

1 Focus Group # 4
2 Couples
3 Topics 1, 2, and 3
4 6-28-02 / 12-1:30pm
5
6

7 Introduction

8 [TITLE] Q: Now that the majority of people have a property title which is legal and
9 settled and correct, does that really mean or do you really feel more secure economically
10 and financially, yes or no?

11 M and F- Yes, yes.

12 Q: Yes. Why? What good does it bring you?

13 F- Well, it guarantees that you are the owner of that piece of land that is the best security.

14 Q- Security. What else?

15 [IMPROVEMENTS] M- People feel secure to build a little house to improve there.

16 [WAITING] Q- Anything else? First, I want to ask a question, now that you are
17 owners...first, do you all have your legal property title?

18 F- No.

19 F- No, not me.

20 F. I am buying from another woman but its in another's name who did not finish paying
21 up and that is why I came to you to ask what I can do.

22 Q- Does the woman have a legal title?

23 F- Well she says that she has it but I came to ask here and they say that she doesn't have it.

24 Q- And did you already pay her?

25 F- Well, I only paid a part. I haven't finished paying it all.

26 Q: And you did not already have your lot and your....

27 F: I just have some receipts that she has been giving me.

28 Q: So in reality, all of these cases, like yours and in general, have been part of the process
29 of liquidation. And you should resolve it with the CRG...

30 F: I have already asked them and they said they were going to investigate but they have
31 never said anything to me.

32 Q: And how long ago did this happen?

33 F: Well, it was a while back.

34 Q: And have you gone again to ask?

35 F: Yes, I came yesterday to ask and they told me that they were going to look again to see
36 what the situation is...

37 M: Because the titles they have already given out, and the lands that have been cleared
38 up -- now those are clear. If they have not sold to others, they don't have any more to
39 give.

40 F: It's because you bought from someone who bought from Elias Solaz (?). It's already
41 second hand. You did not buy directly from Elias Solaz (? Does not sound like Lopez).

42 F: No, it's from a person that bought from Elias Solaz. So she should have to first settle
43 the land. And then you with her, right? So I imagine that the person that the main person

1 - the one that is selling it - she should be coming here to resolve this. Because she is the
2 one who bought from Elias Lopez, and then you with her.
3 F: yes.
4 F: So you cannot come directly to fix the title... I imagine. I don't know. The other
5 person.
6 F: Well both could come too since she is paying her [seller]. Both should come to make
7 an arrangement.
8 F: And I am not going to pay her until she gives me the title.
9 F: Exactly. But you must be insistent. Because she has your money and she supposedly
10 has the title. You have to keep insisting and then both come. Because since she is paying
11 her, they should both come down. (several people talking in background)
12 F: You already paid?
13 F: Yes, she has it paid here. She tells us she does not have the title, but there they tell us
14 she already has the title.
15 F: That she has it?
16 F: That she has it.
17 M: How can she show that she has already paid it if she does not have a title?
18 F: Well, if she has all the receipts.
19 F: I imagine they could give you information here on the lot. I imagine.
20 F: Sra. Francisca?
21 M: No, another woman.
22 F: Another one. She says she does not have it.
23 Q: All of these problems with this lady, in reality have to be resolved within the process.
24 In general, this is the fifth group that we are interviewing, and there have been one or two
25 similar cases which are not yet resolved. There are some cases that have not been
26 resolved, so minimally 3 cases. But this you need to resolve. Now, my question for the
27 person that does have his or her title, [IMPROVEMENTS] what I would like to know is,
28 now that you are the legal owner of the solar and everything you have inside your lot,
29 have you been thinking of making improvements on your house? Or did you already do
30 them before?
31 F: I think since before.
32 Q: Yes?
33 F: Well in our case, we always had it. We bought it and were given the papers and
34 everything has always been in working order.
35 Q: In every group we have had a person whose situation is not resolved, and a person
36 who has never had any problems. You never had problems, you had your title since the
37 beginning?
38 F: Yes, thanks to God everything is well.
39 Q: Anyone else in a similar situation?
40 F: Me too. I bought the house in 1989. I have been living there for 12 years, in the
41 house, paying taxes for 12 years. And everything is correct except that Blas sold part of
42 the alley, a little street that passes behind, a part of it. And it's not covered in the original
43 document. But I came here and they told me that for 25 dollars that they were going to

1 charge me, they were going to tell me the lot number, specifying the area of the solar
2 where I am living. That is the number of lot they will give me, which does not appear in
3 what I have. That having that lot number, it says exactly -- no not the location but the
4 exact measurement of the land that I have where the alley is included. And it is not
5 included in what I have.
6 Q: So you have a property title which did not specify the area.
7 F: yes.
8 Q: So the title was not complete but it is now resolved?
9 F: Yes everything is okay.
10 [IMPROVEMENTS] Q: My question is, now that you are owners, are you making more
11 improvements than when you were not owners? Has it mattered at all - having the title?
12 F: (several talking at same time)
13 Q: You say it's the same. When you did not have a property title, still you built
14 F: Well it is important. Because if you do not own and you add on more, and what if they
15 take it away later. You will lose everything you did. We should care.
16 [TAXES] F: (not very audible, from far away) Since we bought we have been paying
17 taxes and everything.
18 F: That is you paid for it immediately?
19 F:Immediately.
20 F: No well it took us a while because in one acre, for them to give us the title they told us
21 that they could be taken away. That maybe the property was not safe.
22 Q: Exactly.
23 F: At the registry we had to stop the payments until we got the property title.
24 F: Us too. We also had to wait a bit.
25 Q: You paid to something...
26 M: I paid taxes, past taxes but then they did not update them. That is, when I came to pay
27 was before they gave out the titles. I already had the titles. So when I would come
28 (inaudible)
29 Q: (Inaudible - only word audible "taxes")
30 F: Yes before you paid in the name of the owner of the property.
31 Q: Oh, yes. Before you had the title you paid taxes
32 F: Others yes. Not me. But there were people who paid in that man's name, who was
33 owner before.
34 M: I paid \$2,400 pesos in taxes, or rather dollars. They told us that if we did not pay...
35 Q: Who told you?
36 M: The courts. The offices of the school.
37 [IMPROVEMENTS] Q: Once you had your property titles, have you asked for loans
38 from any financial agency or bank, or any state agency to make improvements on your
39 home?
40 F: No.
41 [CONFLICT] F: I wanted to say. In my father's case, he had all the bills and he never
42 received his solar. Just recently he was given a solar but he does not like it. Because he
43 had chosen close to us. Blas resold it like 3 times. And now that they gave him a solar,

