 2010. The number of families in the current year is 34,096 in the specified area.

**Data Note:** Income is expressed in current dollars

**Source:** U.S. Census Bureau, Census 2010 Summary File 1. Esri forecasts for 2013 and 2018. Esri converted Census 2000 data into 2010 geography.



# Executive Summary

Tays Housing  
 2174 Magoffin Ave, El Paso, Texas, 79901,  
 Rings: 1, 3, 5 mile radii

Prepared by Michael Okies

	1 mile	3 miles	5 miles
<b>Median Household Income</b>			
2013 Median Household Income	\$15,697	\$21,131	\$23,345
2018 Median Household Income	\$15,839	\$23,506	\$25,717
2013-2018 Annual Rate	0.18%	2.15%	1.95%
<b>Average Household Income</b>			
2013 Average Household Income	\$23,634	\$34,719	\$35,910
2018 Average Household Income	\$26,654	\$40,227	\$41,688
2013-2018 Annual Rate	2.43%	2.99%	3.03%
<b>Per Capita Income</b>			
2013 Per Capita Income	\$8,700	\$13,065	\$13,715
2018 Per Capita Income	\$9,808	\$15,162	\$15,873
2013-2018 Annual Rate	2.43%	3.02%	2.97%

### Households by Income

Current median household income is \$23,345 in the area, compared to \$51,314 for all U.S. households. Median household income is projected to be \$25,717 in five years, compared to \$59,580 for all U.S. households

Current average household income is \$35,910 in this area, compared to \$71,842 for all U.S. households. Average household income is projected to be \$41,688 in five years, compared to \$83,667 for all U.S. households

Current per capita income is \$13,715 in the area, compared to the U.S. per capita income of \$27,567. The per capita income is projected to be \$15,873 in five years, compared to \$32,073 for all U.S. households

### Housing

2000 Total Housing Units	5,666	35,886	55,612
2000 Owner Occupied Housing Units	1,453	14,616	21,621
2000 Renter Occupied Housing Units	3,594	17,833	28,672
2000 Vacant Housing Units	619	3,437	5,319
2010 Total Housing Units	5,368	34,468	55,075
2010 Owner Occupied Housing Units	1,379	14,029	20,963
2010 Renter Occupied Housing Units	3,576	17,964	30,317
2010 Vacant Housing Units	413	2,475	3,795
2013 Total Housing Units	5,514	35,371	56,405
2013 Owner Occupied Housing Units	1,352	13,798	20,553
2013 Renter Occupied Housing Units	3,783	18,976	31,726
2013 Vacant Housing Units	380	2,597	4,126
2018 Total Housing Units	5,826	37,454	59,596
2018 Owner Occupied Housing Units	1,477	14,803	22,085
2018 Renter Occupied Housing Units	4,052	19,993	33,251
2018 Vacant Housing Units	297	2,658	4,261

Currently, 36.4% of the 56,405 housing units in the area are owner occupied; 56.2%, renter occupied; and 7.3% are vacant. Currently, in the U.S., 56.4% of the housing units in the area are owner occupied; 32.3% are renter occupied; and 11.3% are vacant. In 2010, there were 55,075 housing units in the area - 38.1% owner occupied, 55.0% renter occupied, and 6.9% vacant. The annual rate of change in housing units since 2010 is 1.07%. Median home value in the area is \$118,132, compared to a median home value of \$177,257 for the U.S. In five years, median value is projected to change by 4.47% annually to \$147,022.

**Data Note:** Income is expressed in current dollars

**Source:** U.S. Census Bureau, Census 2010 Summary File 1. Esri forecasts for 2013 and 2018. Esri converted Census 2000 data into 2010 geography.

