

University Use Only: Interviewer's Name/initials _____
Colonia Subdivision _____ Block _____ Lot _____

January 2012.

Dear Resident

Thank you for agreeing to participate in this survey for professors at the University of Texas. The survey is designed to collect data about how homeowners obtain title to their land in Texas colonias and other similar subdivisions in seven Texas border counties. The attached letter (which you may retain for your records) provides more details and our contact information in case you have any questions. As you may know, having clean title is an important eligibility requirement for homeowners to receive home improvement and rebuilding grants, especially for disaster relief efforts. With your collaboration, this study will help us to better understand what kinds of title problems residents face, and what kinds of laws and policies could be changed to help residents and their families obtain clean title.

The survey should not take more than 20 minutes to complete. After you are done, we request that you send the survey as soon as possible within the next two weeks to the University of Texas using the enclosed pre-paid mail envelope. (It is important that you mail it to the University yourself and not entrust it to a third party for delivery since this will invalidate the confidentiality that we must ensure to all of the residents who participate.)

Your participation in this survey is entirely voluntary. You may skip any questions that you prefer not to answer, but please indicate when you decline to answer a question (with a line through it or write "decline") so that we know that you didn't overlook that particular question. **All information you provide is confidential.** The information will be seen only by the faculty and graduate students of the University of Texas research teams. Only summaries of the findings will be shared with the state housing agency. Please be assured that the information you provide will NEVER be linked to you, your family, or your address.

Please note that this survey is not related in any way to the Population Census.

The survey should be completed and answered by the head of household or their spouse, but please feel free to consult with other family members if you require assistance in completing the forms. Some of the questions require additional information across the page, so please ensure that all the information requested is provided before moving to the next question. In the appropriate boxes on the survey please place a check mark \checkmark to indicate your answer to each question.

Occasionally you will be asked to tell us more about your responses in the space provided. Please write clearly in these cases.

It is important that the person completing the survey is the head of the household or their spouse (even if they are assisted by someone else with reading and writing out the answers).

Are you the head of the household or spouse?

(1) Yes (2) No If No, please give to the head of the household or their spouse to Complete.

SECTION A: DEMOGRAPHICS AND LOT OWNERSHIP

A.1 Colonia / Subdivision Name _____

A.2 Name of Person Completing the Survey _____

A.3 Today's Date _____

A.4 What is your STREET ADDRESS (not necessarily your mailing address)? _____

A.5 In what YEAR did you first *MOVE* to your neighborhood? _____

A.6 What is your ethnicity? Choose one option—indicate with a checkmark ✓.

- (1) Hispanic (2) African American (3) Anglo
 (88) Other (please explain) _____

A.7 What is your gender?

- (1) Male (2) Female

A.8 What is your approximate age?

- (1) 18-30 (2) 31-40 (3) 41-50 (4) 51-60 (5) Over 60

A.9 How many persons in your home currently have paid employment? _____

A.10 What is the estimated income (weekly or monthly) for you and your spouse including government cash benefits such as social security, social security disability, and TANF benefits? Do not include the incomes of any other persons that might live on your property. Estimate EITHER the weekly OR monthly income (no need to do both).

Estimated Household Income per WEEK		Estimated Household Income per MONTH	
<input type="checkbox"/> (1) \$50 - \$149	<input type="checkbox"/> (4) \$400 - \$599	<input type="checkbox"/> (1) \$200 - \$599	<input type="checkbox"/> (4) \$1600 - \$2399
<input type="checkbox"/> (2) \$150 - \$249	<input type="checkbox"/> (5) \$600 - \$799	<input type="checkbox"/> (2) \$600 - \$999	<input type="checkbox"/> (5) \$2400 - \$3199
<input type="checkbox"/> (3) \$250 - \$399	<input type="checkbox"/> (6) more than \$800 how much? _____	<input type="checkbox"/> (3) \$1000 - \$1599	<input type="checkbox"/> (6) more than \$3200 how much? _____

NOTE: In this survey, the word “lot” is used to mean the parcel or tract of land you are living on. The word “owner” is used to mean the person who owns the lot, and/or the person who is making payments to buy the lot.