1 they gave it to him way back there. And he does not even have sewage or electricity.
2 And well, he is not happy. And he cannot ask because supposedly he came here asking
3 for help but that since he is not living in the solar they cannot help him build his house.
4 Well how do they want him to live there if he does not have sewage. How does he build
5 the little house. That is really wrong. Because there is no electricity, and there is no way
6 of living. What good is it to have the solar if they still don't want to help him.
7 M: That is happening more with the people who are there.
8 F: Because they give you the solar but not like us here, who are doing well. They gave it
9 to him over in the hills, where the sewage did not reach. So it should be that they place
10 sewage and electricity over there.
11 F: And if it's not going to happen, well it's just like going backwards. Make believe that
12 they are being compared to Elias and Blas, if things are done incorrectly.
13 F: Exactly.
14 F: But if they do something do it well, or do not do it at all. Because if they are going to
15 do, like the lady says, instead of moving forward, you move backwards.
16 F: Yes, what good is the solar if they did not give it to him here like the rest of us.
17 Q: Have you seen that problems of this type...
18 F: Like with her. He came and was told that if you live in your trailer or your little house
19 with few provisions, they will help you. She just got it...
20 Q: Who did?
21 F: My mother. They just gave her the solar a little while ago, must have been little over a
22 year, right, that they gave land to those missing. But it does not help her at all because
23 her house is made of wood and it sits on her father-in-law's property, who already died.
24 The land is being claimed by a brother. She cannot leave to come over here because
25 there is no electricity, no sewage, and she does not qualify for the help. And she does not
26 qualify because my father is disabled and supposedly because of the money coming in.
27 What money, just that one. So the situation is that one way or the other, she is in the
28 same boat.
29 Q: Are there more cases that you know about of this type?
30 M: Well I suppose all those that were given in that area are in the same situation.
31 Q: How many are there?
32 M: There are several.
33 F: There are around 20, right? Or less?
34 Q: And where are these people complaining?
35 F: I do not know. I only know because my mom got that lot. And she has come here but
36 it's like it comes in one ear and out the other.
37 F: And to reclaim a solar, what was your mother's problem, was it already sold?
38 F: Yes first, she bought it in front over where La Garza street is, and ...
39 F: I see that in there are many parts where there are placards that say that this lot can be
40 sold because they belong to receivership..
41 F: Those are the ones that were given... those are the ones they gave her, the ones there.
42 They are not for sale because they are being given to the people. She was given one of
43 those.

1 F: Those solares were not claimed, they were not sold, right.
2 F: Yes. That was the only one they could give them. But it's the same deal because there
3 is no electricity, water or sewage. So what good does it do. They had bought it over here
4 because they were going to have all that. It does not get all the way over there.
5 F: So what they should do is to not take over land that does not provide the conditions in
6 order to give them out. It's like going backwards.
7 F: They are taking lands as she says...
8 F: in the hills or the land that no one bought, understand?
9 F: And it is not apt for living, so why give it. It's like giving the papers without a solar
10 because you have them but cannot use it. And there is no way that they can help you.
11 Q: This is a serious case. And it is important to know about it. Are there other similar
12 cases that you could inform us on. Again, I repeat we do not work for CRG. We want to
13 know what type of problems occur so that when another similar program takes place in
14 Texas or some other state, they not give out lands that are inhabitable. That is a very
15 serious problem. Any other problem you have seen? (short silence) Do you think that
16 the process, for example in this case, (inaudible). Do you think the process has been fair.
17 For example why did she get that lot and someone else got another. Who do they give it
18 to? (Child talking over Cecilia's voice). To whom would it be most fair?
19 F: The one that buys it first. In this case, he was the first to buy there and then it was sold
20 to two others. And the land was given to one of the other two, not to him. Likewise, over
21 here, they gave him another over on this other street that supposedly was not sold -- by
22 Brooks. And they also gave it to the others, the other 4 owners. And he was one of the
23 first that bought here. And he was the last. Also since he is quiet. He does not speak up,
24 does not say anything, he got screwed (se fregó). It was given to those that complained
25 the loudest and he was like with the worst.
26 F: Well another similar case, that I read about, that she had a solar. Her house is built on
27 one solar and a bit of the other. But the other solar supposedly had an owner and he
28 wanted the solar. So the case is stopped, it's still not resolved.
29 F: But her house goes into the other solar, which is also hers. She has both, but the other
30 one was resold. And the house went a little bit over to the other solar. And [the new]
31 owner is fighting it. This man wants this solar, he does not want any other place.
32 F: No, but in this case they have to just give him another one because she has already
33 built her house there, she has more rights. And especially if it is made of [construction]
34 material.
35 F: Yes, it's made out of block.
36 F: Well he's going to have to pay for her to move it and build it elsewhere. That would be
37 fair. Give him another...
38 F: Yeah, you say give him another lot, but lets see that it be fair.
39 F: Yes that it be fair.
40 F: But if another owner does not show up until after 10 or 12 years, when the house is
41 already built and everything.
42 F: Well even more, they are just acting stupid there. But that the other land given be
43 inhabitable and then the case is resolved. It's just that they take too long. They wait and