June 19, 2014





# Population Growth Chart

Tays Housing  
2174 Magoffin Ave, El Paso, Texas, 79901,  
Ring: 1 mile radius

Prepared by Michael Okies

Latitude: 31.770136752

Longitude: -106.4647736

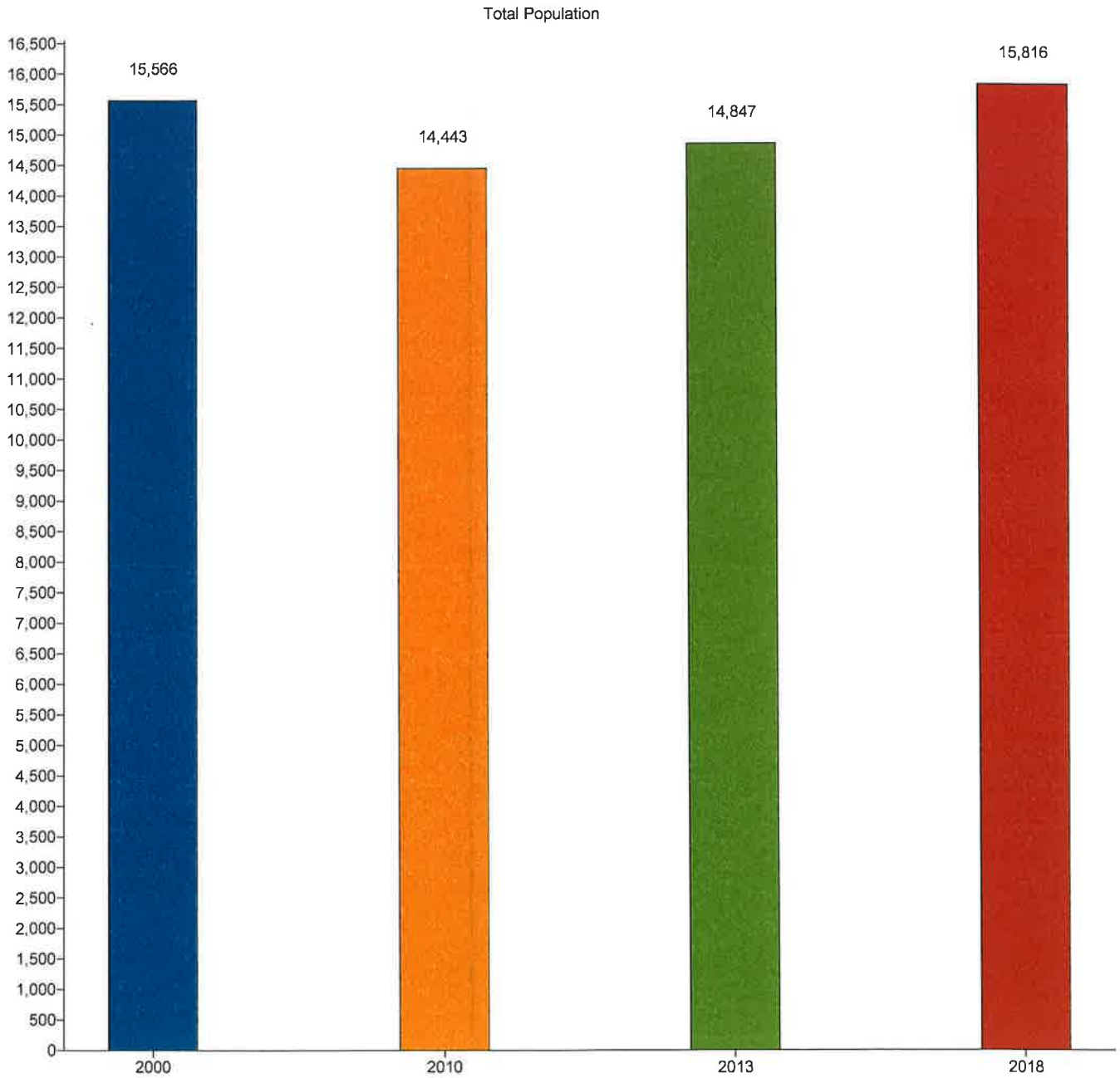
2010-2013 Grwth Rt: Population

1 mile

2013-2018 Grwth Rt: Population

0.85%

-0.75%



Source: Esri forecasts for 2013.

