

Memorandum



CITY OF DALLAS

DATE July 12, 2019

TO Honorable Mayor and Members of the City Council

SUBJECT **RFP Issued for Title Clearing Pilot Program**

On September 18, 2018, Council approved the FY 2019 City budget, which targeted \$1,000,000 for historically underserved areas at risk of displacement. Pending City Council approval of a contract, \$500,000 of that funding may be used to support a title clearing and clouded title prevention pilot program.

A number of families in Dallas consider themselves homeowners and may have lived in their homes their whole lives, yet they do not have clear title to their homes or land. This hampers their ability to qualify for city programs, to obtain home improvement loans, and to sell the property when they are ready. It can also erode the family's chances to easily pass the home on to their children or to access the equity in their property. Additionally, when a significant amount of land in a neighborhood has a cloudy title, the neighborhood is likely to see a higher number of abandoned homes and unmaintained vacant land, thus affecting the entire neighborhood's stability and future.

In response to that need, the Housing and Neighborhood Revitalization Department has issued a Request For Proposals (RFP) for an organization or group of organizations to create a pilot program to:

- Provide legal services to clear title on a significant number of properties
- Provide associated services: legal rights information sessions, client intake, legal services that prevent clouded titles (such as preparing transfer on death deeds), and program evaluation and measurement.

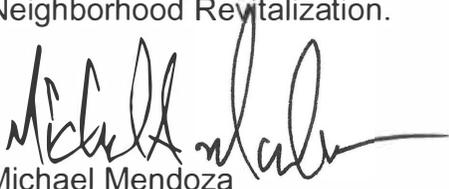
At the end of the contract period, the selected vendor will submit program evaluation reports and a recommendation for a program format for a potential ongoing program.

A pre-proposal conference was held July 8, 2019, and the submission deadline is July 25, 2019. The RFP is available through the following link, and potential vendors must log in through Bonfire to download documents and respond to the RFP.

<https://dallascityhall.bonfirehub.com/opportunities/17213>.

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If you have any questions, please contact me or David Noguera, Director of Housing and Neighborhood Revitalization.



Michael Mendoza
Chief of Economic Development and Neighborhood Services

c: T.C. Broadnax, City Manager
Chris Caso, City Attorney (Interim)
Mark Swann, City Auditor
Billerae 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
M. Elizabeth Reich, Chief Financial Officer
Laila Aleqresh, Chief Innovation Officer
M. Elizabeth (Liz) Cedillo-Pereira, Chief of Equity and Inclusion
Directors and Assistant Directors

Title Clearing Pilot Program

Pre-proposal Conference
July 8, 2019

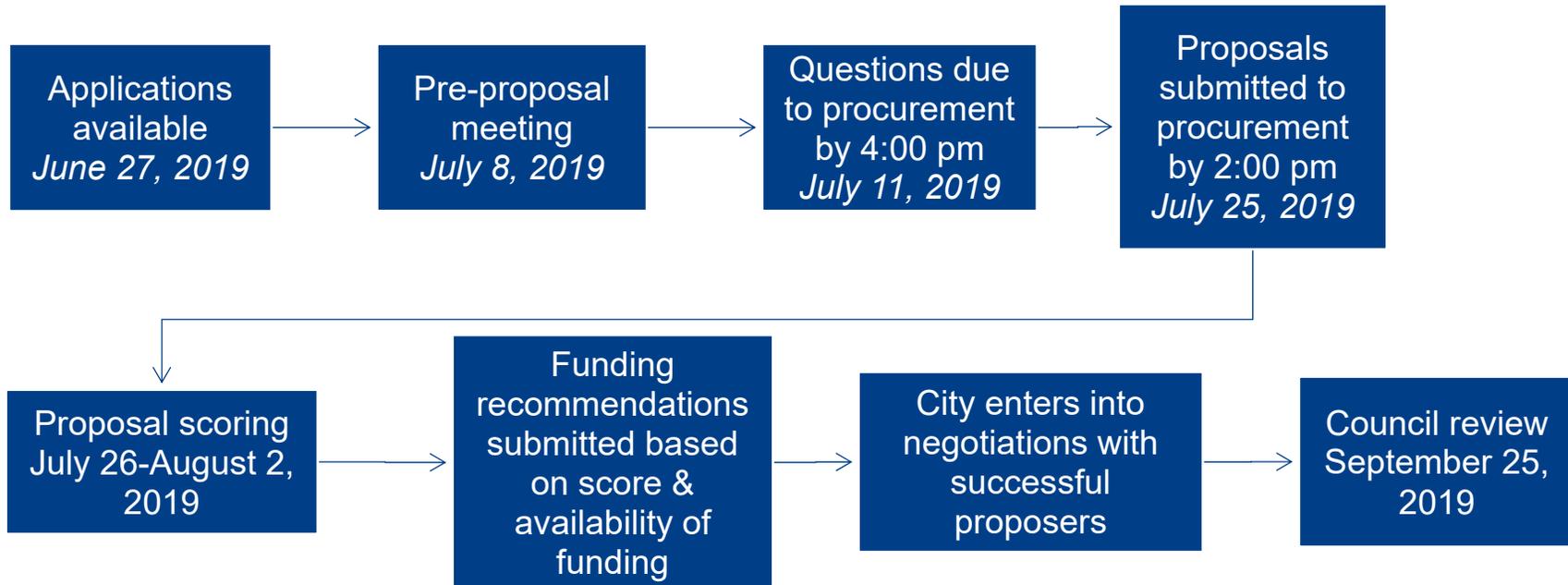
Pam Thompson
Housing Policy Taskforce
Manager