A.11 Who are the owners of this lot? Include here the names of any persons who are owners or who are making payments to buy the lot. (List ALL names here

A.12 Do you own this lot or are you making payments to buy the lot?

- (1) Yes (2) No

A.13 If you have a spouse, is she/he an owner of this lot or making payments to buy the lot?

- (1) Yes (2) No

If you answered “No” to A.12 AND A.13, Go to A.15

A.14 If you answered YES to A.12 or A.13: Is anyone else a joint owner of the lot or in the process of buying the lot with you and/or your spouse?

- (2) No (1) Yes → List their name/s: _____
And relationship to you: _____

A.15 If you and your spouse DO NOT OWN the lot and are also not in the process of buying the lot, what is your relationship with the owner? Please answer one of the following to describe your relationship with the owner:

(1) I am a renter and my payments are not going towards the purchase of the lot. ↓

Go to Section I on page 11

(2) I live with a family member who owns the dwelling. ↓

Go to Section J on page 11

(3) A family member or friend lends the house to me so that I can live here. ↓

Does s/he charge you rent?

(1) Yes (2) No

↓

Go to **Section I** on page 11

(88) Other: please explain _____

SECTION B: ACQUISITION OF THE LOT

NOTE: PLEASE ANSWER THE QUESTIONS IN SECTION B ONLY IF YOU AND/OR YOUR SPOUSE OWN YOUR LOT OR ARE IN THE PROCESS OF BUYING YOUR LOT. *If you are a renter, please go to SECTION I for RENTERS on PAGE 11 and begin with question I.1.*

B.1 OWNERS OR PERSONS BUYING THEIR LOTS: In which YEAR did you and/or your spouse acquire or start purchasing your lot? _____

B.2 HOW did you and/or your spouse acquire or purchase the lot?

(1) Purchased from Previous Resident: → Name: _____

(2) Purchased from the Developer: → Name: _____

(3) Inherited from a Family Member Who Died: → Name: _____

If you inherited, go to Section E on page 7

(4) Gift from a Family Member. → Name: _____

Relationship: _____

If you received the property as a gift, go to Section E on page 7

(88) Other (**Please explain**) _____

SECTION C: PAYMENT FOR LOT

NOTE: PLEASE ANSWER THE FOLLOWING QUESTIONS IN SECTION C ONLY IF YOU AND/OR YOUR SPOUSE FINISHED PAYING OR ARE CURRENTLY PAYING MONEY TO BUY YOUR LOT. *If you inherited your lot from a family member who died or received your lot as a gift from a family member, please go to SECTION E on INHERITANCE PLANNING and begin with Question E.1.*

C.1 Are you related to the person who sold you and/or your spouse the lot?

(1) Yes: → What is their relation to you? (1) My Parent (2) My Cousin

(2) No (3) My Brother/sister (4) My Uncle/aunt

(88) Other (*specify*) _____

C.2. When you and/or your spouse purchased your lot, did you purchase only the land OR both the land and the house together?

(1) Land only (*go to question a*)

(2) Land and house (*go to question b*)

↓

↓

a. How much was paid for the land only?

b. How much was paid for both the land

\$ _____

and house? \$ _____

C.3 What was the initial down payment? \$ _____

C.4 What was the original amount of the monthly payments? \$ _____

C.5 Are you and/or your spouse still making monthly payments?

(1) Yes → **If yes, what is the amount of the monthly payments?** _____

How many years of payments are left? _____

(2) No

C.6. What was the primary method you and/or your spouse have used to pay for the lot?

(1) Paid for all of the lot up front using
cash & savings (including tax rebates)

(3) Obtained a loan from a bank

(4) Obtained a loan from a credit union

(2) Paid for all of the lot up front using
money I borrowed from family or a friend

(5) Made payments to the seller for more
than a year

(88) Other (*Please explain*) _____

SECTION D: PROPERTY TITLES

PLEASE ANSWER THE QUESTIONS IN SECTION D ONLY IF YOU AND/OR YOUR SPOUSE FINISHED PAYING OR ARE CURRENTLY PAYING MONEY TO BUY YOUR LOT. IF THIS IS NOT THE CASE FOR YOU, SKIP TO THE NEXT SECTION (SECTION E) ON PAGE 7.