June 19, 2014



# Population Growth Chart

Tays Housing  
2174 Magoffin Ave, El Paso, Texas, 79901,  
Ring: 3 mile radius

Prepared by Michael Okies

Latitude: 31.7701877

Longitude: -104.134833

3 miles

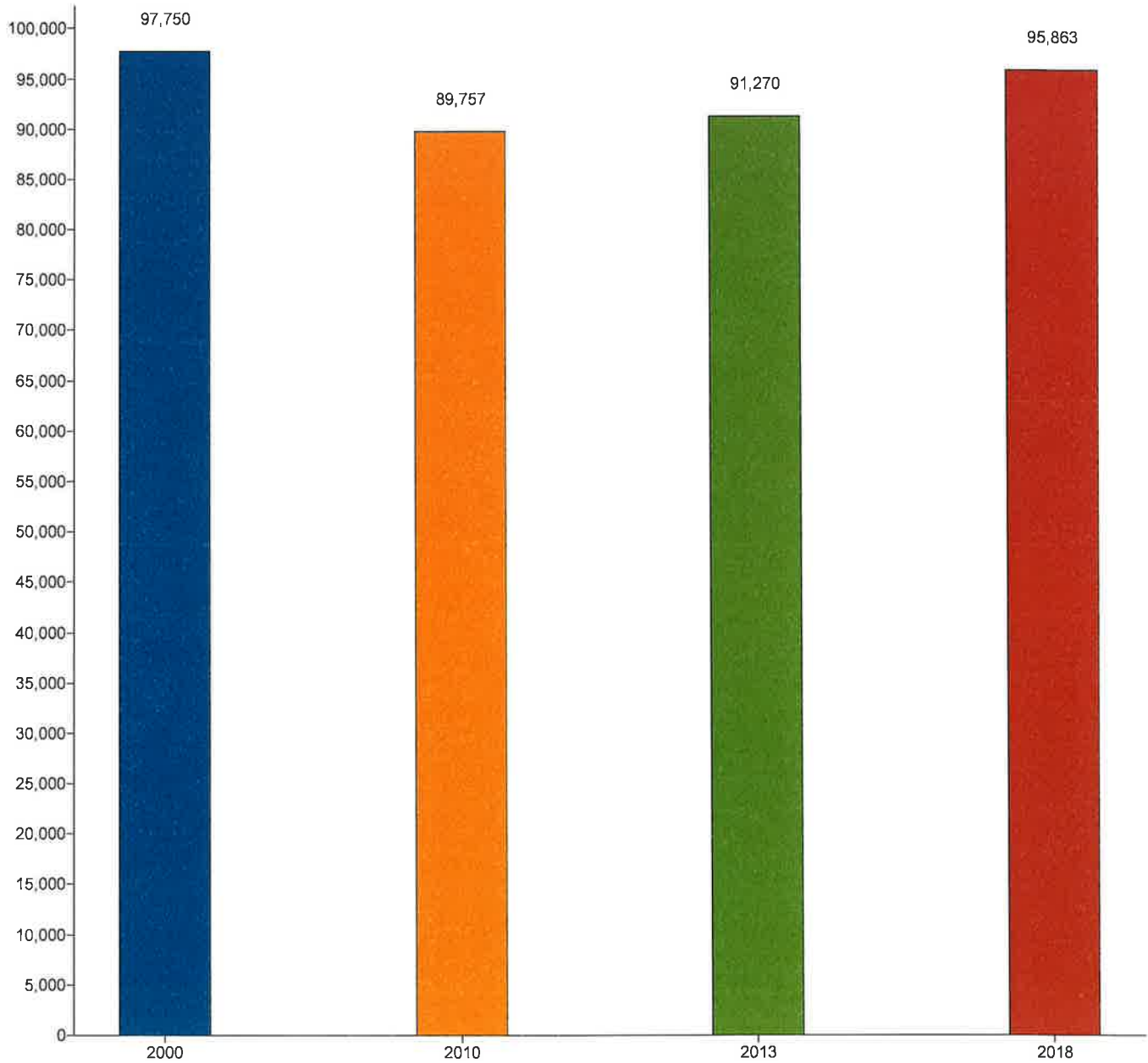
2010-2013 Grwth Rt: Population

0.52%

2013-2018 Grwth Rt: Population

-0.85

Total Population



Source: Esri forecasts for 2013

June 19, 2014



# Population Growth Chart

Tays Housing  
2174 Magoffin Ave, El Paso, Texas, 79901,  
Ring: 5 mile radius

Prepared by Michael Okies

Latitude: 31.770116752

Longitude: -106.4542032

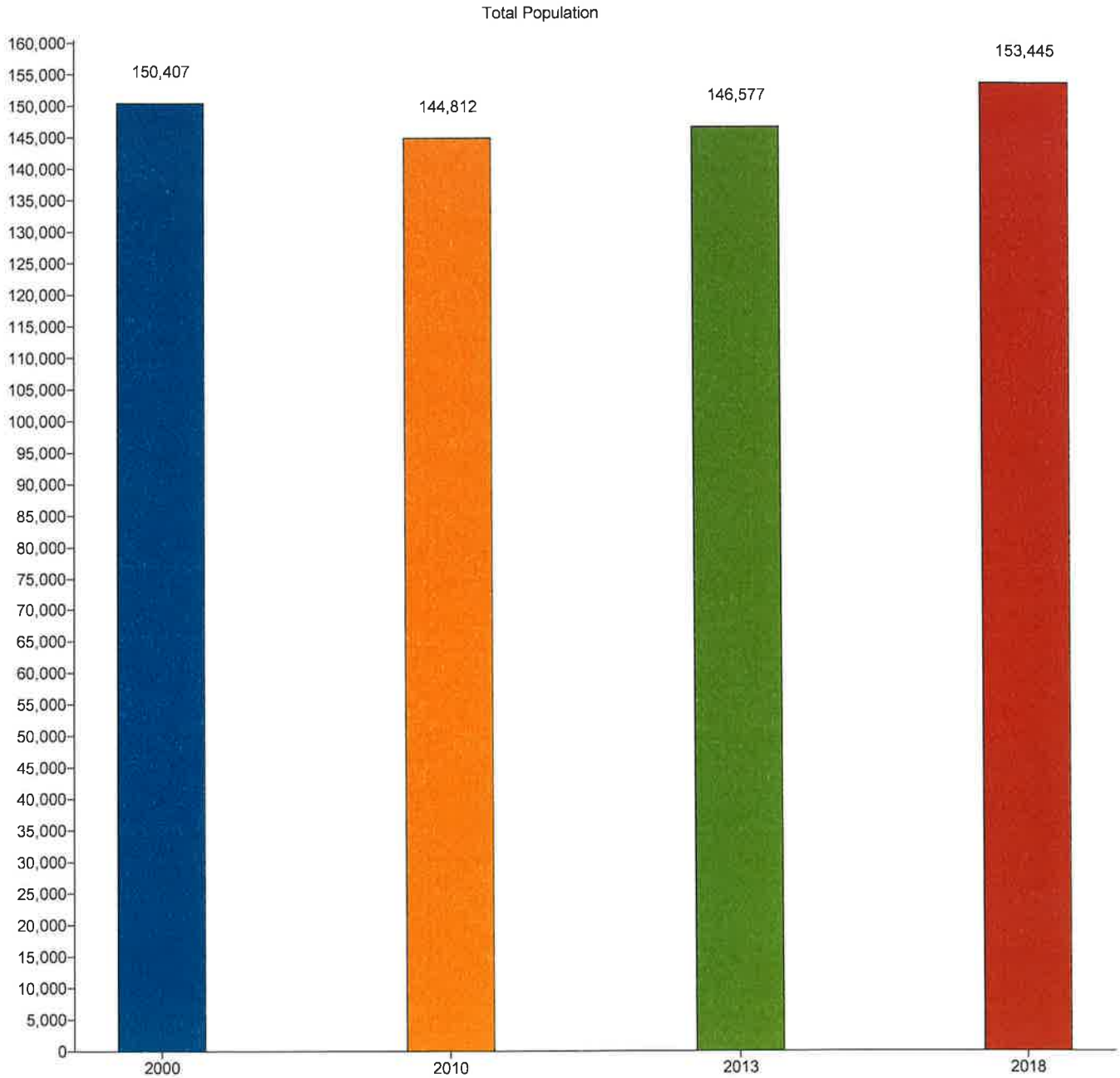
5 miles

2010-2013 Grwth Rt: Population

0.37%

2013-2018 Grwth Rt: Population

-0.38



Source: Esri forecasts for 2013.

June 19, 2014

Transcript from July 31, 2014 Board meeting



1 MR. IRVINE: Item 14106.

2 MR. OXER: Item 14106. My mistake. Consider  
3 it corrected. Item 14106. Motion by Mr. Gann, second by  
4 Ms. Bingham to approve staff recommendation. All in  
5 favor?

6 (A chorus of ayes.)

7 MR. OXER: And opposed?

8 (No response.)

9 MR. OXER: There are none, with Dr. Muñoz away.  
10 Jean.

11 MS. LATSHA: Yes, sir.

12 Next on the list is number 14130, Tays. This  
13 is an application in El Paso. You know, we had a little  
14 discussion earlier about the crime data that Cameron and  
15 the Fair Housing Team plans on obtaining, and that would  
16 have been helpful, probably, in evaluating this  
17 application.

