

# Memorandum



CITY OF DALLAS

DATE April 12, 2019

TO Members of the Economic Development & Housing Committee: Tennell Atkins, Chair, Rickey D. Callahan, Vice-Chair, Lee M. Kleinman, Scott Griggs, Casey Thomas, II, B. Adam McGough, Mark Clayton, Kevin Felder, Omar Narvaez

SUBJECT Consideration and Approval of the Sale of Land Bank Lots to One Qualified Participating Developer

On Monday, April 15, 2019, the Economic Development and Housing Committee will be briefed on the proposed sale of Land Bank lots to one qualified participating developer.

## **Summary**

The Dallas Urban Land Bank Demonstration Program (Land Bank), which is managed by the Dallas Housing Acquisition and Development Corporation (DHADC), currently has an inventory of 103 lots that are offered for sale.

Recently, the DHADC Board of Directors approved the sale of 30 Land Bank lots to one qualified participating developer. This memorandum provides an overview of how the developer's proposal was evaluated and describes the development terms that will apply to each Land Bank lot that is approved for sale.

## **Background**

On June 18, 2003, Governor Perry signed the Urban Land Bank Demonstration Program Act. The Act allows the governing body of a municipality to adopt an Urban Land Bank Demonstration Program in which the officer charged with selling real property ordered sold pursuant to foreclosure of a tax lien may sell certain eligible real property by private sale to a land bank for the purpose of affordable housing development. The City Council designated the DHADC as its land bank for the purpose of acquiring, holding and transferring unimproved real property under Subtitle A, Title 12, Local Government Code, Chapter 379C on January 28, 2004.

In February 2019, one developer submitted a proposal to purchase a collective total of 30 Land Bank lots. Land Bank staff evaluated the proposal pursuant to the standards set forth in the Land Bank application, which included determining whether the developer met the eligibility standards to be deemed a "Qualified Participating Developer" and underwriting the proposal. The proposal was determined to be "complete" and was assigned a score by Land Bank staff. Land Bank staff negotiated with the qualified participating developer regarding the terms of sale of the vacant lots as well as the terms related to the construction and subsequent sale of single-family housing on the vacant lots.

DATE April 12, 2019  
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The developer, Confia Homes, L.L.C. was organized in Texas in 2015. The president of the organization is Kenneth Roberts and the CEO is Ricardo Alonso-Carrillo. The Developer builds single-family homes in the Dallas area with a number of homes completed in West Dallas and Pleasant Grove. The Developer has previously participated in the Land Bank program and, from 2016 to 2018, successfully completed the lot acquisition, development, and sale of 17 homes to income-qualified home buyers on Land Bank lots. Past performance strongly suggests that the Developer will continue to construct quality affordable housing units on Land Bank lots while meeting the requirements of the Land Bank Program.

On February 21, 2019, the DHADC Board of Directors approved the terms of sale and development, subject to City Council approval, for the 30 lots proposed to be sold to one qualified participating developer. The development terms applicable to each lot are as follows:

- **Vacant Lot Sales Price:** Attached as Exhibit A.
- **Single-Family Home Sales Price:** The sales price of the home cannot exceed the 2018 HUD HOME homeownership sales price for the Dallas, TX HUD Metro FMR Area and must be affordable based on the income of the targeted homebuyer.
- **Targeted Income of Homebuyer:** Attached as Exhibit A.
- **Construction Timeframe:** Developer must apply for a construction permit and close on any construction financing within three years of purchase from the Land Bank.
- **Restrictive Covenants:** Developer must: (1) sell each lot to a low-income household as specified in the applicable Exhibit A and (2) prior to the sale, must provide to DHADC written documentation of the income of the proposed purchaser and the sales price. After sale of the home, the property must be occupied as a low-income household's principal residence during the entire term of the affordability period.
- **Affordability Period:** Once the property is sold to a low-income household, it must be occupied as the household's principal place of residence for at least five years. If the original purchaser re-sells the property during the affordability period, the property may only be sold to another low-income household.
- **Right of Reverter:** Title to the property may revert to the DHADC if Developer does not apply for a construction permit and close on any construction financing within three years of purchase from the Land Bank.