The following questions deal with the kind of title papers or agreement that you received WHEN YOU AND/YOUR SPOUSE FIRST PURCHASED or started paying for your lot. The term "title papers" refers to documents showing who was the seller and who was the buyer of the lot or that otherwise show that the property was being sold to you. *If you have access to them, please look at your title papers before answering the following questions.*

D.1 Were you able to look at your title papers in order to answer the following questions?

(1) Yes (2) No

D.2 What kind of PAPERS did you have WHEN YOU FIRST PURCHASED OR STARTED PAYING for your lot? (check one of the boxes below and answer the additional questions to the right of the checked box):

<input type="checkbox"/> ⁽¹⁾ Written Contract for Deed or Contract for Sale (This is a written document in which you agree to make payments to the seller and then receive a deed at the end of making the payments).	→	<p>a. What are the buyers' and sellers' names listed on the contract? <i>If more than one, please list all.</i> Buyers: _____ Seller: _____</p> <p>b. Are the buyers' names on the contract different from the current owners you listed in A.9.a above? <input type="checkbox"/> ⁽¹⁾ Yes → If Yes, why? _____ _____ <input type="checkbox"/> ⁽²⁾ No</p> <p>c. What is the date listed on the contract? Day _____ Month _____ Year _____</p> <p>d. What is the interest rate listed on the contract? _____</p>
<input type="checkbox"/> ⁽²⁾ Deed (This is a title document signed by the seller which has the words "deed," "quitclaim deed," "warranty deed," or "special warranty deed" at the top of the document)	→	<p>a. What buyers' and sellers' names listed on the deed? Buyers (or "Grantees") _____ Sellers (or "Grantor") _____</p> <p>b. Are the buyers'/Grantees' names listed on the deed different from the current owners you listed in A.3 above? <input type="checkbox"/> ⁽¹⁾ Yes → If Yes, why? _____ _____ <input type="checkbox"/> ⁽²⁾ No</p> <p>c. What is the date listed on the deed? Day _____ Month _____ Year _____</p> <p>d. When your lot was purchased, did you and/or your spouse sign a document for the seller called a "Deed in Lieu of Foreclosure" or a "Deed in Lieu"? <input type="checkbox"/> ⁽¹⁾ Yes → What year? _____ <input type="checkbox"/> ⁽²⁾ No <input type="checkbox"/> ⁽⁹⁸⁾ Don't know</p>
<input type="checkbox"/> ⁽³⁾ Oral Agreement	→	<p>a. What was your understanding of the oral agreement? _____</p> <p>b. Did you receive regular receipts for monthly payments? <input type="checkbox"/> ⁽¹⁾ Yes <input type="checkbox"/> ⁽²⁾ No</p>
<input type="checkbox"/> ⁽⁸⁸⁾ Other	→	<p>a. Please explain. Include a description of any written documents, such as receipts, you received from the seller _____ _____</p>
<input type="checkbox"/> ⁽⁹⁸⁾ Do Not Know	→	<p>a. Please describe what you remember about the agreement: _____</p>

D.3. If you and/or spouse received a Deed, Contract for Deed or a Contract for Sale when you first purchased the lot, was the document filed or registered at the county clerk's office?

- ⁽⁹⁸⁾ Don't know ⁽¹⁾ Yes → **By Whom** _____ **What year?** _____
 ⁽²⁾ No → **Why not?** _____

The following questions deal with the kind of **TITLE PAPERS** or agreement that you **CURRENTLY** have for your lot? The term "title papers" refers to documents showing who is the seller and who is the buyer of the lot or that otherwise show that the property was being sold to you.

