

ENFORCEMENT ACTION AGAINST
THF HOUSING DEVELOPMENT
CORPORATION, MARK MAYFIELD,
SUSAN HAMM, GRIFFITH MORRIS,
AND JOHNNY WHITE

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BEFORE THE
TEXAS DEPARTMENT OF HOUSING
AND COMMUNITY AFFAIRS

FINAL ORDER OF DEBARMENT

General Remarks and official action taken:

On this 16th day of January, 2025, the Governing Board (Board) of the Texas Department of Housing and Community Affairs (TDHCA or Department) considered the matter of whether enforcement action should be taken against THF Housing Development Corporation, its former president and chief executive officer, Mark Mayfield, and its board officers, Susan Hamm, Griffith Morris, and Johnny White (collectively, Respondents), for controlling two multifamily developments that were foreclosed on August 6, 2024, where the foreclosures terminated the subordinate TDHCA LURAs, a violation of 10 TAC §2.401(a)(7).

This Final Order is executed pursuant to the authority granted in Texas Government Code section 2306.0504, which requires the Board to adopt a policy providing for the debarment of a person from participation in Department programs because of a person's past failure to comply with conditions imposed by the Department in the administration of its programs. A policy was adopted by the Board and is set forth at 10 TAC §2.401.

Upon recommendation of the Executive Director, the Board makes the following findings of fact and conclusions of law and enters this Order:

FINDINGS OF FACT

Jurisdiction:

1. During 2003, LHA Park Meadows, LP (Estrada South I Owner) was awarded an allocation of 9% Low Income Housing Tax Credits by the Board to build and operate Estrada South I f/k/a Park Meadows I (HTC 03140 / CMTS 3354) (Estrada South I).
2. During 2004, prior owner LHA Stone Hollow, LP (Estrada North Owner) was awarded an allocation of 9% Low Income Housing Tax Credits by the Board to build and operate Estrada North f/k/a Stone Hollow Village (HTC 04057 / CMTS 4112) (Estrada North).
3. Estrada South I and Estrada North (collectively, the Developments), were subject to the following TDHCA Land Use Restriction Agreements (LURAs):

- a. Declaration of Land Use Restrictive Covenants For Low-Income Housing Credits regarding Estrada South I (Estrada South I LURA). The Estrada South I LURA was effective November 18, 2005, and filed of record at Volume 10299, Page 105 of the Official Public Records of Real Property of Lubbock County, Texas (the Records).
 - b. Declaration of Land Use Restrictive Covenants For Low-Income Housing Credits regarding Estrada North (Estrada North LURA). The Estrada North LURA was effective July 1, 2006, and filed of record at Clerk's File No. 2006044142 of the Official Public Records of Real Property of Lubbock County, Texas (the Records), as amended by First Amendment to Declaration of Land Use Restrictive Covenants for Low-Income Housing Credits effective December 15, 2016, and filed of record at Clerk's File No. 2017065837 of the Records.
4. Estrada South I Owner and Estrada North Owner are organizations that are qualified to own, construct, acquire, rehabilitate, operate, manage, or maintain a housing development that is subject to the regulatory authority of TDHCA.
 5. On July 14, 2017, THF Park Meadows GP, LLC and THF Stone Hollow GP, LLC purchased the fee title landowner interests and the general partner interests in Estrada South I Owner and Estrada North Owner, respectively. In accordance with Section 2 of each LURA noted above, the LURAs are restrictive covenants/deed restrictions encumbering the developments and binding on all successors and assigns for the full terms of the LURAs. These restrictions remained in place, thereby binding Respondents to the terms of the agreements.
 6. THF Housing Development Corporation is the sole member of both THF Park Meadows GP, LLC and THF Stone Hollow GP, LLC.
 7. Mark Mayfield is the former president and chief executive officer for THF Housing Development Corporation, and was in control during the pertinent events noted in this order.
 8. Susan Hamm, Griffith Morris, and Johnny White are board officers for THF Housing Development Corporation.
 9. Respondents are subject to the regulatory authority of TDHCA and, for purposes of this debarment recommendation, are considered Responsible Parties in Control, as defined by 10 TAC §2.102 and 10 TAC §11.1(29), respectively.

Violations Subject To Debarment:

1. Controlling a multifamily development that was foreclosed after April 1, 2021, where the foreclosure terminates a subordinate TDHCA LURA, a violation of 10 TAC §2.401(a)(7). The Developments were foreclosed on August 6, 2024, terminating the LURAs.

CONCLUSIONS OF LAW

1. The Department has jurisdiction over this matter pursuant to Tex. Gov't Code §2306.0504 and 10 TAC §2.401.
2. Respondents are Responsible Parties as defined by 10 TAC §2.102(12).
3. Pursuant to Tex. Gov't Code §2306.185, TDHCA is required to monitor to ensure compliance.
4. Respondents violated 10 TAC §2.401(a)(7) when the Developments were foreclosed on August 6, 2024, terminating the LURAs.
5. At the time of foreclosures, Respondents were either in a position of Control as defined by 10 TAC §11.1(29), or had chosen to delegate their Control authority.
6. Pursuant to Tex. Gov't. Code §2306.0504(b), the Department may debar a person from participation in a Department program on the basis of the person's past failure to comply with any condition imposed by the department in the administration of its programs.

Based upon the foregoing findings of fact and conclusions of law, and an assessment of material factors including those set forth in 10 TAC §2.401(j) to be considered for a recommended period of debarment, as applied specifically to the facts and circumstances present in this case, the Board of the TDHCA orders the following:

IT IS HEREBY ORDERED that Respondents are barred from future participation in all programs administered by the Department for a **one-year term ending January 16, 2026**. This debarment does not prohibit Respondents from participating in any existing engagements funded through the Department, nor does it affect any responsibilities or duties thereunder.

IT IS FURTHER ORDERED that the terms of this Final Order shall be published on the TDHCA website.

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Approved by the Governing Board of TDHCA on January 16, 2025.

By: _____

Name: Leo Vasquez

Title: Chair of the Board of TDHCA

By: _____

Name: James "Beau" Eccles

Title: Secretary of the Board of TDHCA

THE STATE OF TEXAS §

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COUNTY OF TRAVIS §

Before me, the undersigned notary public, on this 16th day of January, 2025, personally appeared Leo Vasquez, proved to me to be the person whose name is subscribed to the foregoing instrument and acknowledged to me that he executed the same for the purposes and consideration therein expressed.

(Seal)

Notary Public, State of Texas

THE STATE OF TEXAS §

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COUNTY OF TRAVIS §

Before me, the undersigned notary public, on this 16th day of January, 2025, personally appeared James "Beau" Eccles, proved to me to be the person whose name is subscribed to the foregoing instrument and acknowledged to me that he executed the same for the purposes and consideration therein expressed.

(Seal)

Notary Public, State of Texas