### **Next Steps**

Upon receiving Committee approval, staff will place this item on the next available City Council agenda.

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### **Issues**

If the Committee does not approve forwarding to the City Council approval of the sale of 30 vacant lots owned by DHDAC to Confia Homes, L.L.C., the DHADC will be required to continue expending funds to maintain the unsold inventory. Furthermore, the City will be challenged in meeting its annual housing production goals of 3,733 affordable homeownership units and 2,933 affordable rental units.

### **Fiscal Impact**

The City Council recently allocated \$1.5 million in bond funding to support the acquisition and disposition of unimproved tax foreclosed properties by the Land Bank. There is no additional fiscal impact.

### **Departments/Committee Coordination**

The DHADC Board of Directors considered and approved the sale of Land Bank lots on February 21, 2019.

### **Staff Recommendation**

Staff recommends that the Economic Development and Housing Committee move this item forward to the City Council so that it may consider and approve of the sale of 30 vacant lots owned by DHDAC to one Qualified Participating Developer pursuant to the terms of development set forth in this memorandum and as further described on Exhibit

A.  


Michael Mendoza

Chief of Economic Development and Neighborhood Services

c: Chris Caso, City Attorney (Interim)  
Biliera Johnson, City Secretary  
Preston Robinson, Administrative Judge  
Kimberly Bizer Tolbert, Chief of Staff to the City Manager  
Majed A. Al-Ghafry, Assistant City Manager  
Jon Fortune, Assistant City Manager

Joey Zapata, Assistant City Manager  
Nadia Chandler Hardy, Assistant City Manager and Chief Resilience Officer  
Michael Mendoza, Chief of Economic Development and Neighborhood Services  
M. Elizabeth Reich, Chief Financial Officer  
Laila Aleqresh, Chief Innovation Officer  
Directors and Assistant Directors

### Exhibit A

PARCEL NUMBER	STREET ADDRESS LEGAL DESCRIPTION	COUNCIL DISTRICT	QUALIFIED PURCHASER	SALE AMOUNT	AMI Target	BED/BATH	AMOUNT OF NON-TAX LIENS
1	2222 Moffatt NE Part of Lot 4B, Oak Cliff Gardens Addition Blk 8/5850	4	Confia Homes, LLC	\$1,700.00	81% - 115%	3/2	\$8,124.20
2	335 Leads SE Part of Lot 5, Original Town of Oak Cliff Addition Blk 119/3102	4	Confia Homes, LLC	\$2,000.00	Not greater than 60%	4/2	\$9,910.69
3	4322 Cicero Lot 15, R.M Hurts Addition Blk 1/6084	4	Confia Homes, LLC	\$1,700.00	81% - 115%	3/2	\$17,774.39
4	516 Ave H Lot 45, Skyline Heights Addition Blk 5/4655	4	Confia Homes, LLC	\$1,700.00	61% - 80%	3/2	\$13,106.22
5	1503 Iowa Lot 34, Trinity Heights Addition Blk 50/3724	4	Confia Homes, LLC	\$2,000.00	61% - 80%	4/2	\$7,512.54
6	1514 Alaska Lot 1, Trinity Heights Addition Blk C/3759	4	Confia Homes, LLC	\$2,000.00	61% - 80%	4/2	\$22,213.21
7	1915 Duluth Lot A, Duluth & Harston Addition Blk 7238	6	Confia Homes, LLC	\$2,000.00	Not greater than 60%	4/2,5	\$12,482.84
8	1819 Leath Lot 24, Roosevelt Manor 1st Inst., Addition Blk 13/7130	6	Confia Homes, LLC	\$2,000.00	61% - 80%	4/2	\$12,959.47
9	2021 Nomas Lot 4, Victory Gardens No. 5 Addition Blk 20/7127	6	Confia Homes, LLC	\$2,000.00	61% - 80%	4/2	\$10,756.70
10	3626 Pueblo Lot 7, Westmoreland Park Addition Blk 7/7144	6	Confia Homes, LLC	\$2,000.00	61% - 80%	4/2	\$11,529.20
<b>TOTAL</b>				<b>\$19,100.00</b>			<b>\$ 126,369.46</b>