D.3 Were you able to look at your papers before answering these questions? (1) Yes (2) No

D.4 What kind of ORIGINAL PAPERS do you CURRENTLY HAVE for you lot: (check one of the boxes below and answer the additional questions to the right of the checked box.):

<input type="checkbox"/> (1) Written "Contract for Deed" or "Contract for Sale" (This is a written document in which you agree to make payments to the seller and then receive a deed at the end of making the payments.)	→	<p>If you now have a different contract for deed or sale from when you first purchased your lot, answer the following 3 questions:</p> <p>a. What were the buyers' & sellers' names listed on the contract? Buyers: _____ Seller: _____</p> <p>b. What is the date of the newer contract? Day _____ Month _____ Year _____</p> <p>c. Why is there a newer contract? _____</p>
<input type="checkbox"/> (2) Deed (This is a title document signed by the seller which has the words "deed," "quitclaim deed," "warranty deed," or "special warranty deed" at the top of the document).	→	<p>a. What were the buyers' and sellers' names listed on the deed? <i>If more than one, please list all.</i> Buyers (or "Grantees") _____ Sellers (or "Grantor") _____</p> <p>b. What is the date listed on the deed? Day _____ Month _____ Year _____</p> <p>c. Why did you receive a deed?</p> <p><input type="checkbox"/> (1) The seller gave me the deed because the payments on the lot were completed.</p> <p><input type="checkbox"/> (2) There was a contract for deed or rent to own agreement that was converted into a deed with help from a nonprofit, legal aid attorney, government agency, or other organization.</p> <p style="padding-left: 40px;">If so, who assisted you with the conversion process:</p> <p style="padding-left: 40px;">_____</p> <p><input type="checkbox"/> (88) Other (please explain): _____</p> <p><input type="checkbox"/> (98) Don't know</p>
<input type="checkbox"/> (3) Oral Agreement	→	<p>a. What was your understanding of the oral agreement? _____</p> <p>b. What YEAR was the oral agreement made? _____</p> <p>c. Have you received regular receipts for monthly payments? <input type="checkbox"/> (1) Yes <input type="checkbox"/> (2) No</p>
<input type="checkbox"/> (88) Other	→	<p>a. Please explain. Include a description of any written documents, such as receipts, you received from the seller.</p> <p>_____</p>
<input type="checkbox"/> (98) Do Not Know	→	<p>a. Please describe what you remember about the agreement:</p> <p>_____</p>

D.5 If you and/or spouse currently have a Deed or Contract for Deed or Contract for Sale for the lot, has the document been filed or registered at the county clerk's office?

(1) Yes → **By Whom** _____ **What year?** _____

(2) No → **Why not?** _____

(98) Don't know

D.6 Are there any LIENS (a legal or financial claim against your property for money owed to the seller, the government, bank, or another entity) **on this property?**

(2) No

(98) Don't know

(1) Yes → **If Yes, What is the Lien for?** (check all that apply)

(1) Money owed on the purchase of the lot (2) Home equity loan (3) Property Taxes

(88) Other (please explain) _____

SECTION E: INHERITANCE PLANNING

THIS SECTION IS FOR **ALL OWNERS**, INCLUDING THOSE WHO HAVE BOUGHT THE LOT, ARE STILL MAKING PAYMENTS, OR RECEIVED THE PROPERTY AS A GIFT OR INHERITANCE.

IF THIS IS NOT THE CASE FOR YOU, SKIP TO SECTION F ON PAGE 8.

E.1 Do you have a will?

(1) Yes

(2) No

(98) Don't know

E.2 If you have a spouse: Does your spouse have a will?

(1) Yes

(2) No

(98) Don't know

E.3 If you do not have a will, have you made any informal arrangements or understandings about who will receive the lot in the event of your death?

(2) No (98) Don't know

(1) Yes → **If yes, please briefly describe those informal arrangements:** _____

E.4 If you own your lot or are in the process of buying your lot, who do you expect to inherit the lot in the event of your death?