1 wait until they finally do it (not clear what talking about, probably of owners that appear
2 10 years later).
3 Q: Do you think that if the claimants take too long, they lose the right to claim it?
4 M: yes.
5 F: Well if someone has a piece of land, he comes around once a year or twice a year or
6 leaves someone keeping an eye on it, in charge of it. One does not buy land and leave it
7 abandoned.
8 F: Exactly, that's why you are paying for it.
9 F: (inaudible).
10 Q: These problems have occurred. The objective of this program was that all the
11 problems be finally resolved. The cases here, everyone has their problems resolved,
12 except your parents? The rest are you happy of the way in which your problem was
13 resolved?
14 F and M: yes. Yes.
15 M: No not very happy.
16 F: Victor tell her why.
17 M: Well, we did not get the solares that we had bought. And we paid. We got others.
18 We were told that there were no more solares. Anyway, we resolved it.
19 Q: Are you satisfied?
20 M: well....some.
21 (inaudible comment by man)
22 Q: Those that are happy. Could you tell us why you are happy with the way things were
23 resolved?
24 [TAXES] M: Here the program – they have been good (se han portado bien). They were
25 good to everyone.
26 F: I am going to the Laundromat and will be back.
27 M: Because they (chair movement) things were very messed up.
28 M: The only thing is that we had to pay taxes.
29 M: But this program is not at fault for the taxes.
30 M: After we were given the title, we had to pay taxes.
31 [IMPROVEMENTS] F: Well I am very happy because I received help, I was able to
32 make my house bigger.
33 Q: And you were able to this because you had a title, you requested help or why?
34 F: Because I had my title. I got the house as a rental. I did not buy it but I was paying for
35 it with rent money. And when I got a my title, I asked them to charge me the rest, and
36 some friends helped me. And they put in another bedroom because I only had one
37 bedroom and had two kids. So they helped me with the house, helped with the room, and
38 with the bathroom.
39 Q: Did you request a loan for this or is it a form of assistance?
40 F: It's federal assistance. The only condition is that we cannot sell the house for 5 years.
41 Nor could we mortgage it or anything.
42 F: They did the same for me.
43 Q: Could you explain what happened please?

1 F: They put in central air, and just like her, the same.
2 Q: For her they added a room. ..
3 F: No for me they just put in central air, (sealant?) was missing on the roof and the doors,
4 they made the doors.
5 Q: You requested it?
6 F: They offered for me to participate in the program.
7 Q: Who is “they”?
8 F: The program De Colores (?).
9 Q: Could you explain to us what the process was like?
10 F: Well fine. I like how the house turned out, they offered me everything.No, it was
11 part of the program. It was like federal help.
12 Q: Federal assistance? Did you have to pay?
13 F: No, and I cannot rent out or sell the house for 5 years. Or we have to pay for the time
14 that we are going to use it.
15 Q: So instead of paying in paying, you pay by living in it? Yes?
16 F: That’s one of the conditions.
17 F: And if you rent it or sell it, you have to pay what they tell you.
18 Q: Ahha.
19 F: You have to pay back.
20 [LOAN] [TITLE] Q: And to do this did you need the property title?
21 F: Yes.
22 F: Yes, because my sister tried to do the same thing. She asked for a loan for the house
23 with which she has problems, but she has the title. She ask for a loan or help because she
24 has the title.
25 Q: To do this you need the property title?
26 F: Yes, because my sister also tried to get a loan for the house in trouble right, but she has
27 the title. She can ask precisely because of the title – for a loan or assistance.
28 Q: Has anyone else here asked for a loan, have they asked for the property title?
29 A: I asked for a loan but they did not ask me for anything.
30 Q: Did they give you the loan?
31 F: Yes, and with that I put a roof on my house.
32 Q: So without having a property title, you asked for a loan and it was approved?
33 F: Yes.
34 Q: (inaudible)
35 F: No, it’s another type, of \$2,500 dollars. Yes.
36 F: And do you pay that or what.
37 F: I am paying for it.
38 F: Okay, so it’s another type of loan.
39 F: Yes, another type.
40 Q: Has anyone been to a bank or financial institution to ask for a loan?
41 F: Not us.
42 [LOAN] Q: Have you thought that now you can use the property title that you have as
43 collateral for a home improvement loan, or as a new way of using it? Has anyone

1 thought of doing it for education, college of the kids, to buy something like a truck or to
2 start up a business?
3 F: You can do that. Having the property title, you can do it. Here people have come with
4 applications lots of time, to talk to us about the house or the land. If it's yours, it's of
5 value.
6 Q: When you request a loan that is not for the house, are you asked for the property title?
7 M: Yes.
8 F: No.
9 F: I say that they ask for the property title depending on your income and your credit
10 rating. If there is no need, they will not ask for it.
11 Q: Is that your case?
12 F: No, we have never asked for a loan.
13 Q: No?
14 M: I did get a loan at this office, they renovated it [house]. They lent me \$1,000 dollars
15 and I am paying it back month by month.
16 Q: And to ask for that loan, you did not need the property title? (No audible answer)
17 [INSURANCE] Since you have your property title, have you thought about insuring your
18 property and your home? (inaudible) Does anyone have insurance?
19 F: No.
20 Q: Have you thought about it?
21 F: No, not really. But I will tell you one thing, here in the area where we are at, the lots
22 that were sold, if you try to get an insurance – and I have not asked for it – but since this
23 colonia is nestled among other colonias that flood with too much water, I imagine that
24 many insurance companies would not do it. I have not tried, right, but this colonia is
25 under these conditions, that too much water comes in and suppose the insurance
26 companies would not approve it. I think. It has not happened to me.
27 Q: Has anyone else tried to get insurance? (silence) (inaudible girl talking)...like the
28 lady who sold her lot. [SELL] When you have your property title, are you willing to sell
29 it, to get some money out of the solar, or did you buy it with the idea of living there? Or
30 can you sell it? Have you thought of selling it?
31 F: No.
32 Q: (girl talking loudly) Has anyone thought I am going to sell it, I am going to get some
33 money from it, or on the contrary. I want to know if others are selling, your neighbors,
34 are they selling more than before?
35 F: No. Those that have it, have it to live in. You would only sell if you have 2 or 3
36 [solares]. You live in one and you have two vacant.
37 Q: Is it done more than before?
38 F: No. I don't think so.
39 Q: Has the price of the lots, the solares, increased now that everyone has a title? Or has it
40 not changed?
41 M: Price has gone up.
42 F: Well the people who do sell them, sell them more expensively.
43 M: Naturally, they have to get back all they paid in taxes..