### Exhibit A

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12	<b>6205 Carlton Garrett</b> Lot 4, Bou Tou Addition Blk 1/7077	7	Confia Homes, LLC	\$1,700.00	61% - 80%	3/2	\$849.71
13	<b>6207 Carlton Garrett</b> Lot 3, Bou Tou Addition Blk 1/7077	7	Confia Homes, LLC	\$1,700.00	61% - 80%	3/2	\$12,106.98
14	<b>3006 Carpenter</b> Part of Lot 20A, R.O. Plipps Addition Blk 1771	7	Confia Homes, LLC	\$2,000.00	81% - 115%	4/2	\$13,075.88
16	<b>2823 Troy</b> Lot 1, Crosby Addition Blk 2424	7	Confia Homes, LLC	\$1,700.00	Not greater than 60%	3/2	\$3,903.09
16	<b>2743 Bethurum</b> Lot 23, Ideal Addition Blk 1/2505	7	Confia Homes, LLC	\$1,700.00	Not greater than 60%	3/2	\$9,798.79
17	<b>2441 Starks</b> Lots 19 & 20, Lincoln Manor Addition Blk 1/2538	7	Confia Homes, LLC	\$1,700.00	Not greater than 60%	3/2	\$8,506.60
18	<b>2527 Wells</b> Lot 35 & Part of Lot 36, Lincoln Manor2 Addition Blk 25/2567	7	Confia Homes, LLC	\$2,000.00	61% - 80%	3/2	\$6,312.40
19	<b>2723 Choice</b> Lot 20, Lincoln Manor No. 3 Addition Blk 3/7075	7	Confia Homes, LLC	\$1,700.00	Not greater than 60%	3/2	\$9,255.28
20	<b>4002 Marshall</b> Lot 10, Parish Addition Blk B/2385	7	Confia Homes, LLC	\$1,700.00	61% - 80%	3/2	\$19,355.28
<b>TOTAL</b>				<b>\$17,900.00</b>			<b>\$98,637.48</b>

### Exhibit A

PARCEL NUMBER	STREET ADDRESS LEGAL DESCRIPTION		QUALIFIED PURCHASER	SALE AMOUNT	AMI Target	BED/BATH	AMOUNT OF NON-TAX LIENS
21	4103 Marshall Lot 5, Calhoun J. I. Addition Blk 2/1839	7	Confia Homes, LLC	\$2,000.00	61% - 80%	3/2	\$24,760.05
22	2711 Rochester Lot 25, Rochester Park Addition Blk 2/7072	7	Confia Homes, LLC	\$1,700.00	61% - 80%	3/2	\$6,268.01
23	2726 Valentine Lot 14, O. E. Taylor Addition Blk C/7071	7	Confia Homes, LLC	\$1,700.00	Not greater than 60%	3/2	\$4,850.60
24	2926 Valentine Lot 14, Rochester Park Addition Blk 6/7072	7	Confia Homes, LLC	\$1,700.00	Not greater than 60%	3/2	\$6,045.28
25	4727 Baldwin Lot 6, W.G. Bowlings Addition Blk 2/436	7	Confia Homes, LLC	\$1,700.00	Not greater than 60%	3/2	\$12,335.23
26	4807 Silver Lot 12, White Rock Heights No. 2 Addition Blk A/2622	7	Confia Homes, LLC	\$2,000.00	81% - 115%	4/2.5	\$7,495.75
27	2521 Birmingham Lots 29 & 30, South Park Addition Blk 31/1307	7	Confia Homes, LLC	\$1,700.00	Not greater than 60%	3/2	\$1,969.17
28	2700 Birmingham Lots 1 & 2, South Park Addition Blk 25/2567	7	Confia Homes, LLC	\$1,700.00	61% - 80%	3/2	\$19,309.00
29	2931 Birmingham Lots 33 & 34, Winchester Place Addition Blk 17/1370	7	Confia Homes, LLC	\$1,700.00	81% - 115%	3/2	\$12,618.81
30	2630 Camel Lot 27, Caver Heights Addition Blk 7/3889	8	Confia Homes, LLC	\$2,000.00	81% - 115%	4/2	\$5,693.68
<b>TOTAL</b>				<b>\$17,900.00</b>			<b>\$101,345.58</b>
<b>GRAND TOTAL</b>				<b>\$54,900.00</b>			<b>\$326,352.52</b>