(1) My spouse. If you answered "my spouse," which family members do you expect to inherit the lot after both you and your spouse die? List here: _____

(3) All of my children equally

(4) My parents

(2) One of my children. *Specify current age, gender and birth order –for example, oldest child, or second oldest, etc.:* _____

(88) Other. Please explain _____

SECTION F: HOUSEHOLD INFORMATION

THIS SECTION IS FOR **ALL OWNERS**, INCLUDING THOSE WHO HAVE BOUGHT THE LOT, ARE STILL MAKING PAYMENTS, OR RECEIVED THE PROPERTY AS A GIFT OR INHERITANCE.

F.1 How many people live on your lot? _____

F.2 How many people live in JUST YOUR household/dwelling? _____

F.3 What is your Marital Status?

- (1) Single (2) Widowed/Widower (88) Other: (Please explain) _____
 (3) Married → **What year?** _____ (4) Divorced → **What year?** _____

If you are not currently married, go to question F.7.

If you are currently married:

F.4 Are you and your spouse/partner formally married?

- (1) Yes (civil or church wedding) (2) No (free union / union libre)

F.5 Do you have children from your current marriage or relationship?

- (1) Yes → **Number of children?** _____ (2) No

F.6 Do you or your spouse/partner have children from a previous marriage or relationship?

- (1) Yes → **Number of children?** _____ (2) No

F.7 Since you became owner of your property, have you gotten divorced?

- (2) No *If No, skip to Section G on page 9 (question G.1)*

(1) Yes **If Yes →**

a. List prior spouse's name: _____

b. What year did you divorce? _____

c. Was there a divorce decree?

- (1) Yes (2) No *If No, skip to Section G on page (question G.1)*

F.8 If there was a divorce decree, did the decree identify who was to get ownership of the property?

- (1) Yes
 (2) No
 (98) Don't know

F.9 If there was a divorce decree, was the divorce decree filed in the county property records office?

- (1) Yes
 (2) No
 (98) Don't know

SECTION G: LOT SALES

THIS SECTION IS FOR **ALL OWNERS**, INCLUDING THOSE WHO HAVE BOUGHT THE LOT, ARE STILL MAKING PAYMENTS, OR RECEIVED THE PROPERTY AS A GIFT OR INHERITANCE.

G.1 Have you ever sold a lot in Texas?

(1) Yes (2) No *If No, skip to question H.1 (if inherited) or to end section J if not*

G.2 If Yes, how did you sell the lot? (If you have sold more than one lot, answer the following questions (G.2 - G.6) based on your most recent sale)

- (1) **Written Contract for Deed or Contract for Sale** (This is a written contract in which the buyer agreed to make payments to you over time and you promised to give the buyer the deed at the end of making the payments)
- (2) **Deed and 100% Cash** paid for the lot (This is a transaction where the buyer paid you all of the cash up front for the lot and you gave the buyer a title document with the words "deed," "quitclaim deed," "warranty deed," or "special warranty deed" at the top of the document)
- (3) **Deed and Deed of Trust** (This is a transaction where the buyer agreed to make payments to you or a bank over time and you gave the buyer up front a title document with the words "deed," "quitclaim deed," "warranty deed," or "special warranty deed" at the top of the document)
- (4) **Oral agreement:** (please specify) _____
- (88) **Other** (please specify): _____

G.3 In what YEAR did you sell the lot/property (YEAR)? _____

G.4 Where was the lot located (County or City)? _____

G.5 Did you obtain assistance with the sale from an attorney or real estate agent?

- (1) Yes
 (2) No

G.6 To whom did you sell the lot? (relative, friend, stranger, other?)

- (1) Relative (2) Friend (3) Third party not known to you
 (88) Other: (specify) _____
-

SECTION H: INHERITANCE OF LOT

THE FOLLOWING SECTION SHOULD ONLY BE ANSWERED **IF YOU INHERITED THE PROPERTY FROM SOMEONE WHO DIED** (AND ANSWERED "INHERITED" IN QUESTION B.2 ABOVE). IF YOU BOUGHT YOUR LOT, GO TO THE END OF THE SURVEY FOR FURTHER INSTRUCTIONS.

H.1 (ONLY if you inherited the lot). In what YEAR did you inherit your lot? _____

H.2 From whom did you inherit your lot?