18 This is another application that was initially  
19 terminated due to undesirable area features. Like the  
20 other ones that you've seen, we had one in San Antonio,  
21 one in Houston and another in Port Arthur this year, staff  
22 put quite a bit of time into this with actual site visits,  
23 a lot of meetings with the applicant to try to figure out  
24 what's going on at the site and what kind of community  
25 revitalization efforts are in place.

1           So you're going to see here that we're actually  
2 recommending that this appeal be granted and the  
3 application be reinstated, however, we are recommending  
4 that should this application be awarded credits -- and it  
5 is currently being recommended for a credit award -- that  
6 that award be conditioned on the applicant obtaining a  
7 letter from the appropriate officials at HUD with the  
8 authority to speak for fair housing and equal opportunity  
9 stating that this specific proposed transaction complies  
10 fully with the Fair Housing Act.

11           And the reason being is that when we looked at  
12 the technical requirements of our rules, when we're  
13 talking about being within 1,000 feet of a railway,  
14 significant presence of blight, crime, things like this,  
15 we couldn't really come to the conclusion that this  
16 necessarily violated that rule, but that doesn't mean that  
17 there weren't some concerns about this site. One in  
18 particular, our inability to really assess the level of  
19 crime that is in the area.

20           This is a very poor area of the state. I think  
21 we have about 5,200 census tracts in the state, and I  
22 think there's only 30-some-odd that have lower median  
23 incomes than this census tract. We're talking about  
24 levels of poverty in the 50 to 60 percent. These types of  
25 things raise our eyebrows when we do look at the site, and

1 we want to make sure that this is the type of site that  
2 when we fund it that we are affirmatively furthering fair  
3 housing.

4 That being said, unless Tim or Cameron might  
5 have anything to add to that, I think the applicants have  
6 some things to say about their revitalization efforts in  
7 the area.

8 MR. OXER: Cameron, did you have anything you  
9 wanted to add?

10 MR. DORSEY: No.

11 MR. OXER: Tim?

12 MR. IRVINE: No.

13 MR. OXER: Then we'll have a motion to consider  
14 first. Are there any questions for Jean?

15 MR. THOMAS: I'm a little confused. I  
16 apologize, Jean. Staff's recommendation is to grant the  
17 appeal but there's an issue that's going to arise that's  
18 going to require?

19 MS. LATSHA: It's just going to require a  
20 little bit more legwork on the part of the applicant. And  
21 one thing that is not entirely clear in this  
22 recommendation, and I might modify it, is to say that this  
23 condition be met by carryover which would be November 1.  
24 Basically, we would ask that the applicant obtain a letter  
25 from HUD confirming that this transaction is affirmatively

1 furthering fair housing, or at least is not violating the  
2 Fair Housing Act.

3 We placed a similar condition on, I believe,  
4 the Galveston deal. So recommending, yes, that the  
5 application be found eligible but that we ask that  
6 applicant to take one further step before executing  
7 carryover.

8 MR. THOMAS: Okay.

9 MR. OXER: A little more legwork, but they're  
10 in the game, they just need to do a little more legwork.

11 MS. LATSHA: That's right.

12 MR. OXER: Mr. Thomas, any other questions?  
13 Motion to consider?

14 DR. MUÑOZ: So moved.

15 MR. OXER: Motion by Dr. Muñoz to support staff  
16 recommendation on this item.

17 MR. THOMAS: Second.

18 MR. OXER: And a second by Mr. Thomas.

19 We have some public comment. Good morning.

20 MR. CICHON: Good morning. How are y'all doing  
21 today?

22 MR. OXER: Good so far.

23 MR. CICHON: Gerry Cichon, CEO, Housing  
24 Authority, City of El Paso. We agree with staff's  
25 recommendation.



1 I want to take a second, though. I've had the  
2 opportunity to talk to staff multiple times, talked to  
3 them about the issues we had, very open, willing to sit  
4 and talk to us. You've got a great staff here, and I just  
5 wanted to recognize them publicly. It has been a long  
6 process and the time it's taken to get to this point has  
7 been pretty arduous, but their willingness to talk and to  
8 listen is something that's very, very commendable.

9 As to trying to get that letter by carryover, I  
10 don't know if you've ever dealt with HUD. I deal with  
11 them on a daily basis.