1 F: and sewage and all that. But...

2 F: They are valued the same.

3 F: They are not going up at all.

4 Q: Lets talk a little more about (truths?), lets talk a little more specifically about the title

5 itself. Are you now property holders or owners or how do you define yourselves?

6 M and F: Owners (dueños).

7 Q: Any other way in which you define yourselves? The situation that exists now – legally

8 – what do you think, owners, property holders?

9 F: Owners.

10 Q: Now that you are owners or property holders, do you think it had changed at all the

11 way you relate with your husband or wife, or you with your neighbors, or within the

12 community? Has anything changed with having the property?

13 F: No, I don't think so.

14 Q: Have the majority of your neighbors also obtained their title?

15 F: Yes.

16 [IMPROVEMENTS] Q: So now your are a community which is stable. That is you are

17 all owners. Have you thought, for example, that since were are outside the city limits

18 there are no restrictions. You know that in the city there are many restrictions and rules

19 to follow. However it is not so here in the colonia. For example, as property owners

20 have you thought of setting restrictions? For example, if a neighbor has animals, say pigs,

21 that smell bothers, or if they make a fence that is too high. Have you thought of that?

22 Now that you are property holders, do you think you should do something about that?

23 F: Well we are doing well. The only ones that have – well they have chickens that don't

24 let you sleep in the morning, (laughter) but other than that everything is okay. We are

25 doing okay.

26 F: If anything they have dogs, or don't take their garbage out, but it may be just one

27 neighbor and that is it.

28 F: No there are no problems of that type.

29 Q: Having a property title, as everyone says here, brings along a series of benefits

30 (inaudible – chair movement) but it also brings certain risks and responsibilities. Which

31 do you think these would be?

32 [TAXES] F: Responsibilities we have with the title?

33 Q: Yes.

34 F: First, to keep our land, or house inhabitable. To not let it

35 F: To be on top of taxes, the most important.

36 Q: Regarding taxes, do you think they have gone up due to having the property titles, or

37 not?

38 F: Yes, yes they have gone up.

39 F: (woman in background inaudible)

40 F: Yes, they are going to go up.

41 F: (inaudible)

42 F: Yes.

43 Q: Yes? All of you?

1 M: Yes.
2 Q: Let me put forth some situations and I would like to know what you think. It does not
3 have to be a right answer, but what you think. What knowledge do you have of the laws
4 relating to property. If you don't understand, say so, so we can clear it up. Okay? For
5 example, do you believe that a person that has a written contract – even if the contract has
6 errors – is the owner of the solar?
7 F: Yes.
8 M: No.
9 F: A contract with errors, he cannot be the owner.
10 F: I think so. It also depends on what type of errors.
11 Q: Because there was a lady who had a problem in the offices here, the contract offices
12 had problems specifically because many people who had a contract like Mrs. Andes (?),
13 but her contract did not specify – it was incorrectly done.
14 M: You are telling us that she had a contract, but it was not okay.
15 F: But his is legal, it has been recognized. So it does not have that much to do. If the
16 error is not too big, he has to be owner.
17 Q: In reality, that is the way it is. Even if there was an error, the office has accepted it as
18 valid. And what have they done? Corrected the mistake that was declared. So it was not
19 totally valid, but the titles have been accepted. Has this been the case for any of you?
20 F: Well just for him.
21 Q: (with talking over) Even if there was an error, it was accepted. (lots of voices, nothing
22 distinguishable) Do you think that ownership is valid if a person has an agreement, not a
23 contract. That is the owner and buyer have a written agreement. Do you think that is
24 valid?
25 F: Yes.
26 M: It must be valid.
27 F: Before they just gave you receipts, they did not give you a contract or anything like it.
28 M: That is right.
29 F: So it has to be valid as long as the words that specify it are there as well as both
30 signatures. It must be valid.
31 F: (background not audible)
32 F: Exactly.
33 Q: That's the way it is. All of those cases have been made valid. Still, until you don't
34 have the property title in your hand, it is not absolute. But all that was accepted as valid.
35 What happens if a person lives on a solar for many years, and nobody claims the solar.
36 What happens, is that person the owner or not?
37 F: That's what we want to know.
38 F: He has possession only.
39 M: If he does not have a title, it's not his. I don't think.
40 Q: Well, I am an economist and she is a lawyer (laughter). I have understood, according
41 to what the law says in Texas, if one lives in a solar for more than 20 years and no one
42 claims the solar, that solar becomes that person's
43 M: the one who has possession...

