



# Four Hills Village

## HOMEOWNERS' ASSOCIATION

P.O. Box 50505, ALBUQUERQUE, NEW MEXICO 87181-0505

April 12, 2014

Mr. Jay Czar, Executive Director  
New Mexico Mortgage Finance Authority  
344 4th St SW  
Albuquerque, NM 87102

Dear Mr. Czar

I'm writing to express my concerns about NewLife Homes' proposed Gateway 66 project, intended to be built at 13001 E. Central, and which has applied to the NMMFA for tax credits for financing.

I need to provide a little background, not the affairs of your organization, but important because all of this involves public money.

The Albuquerque Department of Family and Community Services made the recommendation to the City Council to allocate \$1.8 million or so of taxpayer funds to this project, subject to NewLife Homes obtaining additional funding. DFCS' process leading up to its supportive recommendation was utterly devoid of public input. It's simply not the way DFCS operates, and that's a City administrative process issue. City Council then voted in favor of this with sufficient public comment to comply with the letter of the Open Meetings Act according to an opinion by the City's legal department. You should understand that the item was never publicly advertised in detail prior to Council's vote. It was listed on the agenda as only "affordable housing" with no location. Total public comment of those concerned prior to the vote was two speakers, two minutes allowed per speaker – four minutes total. This was not a shining example of open government.

The NM Attorney General's web site contains a section on the Open Meetings Act. It includes this:

Public access to the proceedings and decision-making processes of governmental boards, agencies and commissions is an essential element of a properly functioning democracy. In a comment applicable to open government, Justice Louis Brandeis once observed that "sunshine is the best disinfectant." I agree wholeheartedly. As former President Harry S. Truman later put it even more succinctly: "Secrecy and a free, democratic government don't mix."

Let me move on to what is within your organization's span of concern if not of control. NewLife Homes initiated contact with our Association and others in the area by stating that this project would be for veterans and soliciting our support. When I and others questioned this, the developer ran silent – no response. Later, when questioned in front of the head of The Department of Family and Community Services, NewLife Homes' executive director admitted that it was not for veterans but that it would reach out to veterans. That line was repeated at a public meeting NewLife Homes held a few weeks ago.

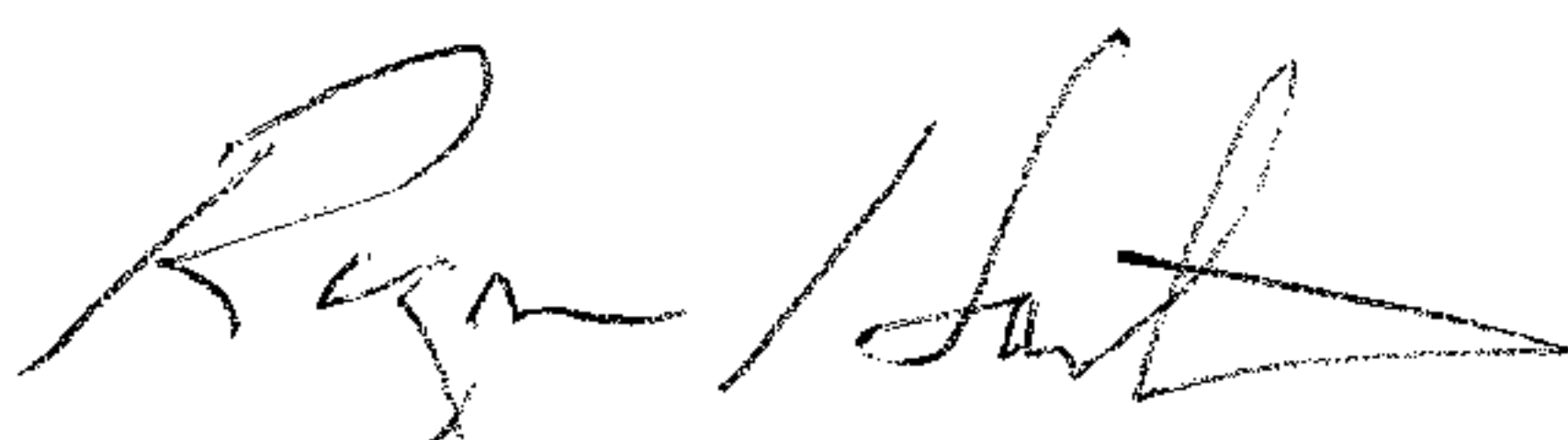
When pressed specifically on the matter, NewLife again had to admit that there was no specific veterans outreach or preference for this development. I point that out because NewLife Homes made a large point of how beneficial their developments have been for surrounding areas. I'm not personally familiar with any organization which has integrity regarding what it says on some topics when it repeatedly, knowingly, and intentionally misrepresents itself on other issues.

At that same public meeting, there was significant push-back and concern by local residents who worry that adding even more low-income high-density housing in the East Central area will mean more deterioration in an already depressed area. There was a high degree of unhappiness that this had happened under the radar. Residents in the East Central area are very aware of the impact that the deterioration of the area has on eye appeal, shopping opportunities, a feeling of personal safety, and property values. The level of panhandling, even aggressive panhandling, in local shopping areas is a significant concern for our membership.

Now it comes to your organization to make a decision regarding NewLife Homes' application. The assertion NewLife Homes makes is that this project will be privately financed. That's true if one takes a very narrow view of this. Private individuals would make loans to NewLife Homes knowing that tax credits granted by your organization would reimburse those private lenders using taxpayer funds to the tune of 110% of the lenders' investments. In reality, this entire project will be financed with public money. Lenders would make an immediate 10% profit, paid by the taxpayers, and obtain an ownership interest in the project.

If this is such a good thing, then one might argue that it should be able to withstand public scrutiny before public funds are provided. There's been very little sunshine allowed to disinfect this process. The last opportunity to allow the taxpayers to have a meaningful voice in how their money is spent is for your organization to deny the application, and to send it back to square one where it could be done in the light of day in compliance with the intent, not just the letter of the Open Meetings Act, and where the public's interest could be respected, not manipulated.

Respectfully,



Roger Hartman, President

cc: Mayor Berry  
Rob Perry, CABQ CAO  
Councilor Don Harris