Department of Housing and
Neighborhood Revitalization



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Request for Proposals Process



Background

- \$500,000 available from current city funds
 - Must be encumbered by September 30, 2019
 - Designated for historically underserved areas at risk of displacement
- Pilot program:
 - Proposer required to design a program to clear clouded titles, prevent future title issues, and conduct program evaluation
 - Must be responsive to RFP



Program Focus

- Focus - clear titles
 - clients with homes can remain in their homes, apply for funding for home repair and other needs, and prevent future heirship issues
 - clients with vacant land can sell or build on their land.
- Best practices
 - focus on specific geographical areas
 - include legal rights information sessions, mitigation, and measurement
- Clearing title for eventual sale is potential outcome, not purpose.



Eligible Proposers

- Organizational structure:
 - Local, [state-wide](#), [out of state](#), national, [or other](#)
 - Not-for-profit, educational, legal aid, or other legal services organizations
 - Single organization or group of organizations
 - But – the group of organizations needs to be either a prime contractor with sub-contractors, or an entity registered with the state.
- Experience:
 - Strong record of providing high-quality legal representation in low-income communities
 - Title law, applicable remedies, and knowledge of Dallas

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Scope of Work

- Provide legal services described
 - to income-limited clients
 - with a presumed ownership interest in real estate within one of the eligible geographies.
- Offer representation
 - without regard to the preliminary assessment of the merits of the case.
- Provide associated services
- Note:
 - Pilot program – build a best practices model to conduct legal information sessions and maximize service delivery while adhering to sound and ethical approaches to representation
 - **Focus** - *Efficiently and effectively use the program's funds and any in-kind or pro bono resources the proposer secures to screen clients and successfully clear a significant number of titles in three to five eligible geographic areas.*

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Allowed Uses of Funding

- Legal rights information sessions
- Client representation
 - Client intake and screenings to determine program eligibility
 - Legal advice, document preparation, and document filing fees
 - Title examination and abstract services
 - Legal representation related to court hearings
- Follow up and coordination
 - Post-screening referrals with effective follow-up for individuals not served by the program
 - Convening and planning with counterpart programs to coordinate efforts
- Program evaluation
 - Data gathering and management
 - Quarterly reporting to Housing and Neighborhood Revitalization
 - Final evaluation with Housing and Neighborhood Revitalization
- Additional funding as allowed in the final contract



Eligible Recipients of Service

- Families and individuals
 - with a presumed ownership interest in real estate in eligible geographic areas
 - who have a household income that is less than or equal to 120% of the Dallas Area Median Family Income as published by HUD for the most recent year *and*
 - who are unrepresented by legal counsel related to title to the real estate
- For reference, 120% of AMFI for 2019 for a family of four is \$99,720



Eligible Geographic Areas

- Eligible areas:
 - Areas of southern Dallas (south of the Trinity River west of downtown and south of I-30 east of downtown) that are in
 - Market Value Analysis categories D, E, F, G, H, and I
- Also: uncategorized parcels directly adjacent to a parcel or parcels one of these categories are also eligible.
- Proposer must propose three to five eligible areas
 - [Map](#) the general boundaries of each area

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Client Service Priority

- Preference should be given to
 - Clients with real estate in MVA categories G, H, and I;
 - Portions of City of Dallas-designated historic districts in eligible MVA categories;
 - Those with real estate in designated Reinvestment Areas; or
 - Those clients who have been denied City of Dallas Housing and Neighborhood Revitalization funds for lack of clear title.
- The proposer should determine how best to efficiently and effectively serve the potential clients in need of this service.
- MVA map is available here:
- <https://dallasgis.maps.arcgis.com/apps/MapSeries/index.html?appid=136993e9b6114f30926eebd0a5b42d45>

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Program Design



Program Design

- *Efficiently and effectively use the program's funds and any in-kind or pro bono resources the proposer secures to screen clients and successfully clear a significant number of titles in three to five eligible geographic areas.*



Program Design: Title Clearance

- Program should:
 - Focus on effectively and efficiently **clearing titles**
 - Be complete within three years
 - Include a sliding fee scale related to family income
 - Identify the client who will be served by this program where there are issues of family conflicts and potential adversarial situations (i.e. the person who seeks legal representation via the program is not the heir living in the home.)
 - Identify additional priorities and ethical issues to be addressed through program design
 - Include a brief transition plan to address potential service needs for community members who have attended information sessions, current clients, and clients who have been referred to other programs