1 Q: who has possession. So if for example you have a title to a solar, but you never went
2 there, and you forgot about the solar. And someone else trespassed and was living there,
3 if you did not claim it for 20 years, this person will keep the property. Now remember
4 one thing, that if you can show that you had a rental contract, then things change.
5 Because there is something that says that you are concerned with that [land]. It's very
6 important that you know that, because now that you are owners of a lot or a solar. And if
7 you live in another solar, leaving the other one for when your children grow up, and you
8 never went because it's there as an inheritance for when your kids grow up. But since
9 you never went, someone started living there, for whatever reason. After 20 years they
10 will be the owner.
11 F: Even if you go and pay the taxes?
12 Q: There is a problem with the taxes, okay. But I just want you not let others trespass on
13 your land because it could complicate your property title. There is another thing with
14 taxes. What happens if you say I have the land but I don't want to pay the taxes. So
15 Olga doesn't pay and then Blanca goes and pays the taxes to your solar. If she pays and
16 she does not, what happens?
17 F: She would keep....
18 Q: After 7 years that the owner does not pay and then the other person who pays becomes
19 the owner. That's what I was referring to when I said, one has many benefits but one also
20 has responsibilities. Okay? Another thing, what happens – who is the legal owner of the
21 solar – the husband or the wife?
22 F: Well it should be both.
23 Q: In your case, is it in both your names or not?
24 F: In his name.
25 M: So since I have it, can I give it (laughter)
26 Q: In general, who do you think should have the right to the solar? The husband or the
27 wife?
28 F: The one who works (laughter)
29 F: Well in my case he is the one who works and it is in my name (laughter).
30 Q: It's in your name? You have a good contract. (laughter)
31 F: No it should be in both names. That would be the correct thing to do. Because even if
32 it's the man who works, the woman keeps the house clean, and everything else. So it
33 should be in both names.
34 M: Mine is only in my name. If it's in only one name, then it's in that person's name.
35 [INHERITANCE] Q: And what happens with inheritances? Who inherits that property?
36 Listen, what I want is for you to tell me what you think. It does not matter if it's correct
37 or not. We simply want to know what you know and what you think.
38 M: The solar and the house is in my name. All that is property. And when I get old I
39 thought of making a power of attorney in the courts to inherit it to my children. I have
40 two so that neither of them can take away from the other.
41 F: Well our case, it's in my name and my daughters.
42 Q: Do you have any idea.... Have any of you made a will or a testament to say who you
43 want to inherit. Well these are things you have to think about. Now you are owners, you

1 are property holders. You have a good which is inheritable. Now. Relating to the matter
2 of the husband and wife, if the couple is legally married, if they have a conjugal contract,
3 by law –even if it’s only in one persons name – it belongs to both. It is a conjugal good.
4 That is right. So even if it is in one persons name. If there is a legal marriage, it belongs
5 to both. If you are not legally married, because the husband or wife was married
6 previously and never divorced or they are only living....
7 F and M: ...together...
8 Q: together. Then if it is not in both names and is only in one persons name, it might
9 correspond to the previous marriage. There is something called ”informal marriage,” but
10 it must be shown in court. It isn’t automatic like legal marriage.
11 F: But that would be if you had bought it during the previous marriage but like me – the
12 house belonged to my brother. He bought half a lot, he finished it and he put it in my
13 name. So what we are doing, he said, is as if he gave it to me as inheritance. There my
14 husband loses rights.
15 Q: Because it passes on directly, right? That is a valid agreement. But you have to think
16 about this, because if it is part of the marriage, it’s a communal good, and it belongs to
17 both equally. Unless that you make an inheritance. If it’s an inheritance, you can specify
18 it there. Okay? Now what happens if there is no inheritance. There is a couple and one
19 of them dies. What happens with the property?
20 F: Well it seems that if one of them dies, and were married before and did not leave a will.
21 The one who helped to pay for it, it will go to the children of the first wife. Something
22 like that. And that should not be because the one who got screwed working for it was the
23 other one [second wife]. (laughter).
24 Q: But legally there is no way. Do you realize?
25 M: If I say, it’s my property, it is in my name but she also helped, it is also hers.
26 Q: If you are legally married yes.
27 M: Yes, we are legally married.
28 Q: If you are not legally married, not necessarily. Maybe, but not necessarily.
29 F: And when one dies, the surviving spouse has to leave a will to see who it will go to or
30 does it automatically – if both were to die, does the government give it to the kids, or
31 what happens?
32 Q: If both die, the property is divided equally, in exactly equal parts between all the
33 children.
34 F: Even if there is no will.
35 Q: But if there is no will, it is divided exactly the same among all the children – those
36 from the marriage and out of it.
37 F: And who does ... who takes care of that. The court, the state?
38 M: The state.
39 Q: The state does because that property has to be divided exactly the same among the
40 children. And it does not matter if they were married or not. If it is proven that they are
41 children – it goes to them.
42 F: And when you say within and outside of wedlock, do you mean that if the owners die,
43 the children remain. And then it comes out that the man or the woman has other children,

1 that means they can inherit also.
2 Q: Of course. All children – whether out of wedlock or from the marriage.
3 END OF SIDE ONE
4 Q: That’s why I understand that part of the program offers free the service of a will.
5 So when you receive your property title, you can immediately request that they write up a
6 will.
7 Jane: (too low, inaudible).
8 Q: She says that (inaudible) if you request it, you can get it for free.
9 F: So we can just come here and request it.
10 F: I have my title in my name and my daughters. If I die, does it go to my daughter or the
11 children from my previous marriage get it?
12 Q: (translating very low)
13 Jane: There is something called joint tenancy, that when she dies, it will all go to the
14 child. A joint tenancy.
15 Q: She says that there is a “joint tenancy” , if you die and you have your title jointly with
16 your daughter, it will all go to your daughter. But you have to have a joint tenancy.
17 Any other questions about this? It is important that we know. It is important to know all
18 the benefits we have but also all the responsibilities and all of the consequences that
19 come with having a title. It’s good to have something, but then what happens with the
20 families and the children. For example, what happens if you have your property, you
21 have your solar which is pretty big. You only occupy part of it. So your brother or your
22 sister come with their family and live on part of your property in a trailer or they build
23 something additional. And they are living there. And you say, I don’t have money. I
24 have to go to another city, another state to work. I am going to sell it. Do you have to
25 give them possession? Do you have to sell it to them?
26 F: No.
27 Q: What do you think?
28 F: I think not.
29 F: But it’s your property, I suppose not.
30 Q: Opinions.
31 M: They have to get a permit to build the house there.
32 F: She is asking if you have a big solar, you live in it, and you give your brother
33 permission to put his trailer there. And then you decide you cannot make ends meet. You
34 are going to leave, to sell the solar. She says, do you have to tell your brother, leave him
35 half or what?
36 M: I think he has to get him out.
37 F: Yes.
38 Q: In reality you have no obligation. I mean you may want to tell them out of civility.
39 But legally you have all the right of what is yours. And no one can stop you. You are the
40 owners and don’t need to tell anyone except out of civility. You may also want to see if
41 they want to buy it, but it is not obligatory. Do you think that if you are the owners, you
42 can build a house just like you want it? You do not have to follow... that is if fate has it
43 that you want to build something that is horrible, you are following a vision, or block