- (1) My late spouse (2) My Parents/in-laws (3) Other relatives
 (88) Other: (please specify relationship) _____

H.3 Did any other persons inherit the lot along with you?

- (1) Yes → **Name** _____ **and relation(s) to you:** _____
 (2) No (98) Don't know

H.4 If yes, do you share ownership of the lot today with the same relatives?

- (1) Yes → Name _____ and relation(s) to you: _____
- (2) No
- (98) Don't know

H.5 Did the person you inherited your lot from have a will?

- (1) Yes (2) No (98) Don't know

H.6 If yes, was the will probated (probated means the will was filed and processed by a court)?

- (1) Yes (2) No (98) Don't know

H.7 What kind of title to the lot did the owner have at the time of their death? (check one of the boxes below and answer the additional questions to the right of the checked box.):

<input type="checkbox"/> (1) Written Contract for Deed or Contract for Sale (This is a written document in which you agree to make payments to the seller and then receive a deed at the end of making the payments).	→	<p>a. What were the buyers' and sellers' names listed on the contract?</p> <p>Buyers: _____</p> <p>Seller: _____</p> <p>b. What is the date of the newer contract?</p> <p>Day _____ Month _____ Year _____</p>
<input type="checkbox"/> (2) Deed (This is a title document signed by the seller which has the words "deed," "quitclaim deed," "warranty deed," or "special warranty deed" at the top of the document)	→	<p>a. What were the buyers' and sellers' names listed on the deed? If more than one, please list all.</p> <p>Buyers (or "Grantees") _____</p> <p>Sellers: (or "Grantor") _____</p> <p>c. What is the date listed on the deed?</p> <p>Day _____ Month _____ Year _____</p>
<input type="checkbox"/> (88) Other	→	<p>a. Please explain. Include here a description of any written documents, such as receipts, the owner who died had.</p> <p>_____</p>
<input type="checkbox"/> (98) Do Not Know	→	<p>a. Please describe what you know about the title:</p> <p>_____</p>

SECTION I: RENTER-OCCUPIED UNITS

THIS SECTION IS ONLY FOR RENTERS. IF YOU OWN OR ARE BUYING YOUR HOME, PLEASE CONTINUE TO THE END OF THE SURVEY (J below).

I.1 How many separate rental units are on this lot?

- (1) One (2) Two (3) Three (4) Four (5) Five or More

I.2 In what year did you move to this dwelling? _____ (YEAR)

I.3 What is your monthly rental cost? \$ _____

I.4 How many bedrooms are there in your apartment/home?

- (1) One (2) Two (3) Three (4) Four or more

I.5 To whom do you pay the rent?

- (1) Owner (2) A representative of the owner (3) Rental Agency
 (88) Other (specify) _____

I.6 Do you have a written rental contract?

- (1) Yes (2) No

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SECTION J: Wrap-Up of Survey

THIS SECTION IS FOR EVERYONE COMPLETING THE SURVEY.

Please provide a contact phone number below. This will be used ONLY if we have any questions relating to the answers given in this survey. The phone # will be discarded as soon as we have recorded your answers. It will not be given to a third party.

Phone #: _____

On behalf of the University of Texas and your fellow residents and neighbors, VERY MANY THANKS FOR COMPLETING THIS SURVEY. Once again, this survey is confidential and none of your answers will be linked to your household or address, but used only to create general data tables about land title issues in Texas colonias.

PLEASE DON'T FORGET TO COMPLETE AND MAIL THE SURVEY to us in the pre-paid addressed envelope provided as soon as possible and within the next two weeks. Please do not ask one anyone else to deliver the survey on your behalf since this will breach the confidential agreement that we have extended to you, and it will invalidate your survey contribution.

If you have any questions, feel free to contact the UT professors heading up the survey:

- *Peter Ward, at the LBJ School of Public Affairs: 512-471-6302(0); 512-626-2963 (cell) or peter.ward@mail.utexas.edu*
- *Heather Way, Director of the Community Development Clinic at the University of Texas School of Law: 512-232-1210.*