# **Consideration and Approval of Sale of 30 Land Bank Lots from Dallas Housing Acquisition and Development Corporation to Confia Homes, L.L.C.**

**Economic Development and Housing Committee  
April 15, 2019**

**Maureen Milligan, Assistant Director  
Housing & Neighborhood Revitalization  
City of Dallas**

**David Drury, Land Bank Manager  
Housing & Neighborhood Revitalization  
City of Dallas**



# Presentation Overview

- Summary
- Background
- Issues
- Recommendation





# Summary

- Urban Land Bank Demonstration Program Act signed by Governor Perry on June 18, 2003.
- The Act, as amended, gives municipalities the right to establish land bank programs to:
  - reclaim vacant real property from tax delinquency status and
  - use such land to develop affordable housing for low income households or for commercial purposes.
- The Act allows home sales to households earning as much as 115% of Area Median Income.
- The Act requires residential lots to be sold to qualified participating developers who:
  - have built one or more housing units within the three-year period preceding the submission of a proposal to the land bank seeking to acquire real property from the land bank and
  - have a development plan approved by the municipality for the land bank property
- In 2004, the City of Dallas designated the Dallas Housing Acquisition and Development Corporation (DHADC) to administer the Land Bank.



# Background

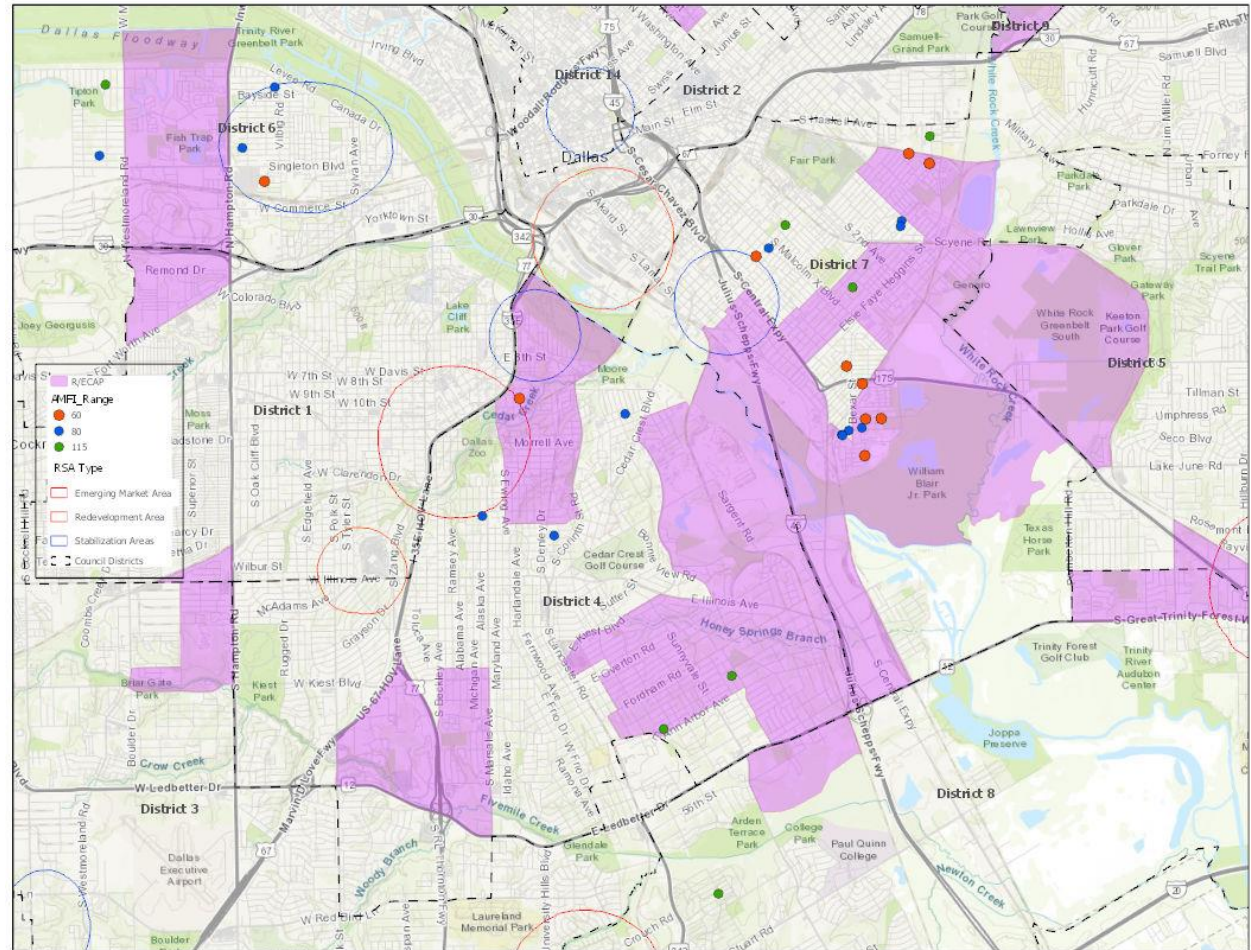
- An application was received from Confia Homes, L.L.C. requesting 30 lots
  - Two of the 30 lots are being requested as a swap for two previously purchased Land Bank lots that are undevelopable
- At the February 21, 2019 DHADC Board meeting, staff recommended selling 30 lots to the qualified participating developer Confia Homes, L.L.C.
- Board approved the sale of all 30 lots
- Consulted with the Equity and Human Rights Office which determined;
  - The intent of the Land Bank program is consistent with our goal to affirmatively further fair housing
  - The development of the 30 lots will provide positive benefits to the communities in which they are located