1 someone's nice view. Can someone stop you?
2 F: Well as long as they are in their solar.
3 F: Well within the city limits there are restrictions I imagine.
4 F: So if your house is really pretty and his really ugly, but as long as it is within his
5 solar...
6 F: Inaudible
7 F: Exactly.
8 Q: These are things you can think about now that you are property holders.
9 F: You could communicate with him, but if he does not respond...
10 F: You just end up badly...
11 Q: If the county wants to build a road that passes through your property, what happens?
12 The county says, we are going to widen 83 or the business and it's going to pass through
13 your solar. Are you obligated to sell it?
14 F: Well I think so, part of what is going to be used.
15 Q: If the county says that you must sell...
16 F: But you have a right to ask for a certain amount, or whatever they are going to give
17 you?
18 (lots of talking)
19 **[PROPERTY VALUE] F: Wouldn't they take value away from the property?**
20 **F: Well imagine if it's not valued.**
21 **Jane: A fair market value.**
22 **M: Fair market value, that's okay.**
23 **Q: Fair market value.**
24 **F: What is that?**
25 **[INHERITANCE] Q: So they have to pay what it costs. It is not the value of taxes but**
26 **rather your neighbors – how much are they selling it for. An estimate is made of the**
27 **solar for a third of the solar. And they ask, how does much does it cost. Like when one**
28 **has a car, and you get insurance for the car. If you have an accident they give you fair**
29 **market value. That is how much does it cost.**
30 **F: That is okay then.**
31 **F: What I want to know before you pass on to something else but forgot to ask. In the**
32 **case of the solares if the husband and wife die and the children also, supposedly who**
33 **were going to be the owners? What happens to the solar then? Does the government**
34 **take it then?**
35 **Jane: If everyone dies, the children and the parents, it goes first to your parents, if they**
36 **still live. If not, then to your sisters and brothers ...**
37 **Q: First it goes in a straight line up to from parents, and then down to children. And**
38 **children to children. In case that there is no one in this vertical line, then it goes**
39 **horizontally. That is in case that your children also die in an accident, (inaudible) then it**
40 **goes to the siblings.**
41 **F: Whose siblings?**
42 **Q: Of the owners.**
43 **F: That is on both sides, not just on the man's side or the woman's side.**

1 Q: It goes vertically, then horizontally.
2 M: Like the case of my solar, where I have my house. It is in my fathers name. If I die
3 it's his right?
4 Q: Yes. Correct.
5 Jane: If one dies and the spouse survives – whether the husband or wife – the house goes
6 totally to the spouse, 100%.
7 F: To the spouse. That is what just happened to my brother. It will be a year on the 29th
8 of June that he died and automatically the whole house went to her.
9 Q: Everything to her, exactly. She [Jane] says that the house goes in whole to the person
10 who survives, but the rest – business, car, money – goes half to the surviving spouse, and
11 the other half to the children. Okay? Now I would like to ask more questions about the
12 process itself – of the liquidation of properties that occurred here. Do you know what the
13 CRG, receivership program is? How do you know it?
14 F: What is it? It's some people who are in charge of resolving what Blas and Elias left
15 behind. That is people that were used to solve this problem.
16 Q: Exactly. Do you all know of it this way? How could the office in front work? Who
17 works there?
18 F: Well there is Lidia.
19 F: I know one is called Lidia another Norma.
20 F: What is the others name?
21 F: And the young man who is called Eriko, who are most involved.
22 F: Aide. Yes that is true.
23 F: Yes that is true it's not Lidia but Aide.
24 Q: According to what we know, this work in the study ... They, the CRG, Aide,
25 receivership, who carried out the program, at the very beginning of the program called
26 meetings in the community to inform what the program was about. Did you hear of the
27 meetings? Did you assist?
28 F: Yes.
29 Q: Were you informed?
30 F: Yes.
31 Q: One couple. Anyone else?
32 Q: Yes? Yes? The leaders were clear? Did they explain? Did you understand what the
33 program was about? Yes? Not always?
34 M: (inaudible)
35 Q: Sr. Ignacio says he never heard of it but a friend of his told him about it. Anyone else?
36 F: Well one realized that there is going to be a meeting, one could hear in the community
37 that it was going to happen. But there was no specific means to announce so that
38 everyone knows about it. That is there is no way to use the radio or the newspaper or
39 something so that more people will find out and come together.
40 F: They put papers up in the corner store (tiendita) but not all of us go to the store. If you
41 go and see it, great. If not, too bad. And also at the post office. But since we just got a
42 mail box recently, we did not have it here...
43 F: (inaudible)