Program Design: Associated Services

- Community legal rights information sessions
 - Include info on responsibilities and benefits of having clear title
- Conduct client intake
 - Screen clients and employ a direct representation model.
- Prevention
 - Work to increase the percentage of families with wills and/or related documentation to ensure a smooth transition of ownership of the home from one client family member to another

Focus reminder:

Efficiently and effectively use the program's funds and any in-kind or pro bono resources the proposer secures to screen clients and successfully clear a significant number of titles in three to five eligible geographic areas.¹⁵



Program Design: Measurement

- Maintain applicant and client data
- Report aggregate, non-identifying data to Housing and Neighborhood Revitalization on a quarterly and final basis
 - Types of data: number of events, legal screenings, cleared titles, wills, etc.
- Report final evaluation
 - Quarterly data, plus plan for ongoing service provision for existing clients and recommendation for ongoing program design
 - If the city were to continue, what would it accomplish and how much funding would it take?

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Proposal Requirements



Proposal Requirements

- The proposal should be divided into three sections:
 - A. Experience and team composition
 - B. Approach and methodology
 - C. Cost and timeframe
- Number and title the proposal in response to the naming conventions in Section III of the scope of work.
- Add additional information as necessary to fully respond to this RFP.



Proposal: Experience and Team Composition

- Direct experience summary – one or two paragraph summary of experience clearing title
- Direct experience specific examples – description, dates, and names of people involved
- Additional experience summary – one or two paragraph summary of experience 1) in low-income communities and 2) in program evaluation
- Additional experience examples - description, dates, and names of people involved
- Team composition – who is on the team?

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Proposal: Approach and Methodology

- Project overview. (1-2 pages). Highlight capabilities, show an understanding of the project, and propose an approach to successful accomplishment of the project. Effectiveness, efficiency, and speed of roll-out will be key criteria in the evaluation of this proposal.
- Detailed plan. (< 6 pages) *Following the outline of services* (Section IV.D) present a detailed plan that describes how the proposer would fulfill the program requirements as outlined in the scope of work (Section IV). Indicate who would have primary responsibility for each component of the proposed program. Include:
 - a detailed program description
 - a title clearance legal services operation plan, and
 - an explanation of how the proposer will address the associated services.

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Proposal: Budget Utilization & Financial Capacity

- Create a budget based on a likely scenario of services. Focus on the use of the City's funding.
 - Identify each service that will be provided
 - Briefly describe the service
 - Identify the corresponding flat or hourly fee for the item.
- 3-year contract term
- Include a short narrative explanation of the budget and how costs were determined.
- Identify any in-kind or pro bono resources or funds that will also be applied to the project as leveraged resources, if any.

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Evaluation Criteria



Evaluation Criteria

A. Experience and team composition (maximum of 30 points). Proposals will be evaluated based on

- Direct experience: Research, legal counsel, and legal representation related to 1) clearing title 2) responsibilities related to having clear title, and 3) the value of having clear title
- Additional experience: Additional elements, including working with low-income communities and program evaluation.
- Team capacity as described in Section III: Capacity to manage the project and additional information provided in the Experience section of the requirements.

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Evaluation Criteria

B. Approach and methodology (maximum of 30 points). Proposals will be evaluated based on

- The quality of both the overall and the detailed plan and the extent to which they fulfill the scope of work. Effectiveness, efficiency, and speed of roll-out will be key criteria in the evaluation of the proposal.
- Additional information provided in the Approach section of the Proposal Submittal Requirements



Evaluation Criteria

C. Cost and Timeframe (maximum of 25 points). Proposals will be evaluated based on

- The anticipated efficiency and effectiveness of fund utilization, with a focus on successfully clearing a significant number of titles while also providing the associated services in a specified time period at a reasonable rate.
- The amount of leveraged resources and strength of commitment of funding partners



Evaluation Criteria

D. Business Inclusion and Development Plan - 15 points

- It is the policy of the City of Dallas to involve Minority and Women-Owned Business Enterprises to the greatest extent feasible on the City's construction, procurement, and professional services contracts.
- City of Dallas BID Plan available at the link below:
 - https://dallascityhall.com/departments/procurement/pages/business_inclusion_development.aspx



Frequently Asked Questions



Frequently Asked Questions

- **Q:** I didn't see any mention of fractionalized ownership avoidance with transfer on death deeds, is that not a part of this initiative?
- **A:** The associated services section requires prevention, with the proposer required to "Provide legal services to clients in eligible geographic areas to increase the percentage of families with wills and/or related documentation necessary to ensure a smooth transition of ownership of the home from one client family member to another."
 - Transfer on death deeds are included as related documentation that ensures smooth transition of ownership.

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Frequently Asked Questions

- **Q:** Can you share roughly the number of lots involved?
- **A:** Unfortunately, it is difficult to estimate the scope of this issue. For this reason the City has included a program evaluation element in the RFP so that problem scope may be extrapolated from the successful proposer's experience.



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