# Background

- Confia Homes, L.L.C. is a Texas limited liability corporation formed in 2015
- The president of the organization is Kenneth Roberts and the CEO is Ricardo Alonso-Carrillo
- Confia Homes, L.L.C. has previously participated in the City's Land Bank Program and successfully completed the lot acquisition, development, and sale of 17 homes to income-qualified homebuyers on land bank lots from 2016 to 2018
- Past performance strongly suggests that the Confia Homes, L.L.C. will continue to construct quality affordable housing units on the lots while meeting the requirements of the Land Bank Program

# Background

Location of  
Land Bank  
lots proposed  
for sale



# Issues

- If the Committee does not approve forwarding to the City Council approval of the sale of 30 vacant lots owned by DHDAC to Confia Homes, L.L.C., the DHADC will be required to continue expending funds to maintain the unsold inventory
- City will be challenged in meeting its annual housing production goals of 3,733 affordable homeownership units and 2,933 affordable rental units.

# Terms of Sale and Development

**Vacant Lot Sales Price:** See Exhibit A.

**Single-Family Home Sales Price:** The sales price of the home cannot exceed the 2018 HUD HOME homeownership sales price for the Dallas, TX HUD Metro FMR Area and must be affordable based on the income of the targeted homebuyer.

**Targeted Income of Homebuyer:** See Exhibits A.

**Construction Timeframe:** Developer must apply for a construction permit and close on any construction financing within three years of purchase from the Land Bank.

**Restrictive Covenants:** Developer must (1) sell each lot to a low-income household as specified in Exhibit A and (2) prior to the sale, must provide to Land Bank staff written documentation of the income of the proposed purchaser and the sales price. After sale of the home, the property must be occupied as a low-income household's principal residence during the entire term of the affordability period.

# Terms of Sale and Development

**Affordability Period:** Once the property is sold to a low-income household, it must be occupied as the household's principal place of residence for at least **five years**. If the original purchaser re-sells the property during the affordability period, the property may only be sold to another low-income household.