1 F: Yes but since he works and so do I, well we are not home so...
2 Q: Sra Concepcion, did you find out?
3 F: They should send
4 F: My husband is in charge of everything. I did not find out. He's the one.
5 Q: And is your property title in both your names?
6 F: It's in both our names. (laughter)
7 Q: Did you have any idea when the process started that it would take more than a year?
8 Did you have any idea of that?
9 F: No.
10 F: No.
11 F: No but we imagined because these things take a long time.
12 Q: And do you think that in general this office did in fact do what they promised to do?
13 F: Well I would say like three-fourths.
14 M: Not everything because

15 F: three-fourths, yes.
16 F: Yes.
17 Q: In many cases they had to set objectives. For example, the person who claimed land,
18 the person which had the greatest seniority, use some criteria to be able to decide to
19 whom the land belonged to. The question is, have they been fair? Has there been anyone
20 who has been unjustly treated by this program? That has been left without their property
21 title? Sra. Olga mentioned her parents case. Any other case that you know about, or that
22 does not convince us, or that we say oh, they helped their friends. Any of that?
23 F: I think so, some did not get into the program because when we come we were told that
24 we could not receive all our solares because there were people who were going to be left
25 without solar. That they were not going to be able to give them because there was
26 nothing to give.
27 Q: But did you get all the solares that you had bought?
28 F: No not all.
29 Q: But they explained why. Anyone else who has seen, has been witness to something
30 that is unfair or has not been done correctly? No?
31 F: No.
32 Q: I was impressed by the problem that you have had – did you understand what the
33 problem was, they did explain to you?
34 F: Yes.
35 [CONFLICT] F: Even if they had not explained, the people already knew. But that Blas
36 started to sell twice, people realized that before the receivership started. Then the
37 receivership came to look into the problem. But the people already knew that they were
38 selling it twice.
39 F: And not just twice but even three times over, four.
40 F: Yes the same solar four times, that is what happened to my father.
41 M: yes.
42 F: Well you would give a down payment (enganche) and a month or two that was not
43 paid would go by and he would sell it to someone else.

1 Q: All of these problems had to be resolved by this office of receivership/CRG. Our
2 question is, when all this happened and you said okay I am going to make a claim and
3 went to the office to begin your case. Were you informed of what was going on? Did
4 you participate in any meetings? Did you have any form of interaction with the office?
5 F: Yes. Yes.
6 Q: Were you updated as to what was happening?
7 F and M: Yes.
8 M: Yes they let us know.
9 F: They let us know.
10 Q: Were the people kind to you, did they treat you well when you went to ask questions?
11 M: Yes, with me they were very nice.
12 Q: Do you know the name of the people that you consider did a good job or who did not
13 do a good job?
14 F: They did a good job.
15 M: Everyone, they did good work.
16 F: I don't know them. I just came and
17 M: I forget names, but they were very nice.
18 F: Well the ones that are in the office now, should all stay. They are all great.
19 Q: They have not been the ones in the office all along?
20 F: No, there were others...
21 F: The one who has been there the longest is Aide. But the rest have been changing.
22 F: But the ones that are there now are great because they pay attention to you.
23 Q: That did not happen at the beginning?
24 F: No they did pay attention to you, but then since they would take a long time and they
25 would say we will call you in a certain amount of time – and no [it did not happen].
26 However, these do. Like now that they helped us, they said we are going to call you in a
27 week or two, and they call. And they inform you. And maybe they take a little while but
28 months do not go by before you call and ask what is going on.
29 F: Beforehand they would take so much time because they were trying to organize
30 everything. That is why at the beginning they took so long. But now they can attend you
31 quicker because everything is already resolved.
32 Q: Sr. Alberto, Sra. Endana (¿) have you also had
33 F: Oh, yes us too. There in the colonia of Elias Lopez we were told of meetings so that
34 we would all be informed. And they go house to house giving out flyers so that we know
35 about the meetings.
36 Q: Sra. Concepcion, and you?
37 F: My husband is the one who comes to the meetings... (laughter)
38 Q: Sr. Rosendo?
39 F: Yes where I live they also have meetings. All is fine.
40 Q: And the people in the office have treated you fairly?
41 M: yes.
42 Q: And you?
43 F: Us too.

1 Q: So you are all pleased with the process?
2 F: yes.
3 Q: My preoccupation is that everyone would have been treated fairly. There might have
4 been mistakes but that there not be favoritisms, comadres, sister-in-laws, brother-in-
5 laws....That's what I am asking -- if it happened? You don't know of any case like that?
6 F: no.
7 Q: No? Do you think that
8 M: There may have been some favoritism in those people who were de confianza (I think,
9 not very clear), but no.
10 [CONFLICT] Q: But do you think that the county government has participated in this?
11 Should have participated? Or why or why not?
12 F: I think that it did not participate and that it should have participated.
13 M: I think not because leaving the county out, things got resolved just fine. (laughter)
14 F: No, because problems exist here regarding floods, and other things and the county
15 does nothing to fix it.
16 M: They do nothing.
17 F: Starting from the school that is there, all have said that up to date they have not done
18 anything. That is true. But for you to vote for them, oh, they are so good making
19 promises....
20 M: Then they come to get you.
21 F: They should show their faces (laughter).
22 F: No, not even because even then there are favoritism. "Come on compadre..."
23 [TAXES] F: The people from the county and the commission (comisionado) are doing
24 very poorly because there is not enough attention to the few or...
25 F: But you know it's because of what they say here, that more people with passports
26 (pasaporteados ?) live here than citizens. And since they cannot vote, well why do they
27 worry about us.
28 M: Even if you just have a passport, you have your property and we pay taxes...
29 F: Exactly but it's not in their interests. They say, well I don't get votes from there so
30 why am I going to help.
31 M: Well I am going to make demands (me muevo) because I pay taxes. And even if I
32 was not [a citizen], I pay taxes.
33 F: Exactly, and even if they are few votes, but they should place a person here.
34 F: Even at the school, things get really bad...
35 M: They get ugly when it rains.
36 F: It gets really bad with big puddles.
37 M: And they should fix that with the taxes...
38 M: Exactly.
39 F: Especially because the school is there.
40 F: But you should all get together...
41 F and M: no we already....
42 F: we already tried at the school..
43 F: You should get together and send a letter to the Congressman and another to the

