

June 25, 2025

WHEREAS, on January 28 2004, the City Council designated the Dallas Housing Acquisition and Development Corporation (DHADC) as its Land Bank for the purpose of acquiring, holding, and transferring unimproved real property by Resolution No. 04-0458 and pursuant to Chapter 379C of the Texas Local Government Code; and

WHEREAS, on April 12, 2023, the City Council adopted a Dallas Housing Policy 2033 (DHP33) to replace the Comprehensive Housing Policy (CHP) by Resolution No. 23-0443, and the Dallas Housing Resource Catalog (DHRC) to include the approved programs from the CHP by Resolution No. 23-0444; and

WHEREAS, the Department of Housing and Community Development continues operating its programs, previously authorized and adopted under the CHP, now as restated in the DHRC; and

WHEREAS, EHP Enterprises, LLC dba TB Homebuilders (Developer) submitted a proposal to purchase one vacant Land Bank Program lot to develop one single-family affordable housing unit (the Project); and

WHEREAS, to assist in the affordable housing production goals established in the CHP and restated in the DHP33 and/or the DHRC, DHADC, subject to approval by Dallas City Council, desires to enter into a development agreement with Developer; and

WHEREAS, DHADC Board of Directors approved this Project at the DHADC board meeting held on January 30, 2025 by Resolution DHADC 25-002.

Now, Therefore,

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF DALLAS:

SECTION 1. That the City Council hereby authorizes the **(1)** sale of one Land Bank Program lot from the DHADC to Developer and/or its affiliates subject to restrictive covenants, a right of reverter, and execution of all necessary documents, pursuant to the City's Land Bank Program; and **(2)** execution of a development agreement with Developer for the construction of one single-family home on the Land Bank Program lot.

SECTION 2. That the DHADC is hereby authorized to execute all documents, including, but not limited to Deed Without Warranty (subject to right of reverter), restrictive covenants, Deed of Trust and any necessary documents to effectuate the sale of one vacant Land Bank Program lot shown in **Exhibit A** to Developer pursuant to the terms of development as described herein. All lots may revert to DHADC if the DHADC Board President or his/her designee determines that the Developer has:

1. failed to take possession of the land within 90 calendar days after receiving the deed to the parcels of real property;

SECTION 2. (continued)

2. failed to complete construction of all required housing units or other required development on the real property, or failed to ensure occupancy by eligible households within the development timeframe set forth in the development agreement;
3. incurred a lien on the property because of violations of City ordinances and failed to fully pay off the lien within 180 days of the City's recording of the lien; or
4. sold, conveyed, or transferred the land without the consent of DHADC.

Upon determination by the DHADC Board President that a condition described above has occurred, the DHADC Board President is authorized to execute an instrument exercising against the parcel of real property the DHADC's possibility of reverter with right to reentry. DHADC shall file the notice of the reverter and reentry of the land by DHADC in the real property records of Dallas County, Texas, which notice must specify the reason for the reverter and reentry. DHADC shall provide a copy of the notice to the Developer in person or by mailing the notice to the Developer's post office address as shown on the tax rolls of the City or of Dallas County.

SECTION 3. That DHADC will provide Developer with a 60 day right of entry and due diligence period. During this period, the Developer will identify lots with significant development challenges that may be undevelopable or may require significant remediation. Following the 60-day period, Developer must submit a final list of requested lots. DHADC may extend the due diligence period, as determined in the DHADC's sole discretion.

SECTION 4. That the lot shall be sold to Developer for a fixed price of \$20,500.00 and be developed with one unit targeting homebuyers at an Area Median Income (AMI) of 81.0% - 115.0%, as detailed in **Exhibit A**. DHADC will collect fees from Developer for the recording of documents related to the transfer of ownership. The proceeds from sale and associated fees will be deposited to DHADC Operating Fund Account.

SECTION 5. That in addition to the conditions set out in the sections above, the development agreement shall include the following:

1. Developer is required to design, redevelop and construct a single-family home, for-sale to eligible homebuyers, on the Land Bank Program lot obtained by Developer from DHADC. Developer has submitted a development plan to the DHADC, which the DHADC has approved.
2. Upon transfer of ownership of the lot from DHADC to the Developer, Developer must maintain the vacant lot in compliance with all applicable city, state and federal regulations including maintaining the lot free of high weeds.

SECTION 5. (continued)

3. No liens shall exist on the lot, except for liens related to the development of the lot. However, Developer shall ensure that the lot is free from liens or other encumbrances at the time of sale to an eligible homebuyer.
4. Developer shall ensure that the single-family home (Unit) has access to public sewer, public water, public road and any other necessary utilities.
5. All Project costs must be reasonable and customary and conform with the Land Bank Program, and any other applicable City regulations.
6. The home Unit must contain a minimum of 1,800 square feet with a minimum of three bedrooms and two baths and a minimum of a one-car garage.
7. Unit must be equipped with the following Energy Star rated appliances in conformity with the development standards outlined in the Single-Family Homeownership Development Requirements/Underwriting section of the DHRC: refrigerator, range/oven, dishwasher. Unit must also include a garbage disposal.
8. Unit must meet applicable Section 504 Rehabilitation Act and Uniform Federal Accessibility Standards requirements. If Unit is presold, Developer must make the Unit accessible upon the request of the prospective buyer.
9. Unit must be sold to an income-eligible homebuyer in an income range of 81.0% – 115.0% of the AML.
10. Sales price of Unit sold shall not exceed 75.0% of the U.S. Department of Housing and Urban Development (HUD) HOME homeownership sales price for the Dallas, Texas HUD Metro Fair Market Rents Area for the year in which the Unit is sold (currently \$290,700.00).
11. All income-eligible homebuyers must meet the eligibility criteria set forth in the City of Dallas Homebuyer Assistance Program, or a successor program.
12. Developer shall construct and sell Unit to an eligible homebuyer within two years from the date of sale by the DHADC to Developer. Developer may receive one one-year extension of any deadlines in the development agreement, subject to prior approval of the DHADC Board President or designee.
13. Developer shall submit a marketing plan to DHADC for review and approval prior to construction. The marketing plan must identify the steps it is proposing to take in marketing the housing Unit to income eligible homebuyers.
14. The term of affordability for the Unit is five years from the filing date of the deed transferring the Unit from Developer to homebuyer, which shall be enforced by the restrictive covenants recorded against the property.

SECTION 5. (continued)

15. The DHADC Board President may authorize minor modifications to the Project to reduce the number of lots sold to Developer and to modify the Unit sales price, so long as such modification complies with the DHRC.
16. Developer shall obtain a building permit for the Unit within 120 days from the date of sale to Developer from DHADC.

SECTION 6. That this resolution does not constitute a binding agreement upon the City of Dallas or the DHADC or subject the City or the DHADC to any liability or obligation with respect to this transaction, until such time as the documents are duly approved by all parties and executed.

SECTION 7. That this resolution shall take effect immediately from and after its passage and it in accordance with the provisions of the Charter of the City of Dallas, and it is accordingly resolved.