12 MR. OXER: We do occasionally. Every once in a  
13 while we have to deal with them.

14 (General laughter.)

15 MR. CICHON: So trying to get a document like  
16 that out of their legal team by November could be pretty  
17 difficult to do. Our ask would be that we have additional  
18 time for that type of request because their legal team, in  
19 dealing with stuff, especially as we go through RAD, is a  
20 significant effort, and so I would ask for additional time  
21 in that regard.

22 MR. OXER: How much? Hold on. Barry.

23 MR. PALMER: Barry Palmer with Coats Rose.

24 In connection with closing this transaction  
25 with HUD, we'll need HUD approvals. This is a RAD

1 transaction, it will go through a mixed finance approval  
2 with HUD in Washington, and it would be natural for them  
3 to give all their approvals at once, and so we would ask  
4 that we have until the 10 percent test deadline because  
5 that would allow us to close the transaction and get all  
6 of the HUD approvals.

7 MR. OXER: When is that?

8 MR. PALMER: That would be July 1 of '15.

9 MR. OXER: So July 1?

10 MR. PALMER: Yes.

11 MR. OXER: Does that fit in the calendar, Jean?

12 MS. LATSHA: I appreciate their request and I  
13 appreciate that it does make sense. I think the only  
14 thing that the Board would consider with considering one  
15 date or the other is that if that requirement had to be  
16 met by carryover and it were not met, that we would be  
17 able to reallocate those credits this year. If we move  
18 that date out to 10 percent test, then those credits would  
19 come back to us and we would be able to reallocate them  
20 but not until next year.

21 MR. OXER: Okay. Let me make sure I'm clear on  
22 this. Let's look at the worst case scenario -- I'm not  
23 saying it's going to happen -- but let's say if they don't  
24 get through this and don't get the approval by July of  
25 next year, we don't get to use those credits this year.

1 Those credits are not lost to the process or system for  
2 Texas.

3 MS. LATSHA: That's correct.

4 MR. OXER: Okay. So that means that next year,  
5 in addition to the allocation that we would have under the  
6 2015 allocation, we would have those some several that  
7 come off of this and on to this that would be added next  
8 year. No damage to them. Assuming they approve your  
9 request, Barry and Gerry, then what you're saying is their  
10 approval would constitute an implicit assessment that it  
11 does meet affirmatively furthering fair housing test. Com  
12 up to the mike and say it, please.

13 MR. PALMER: Yes, and we will be able to  
14 satisfy the condition and get something from HUD saying  
15 either that it affirmatively furthers or that it doesn't  
16 violate fair housing, but the timing on it, the natural  
17 timing with HUD would be for them to give all the  
18 approvals at once which would be when we're ready to close  
19 the financing in the next calendar year.

20 DR. MUÑOZ: You wouldn't come before us in May  
21 or June and say: We have doubts that we'll receive that  
22 by July.

23 MR. OXER: They're not coming before us in May  
24 or June saying they have doubts.

25 DR. MUÑOZ: I mean, if you don't have it buy

1 July, there will be no extension beyond then.

2 MR. PALMER: We understand.

3 MR. OXER: Tim.

4 MR. IRVINE: I would just like to point out --  
5 and Megan may want to come up and address this in  
6 additional depth -- when we encountered these kinds of  
7 issues in the Galveston transaction, we found that the  
8 very highest level of HUD were very prompt and responsive  
9 on the fair housing issue. And fair housing is a very  
10 complex and somewhat confusing world, and we really  
11 believe that getting that guidance early on is strongly  
12 beneficial, it's an efficient way to keep this process  
13 moving along, and that's why we like the shorter time  
14 frame.

15 MR. OXER: Mr. Thomas.

16 MR. THOMAS: Thank you.

17 I have concerns, particularly in light of the  
18 appeal that we just denied, about the utilization of these  
19 funds this year in another part of our community that  
20 could use these funds this year. There's a reason why  
21 these rules exist. And while I appreciate and respect  
22 that our staff have tried to work with the applicant here  
23 to make sure that the funds would be determined available  
24 or not by November, my concern, quite frankly, in the form  
25 of a statement is that this does not, from my perspective,

1 address our greater global concern of deploying the funds  
2 as quickly, as effectively and as efficiently as we can  
3 this year if they are not going to be available.

4 I don't know that there's necessarily a  
5 response to that I need, but that's just a position that I  
6 feel is important to state.