**Right of Reverter:** Title to the property may revert to the DHADC if the developer does not (1) apply for a construction permit and close on any construction financing within three years of purchase from the Land Bank, or (2) sell the property to a low-income household as specified in Exhibit A within four years of the transfer of the deed without warranty from DHADC to the developer. Title to the property may also revert to the DHADC if the property is not occupied by a low-income household as their principal residence during the entire term of the affordability period.

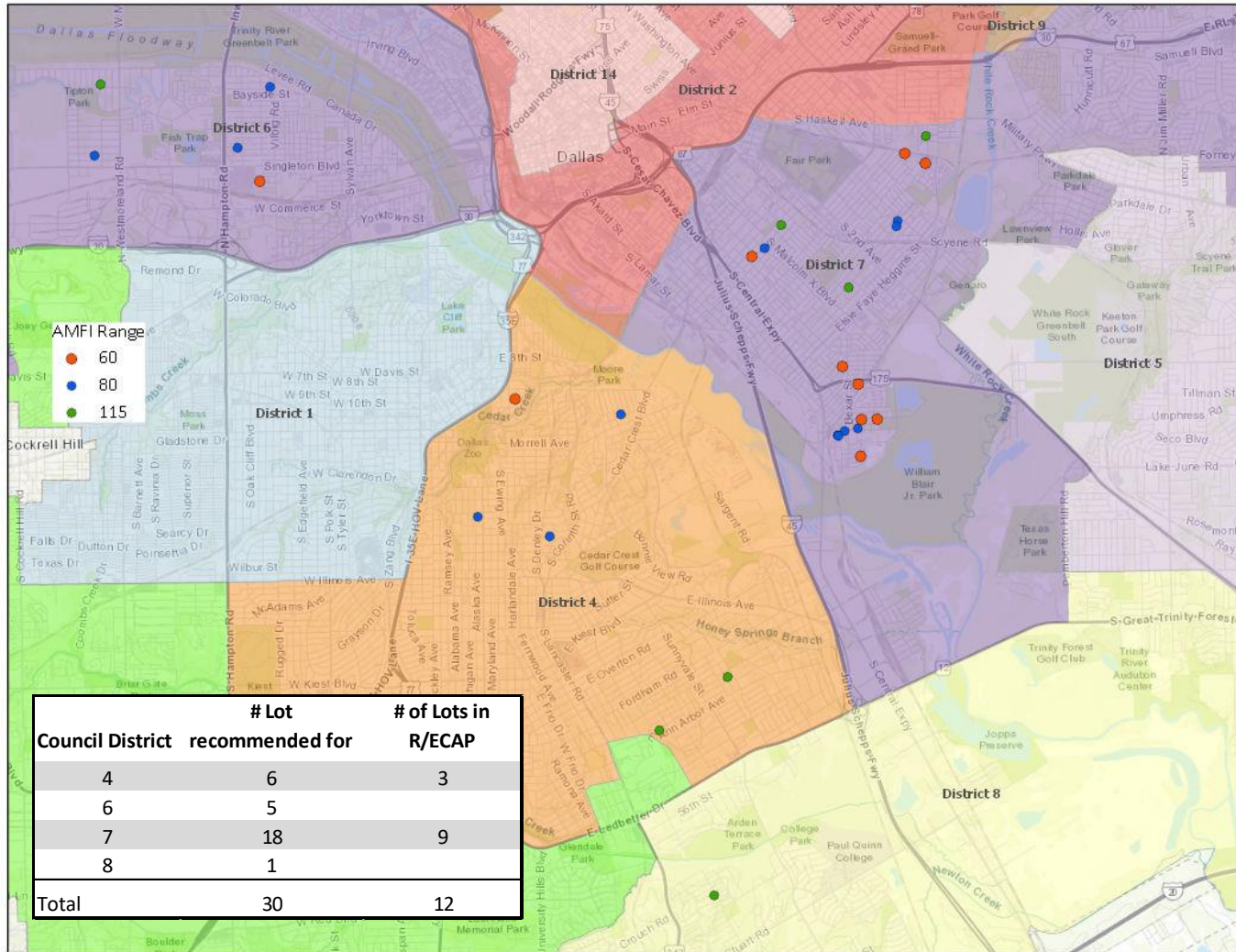
# Recommendations

Staff recommends that the Economic Development and Housing Committee vote to forward to the City Council approval of the sale of 30 vacant lots owned by DHDAC to Confia Homes, L.L.C. pursuant to the terms of development as further described on Exhibit A.