1 Senator.
2 F: We already did that here at the school. At the school we put up a...
3 F: And nothing happened, people won't get involved.
4 F: Because here the county will not do anything.
5 F: and there is a very good principal, Ms. Perez. Who is great, gets things done and
6 everything but no -- the commissioner is doing very poorly.
7 Q: Do you think....
8 F: And they are not doing. And I don't know what it is, but they send word for help and
9 this and that. But up to date they have not done anything.
10 F: Well that is what I was saying, that they should come to check things over in the
11 colonias,....
12 F: To go house to house to inform because as it relates to the county and the
13 commissioner, they are doing very poorly. They do not pay attention.
14 Q: Do you think it's better that this process was done by an institution that does not
15 represent....
16 F and M: Yes! (emphatically)
17 Q: That is important for this process because if it happens to take place again in another
18 state or another county, it can be done independently.
19 F: Exactly.
20 F: That is the best way.
21 F: Because if goes to the county, then there would have been favoritism and there would
22 have been...
23 F: preferences for family members and friends.
24 M: Yes.
25 F: And they would have taken control and given the title to the ones who gave the most.
26 F: And even so there was some favoritism because they fixed the streets up to here and
27 some yes and some not. They did nothing over on this side. Supposedly they should
28 have fixed the three main streets. But no, they went street by street. There was
29 favoritism there. Yes.
30 Q: If you ... we all know that there were good things and bad things in this process. If we
31 began all over again. And we began the program in another county or zone in the North
32 of Texas – as an example- somewhere far away. What things do you think we could do to
33 improve it, for the process to be better? They are open to any suggestion, okay.
34 F: Well first of all, not to let any politician to get involved. And secondly, to be very
35 careful of how things are going to be done. If they are not careful, like here, then it will
36 not be done legally.
37 F: There should be a board that is mixed between people who have things resolved, those
38 that are still struggling, and some that are neutral, so that everything can be resolved. To
39 be able to hear different opinions. Because if you do it of people who do not know what
40 is going on, or do not experience the case, well what good is it.
41 F: I have a question, this is about finding about how people did their job here, right? That
42 is the measure for..
43 Q: That is right, exactly.

1 [IMPROVEMENTS] F: ...to know how they got together and all that. But I have a
2 question – like now that they are talking about the streets and all that, would there not be
3 a way to help out for those things to be enforced? Because it is true what they say that
4 they do not have jurisdiction over this county, but there must be a way to help the people.
5 What good is it if the people complain and complain and no one pays any attention?
6 F: Is there any way in which she could help, send someone?
7 F: An investigation, something. Because money is being sent. Something.
8 Q: Yes, legally the organization that is in charge of street paving and all of that for this
9 zone is the county. Now there does exist the Texas Rural Legal Aid, which is an
10 association of lawyers that supports and who are the ones who really began this process.
11 F: Texas Legal Relief who are they?
12 F: Before the county put in the cement and the people the labor.
13 F: Yes there were people who did the work.
14 Q: Unfortunately, sir, I am going to tell you that we are evaluating the property title
15 program and (inaudible) only property title. Others things...(inaudible) global question.
16 M: Yes, I am just saying that if you who are in this, and could talk to someone outside of
17 here.....
18 Q: Our report in the end will say that there is a very serious concern of the residents of
19 this zone, in the colonias because even though they are now owners there are problems
20 with the paving of the streets, and in relation to sewage. We can do that.
21 F: For this reason, like the money that is asked to pave the streets and all that, but like the
22 commissioner has his own [street paving] equipment. Not in his name, but he has his
23 own equipment and so then, that's how things are done.
24 F: Like when Eloy was here, he would ask such and such to make the tunnels, to donate
25 their cement. People would donate stuff, their labor and he would keep everything.
26 F: Yes he kept everything.
27 (inaudible comments)
28 F: Yes if the government is sending the money...
29 F: That's why but he asked for donations and he kept the money and he kept everything.
30 M: But if people don't complain, the government will not know.
31 F: Exactly.
32 F: And even if you complain, he has certain people who will silence them.
33 (inaudible comments)
34 Q: Well, unfortunately there are many problems. For example, there is this problem
35 already resolved in which the majority of the cases of the property titles shows that this
36 was begun by a group of families that started to speak out, to complain against corruption.
37 And that is how it started. That resulted in a positive resolution of the titles.
38 F: We ended with Elias and Blas.
39 Q: Exactly.
40 F: But poor Elias, he already died, but still....
41 Q: It takes time, but it can be solved. This has been resolved. Now the majority of the
42 people have their titles correctly. The rest, they are also processes that take some time
43 but if you do not organize together I see it difficult.

1 F: I helped a lot and did a lot for many things to be fixed. But the people did not want to
2 organize.
3 (inaudible)
4 F: People just don't want to. But that means that for one to do something one has to
5 organize, get together and speak out. So one sends letters to Washington, because here
6 they are no good. Here in Texas there is no one to listen to you. And we know that.
7 (laughter).
8 Q: Well , any other opinion, comment that you would like to make?
9 M: I think everything is fine.
10 F: Everything is already fixed. (laughter)
11 Q: We thank you very much. Now Jane has a gift certificate for \$15 for Wal-mart. And
12 thank you very much. You have given us lots of information which will be in the final
13 report – lack of support from the county, need for more public services, and others. But
14 unfortunately it is not up to us. We are not politicians. We have no official position.
15 F: So Elias Lopez already died? And what happened with Blas Chapa?
16 F: He is still living. (laughter)
17 F: He has not been caught yet?
18 END OF TAPE.
19
20
21