7 MR. CICHON: Sure. We don't believe there's a  
8 fair housing issue.

9 MR. OXER: Gerry, you have to say who you are  
10 every time.

11 MR. CICHON: I'm sorry. Gerry Cichon. We  
12 don't believe that there is a fair housing thing. I will  
13 tell you I will personally contact the secretary's office.

14 I've been in contact with a lot of the assistant  
15 secretaries, not only on this trip but routinely. They  
16 have offered their assistance. We believe we can get it  
17 to you by November, we're very optimistic as to that, but  
18 there's just no guarantee when you start dealing with the  
19 legal aspects and the morass of bureaucracy with HUD. So  
20 we're just asking for a little bit of understanding, even  
21 though we believe that we will be able to comply with  
22 staff's request.

23 MR. OXER: Jean.

24 MS. LATSHA: Sure. A couple of thoughts.  
25 First off, one thing that we are whispering about back



1       there is we understand that you guys are kind of on a RAD  
2       fast track and that November 1 might actually be a  
3       possibility for you, so one thing we could do is bring  
4       this back with respect to the date and let them give us an  
5       update as to where they are, or we could also make the  
6       deadline carryover.  If they felt like they weren't going  
7       to meet that, there is a November Board meeting, they  
8       could simply ask for an extension of that deadline and we  
9       would be in a position of hearing that again, be able to  
10      give them until a December date or a date further on.  I  
11      think there's enough time in the year to where if the  
12      Board was compelled to want to stick with that carryover  
13      date that if there was good reason to extend that further  
14      that we would have time to do that.

15                 MR. OXER:  I'm inclined to want to keep it at  
16      November 1 for many of the reasons that Robert just  
17      outlined, with the understanding that you have a good shot  
18      at it, Gerry, and we understand all of the adventures of  
19      dealing with HUD.  They call every once in a while; talk  
20      to them every once in a while.  So we know, more or less,  
21      what it's like to deal with HUD, but we also want the heat  
22      on so that you don't let this lag until the first quarter  
23      of next year.  Maybe it's a telegraph of which way I would  
24      go on this, but I'd say stay with the November date and  
25      we'll hear from you every meeting that we have between now

1 and then about how it's going.

2 MR. IRVINE: And I think what we're looking for  
3 is qualitatively different from the kinds of internal  
4 approvals that are necessary to a closing. We're looking  
5 for a signal from HUD that when you look at this site and  
6 its demographics, and all of the things that are occurring  
7 there, that it's consistent with their approach.

8 MR. OXER: We're looking for a definition of  
9 principle and philosophy as opposed to checking a box on a  
10 technical closing. Is that a fair statement, Jean?

11 MS. LATSHA: Fair statement.

12 MR. OXER: Any other comment?

13 (No response.)

14 MR. OXER: There's been a motion by Dr. Muñoz.

15 DR. MUÑOZ: Would we then withdraw the motion  
16 and then make a motion to table till November?

17 MS. LATSHA: No. I think it's just a slight  
18 modification to the recommendation. I failed to put that  
19 date in this recommendation, so just the addition of the  
20 condition being met by carryover.

21 MR. OXER: So it would be met by the carryover  
22 date which is November 1.

23 MS. LATSHA: Yes, sir.

24 MR. OXER: So with that, just to clarify, there  
25 was a motion by Dr. Muñoz to support staff recommendation,

1 second by Mr. Thomas, that they have to meet the  
2 requirement by November 1, with the idea that there could  
3 be some consideration later on, but the motion is to  
4 support staff recommendation that they meet the November 1  
5 carryover date.

6 Any questions from the Board?

7 (No response.)

8 MR. OXER: All in favor?

9 (A chorus of ayes.)

10 MR. OXER: Opposed?

11 (No response.)

12 MR. OXER: There are none.

13 Thanks, Gerry. Thanks, Barry. Make sure you  
14 guys sign in. All right?

15 MS. DEANE: Mr. Chair, let me just mention  
16 something Michael was bringing to my attention.

17 Originally we had gotten a request for Spanish language --  
18 or that there was going to be a person to do some Spanish  
19 language translation for this last item. We did not have  
20 anyone come forward and mention that or ask for that, so  
21 we just wanted to make sure if there was something.

22 MS. LATSHA: What's the item that's up, Jean?

23 MS. DEANE: It was the Tays, the last one, but  
24 no one came forward.

25 MR. OXER: Well, there was no request for