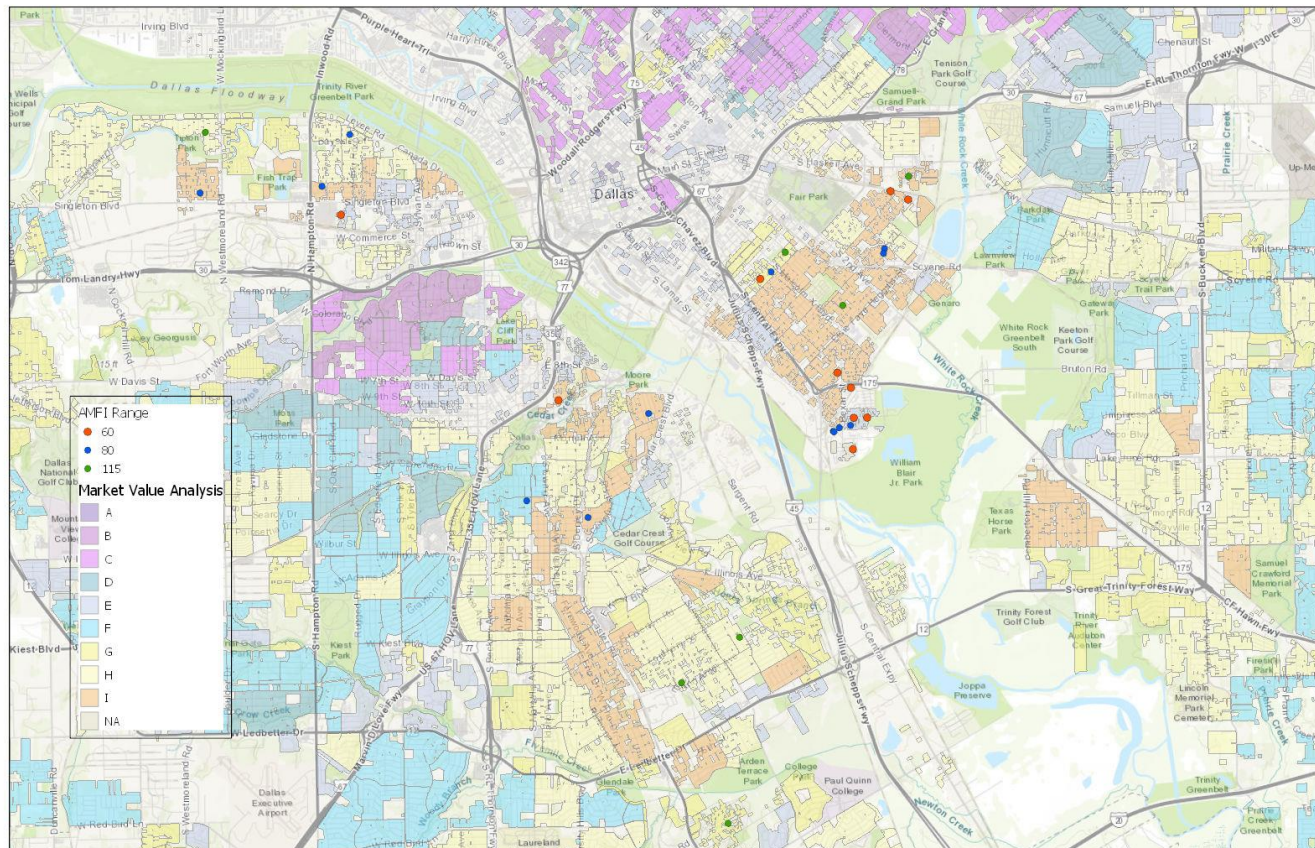


# Appendix

# Location of Land Bank lots by Council District



# Location of Land Bank lots and MVA



# Exhibit A

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