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**Subject:** Re: Public Comment / Protest & Opposition to Creek Bend 4% Tax Credit Application # 24478  
**Date:** Wednesday, September 18, 2024 8:15:25 PM  
**Attachments:** [Opposition to Creek Bend for TDHCA - Representative Dorazio.pdf](#)

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Just to make sure everyone received Representative Dorazio's formal letter of opposition to this project as well, see attached.

Semper Fidelis,

Mason Brand

Maj, USMCR (Ret.)

210-396-2594

On Tuesday, September 17, 2024 at 09:01:00 PM CDT, Mason Brand <roymasonbrand@yahoo.com> wrote:

TDHCA Board, Et al.,

Pedcor's 4% tax credit application # 24478 for the Creek Bend Phase I and Phase II project slated to be built at Highway (HWY) 281 North and Borgfeld Drive in San Antonio, has ZERO merit and should not be approved by the TDHCA Board for a swath of the below encompassing reasons. We appeal to your moral and ethical conscious and in good stewardship of Texas tax payer monies and deny Pedcor Investments any tax credit.

Our communities' opposition to this project is supported by letters of opposition from Bexar County Precinct 3 Commissioner Grant Moody and Senate District 25 Senator Donna Campbell that are attached. We anticipate a similar letter of opposition from State 122 Representative Mark Dorazio.

COMMUNITY OPPOSITION

<!--[if !supportLists]-->1. <!--[endif]-->Our opposition to this project has drawn almost 5,100

signatures and counting, as evidenced by our petition on change.org (<https://chnge.it/V8b2rDBqdh>).

<!--[if !supportLists]-->2. <!--[endif]-->Our communities stand vehemently opposed to the Affordable Housing project known as Creek Bend Phase I and Phase 2, that Pedcor Investments plans to erect at the northwest corner of Highway (HWY) 281 North and Borgfeld Drive that is extremely remote from the rest of San Antonio, Texas.

<!--[if !supportLists]-->3. <!--[endif]-->This location is the farthest northward you can possibly go on HWY 281 North. There are no jobs for Affordable Housing tenants in this area, is far from most medical or dental clinics, and even any grocery stores, barring a few convenience stores that have liquor stores next to them. Not generally a positive social and health dynamic for poverty-stricken communities.

<!--[if !supportLists]-->4. <!--[endif]-->The occupants of the Creek Bend Phase I and Phase II Affordable Housing project will be marooned at this location. They will be placed at the most possible farthest distance away they could be, from the rest of San Antonio, and from resources that these programs and project claim they are trying realize for its occupants.

## ETHICS

<!--[if !supportLists]-->5. <!--[endif]-->First and foremost, our community finds it be an egregious, heinous, and gross conflict of interest in Pedcor's Vice President of Development Ms. Jean Latsha being married (see attached) to Mr. Robert Latsha, who is the Executive Director of the Texas Bond Review Board, that ultimately reserves the bond that will secure Pedcor's tens of millions in tax credits that are funded by Texas tax payer monies. In the interest of public trust, this should immediately be investigated by the Texas Ethics Commission to determine improper and undue influence from this circumstance on the Texas Bond Review Board and the TDHCA itself, that may have resulted in the tens of millions of tax credits to Pedcor over the life of her employment there, again paid for by monies from Texas tax payers.

<!--[if !supportLists]-->6. <!--[endif]-->We also find it to be a gross conflict of interest that any Open Records Request submitted to the Texas Bond Review Board go directly to Ms. Latsha's husband, Robert Latsha.

<!--[if !supportLists]-->7. <!--[endif]-->We are also aware of Ms. Latsha's prior employment with the TDHCA Multi-Family Finance office before she was lured away from Pedcor in July 2015, another matter that we implore the Texas Ethics Commission to investigate as a potential source of improper influence, that works to "favor" Pedcor's profits off of Texas taxpayer monies. We further assess that many current TDHCA leaders and their staff who previously worked with Ms. Latsha could be subject of

unknowingly making “favor” based upon their prior relationship, in support of Pedcor’s tens of millions in tax credits funded by Texas tax payers.

8. We are also aware of Ms. Latsha’s prior status as the President of the Texas Affiliation of Housing Providers (TAAHP) while employed for Pedcor, that also raises significant questions about improper influence and outcomes in favor of Pedcor’s profits from Texas tax payer monies.

9. We also find it to be unethical that Ms. Latsha does not live in the San Antonio area, yet has made multiple campaign contributions (see attached) to City of San Antonio (COSA) Council members on multiple occasions, around the time COSA was voting on rezoning approvals for Affordable Housing properties and projects for Pedcor. This also included de facto lobbying via a law firm, to the previous property owner of the Creek Bend Phase I and Phase II location on tax credit application # 24478, to seek COSA approval for rezoning of the property by cooperation of the owner, before Pedcor had actually purchased the property.

10. We also know from COSA Open Records Request (ORR) # W60196 (see attached) that Ms. Latsha communicated with the COSA District #9 Zoning Chief Charles Mazuca, “thanking” COSA for their approval of the Creek Bend Phase I and Phase II project, and improperly solicits COSA to preemptively approve a pending Pedcor purchase on a separate contiguous property to the Creek Bend project, while she admits the additional land is outside of the city of limits of COSA. We assess this is an attempt by Ms. Latsha and/or COSA to circumvent House Bill 347 (annexation) sponsored by Senator Donna Campbell.

#### LACK OF COMMUNITY ENGAGEMENT / INSULTS TO VETERANS / INTIMIDATION TACTICS

11. Ms. Latsha will claim she engaged with the community in our area in 2022, or thereabouts. This would be highly misleading. There may be one or two land owners that lives next to this Creek Bend Phase I and Phase II property that she might have made attempts to contact, while the next nearest “soul” doesn’t live within 1000 feet or more, metaphorically speaking.

12. Our surrounding communities found out about COSA’s 2022 plans of this project through our own community discovery in late 2023, where we began expressing opposition to Bexar County Precinct 3 Commissioner Grant Moody and his staff, our District 122 State Representative Mark Dorazio and his staff, and our District 25 State Senator Donna Campbell and her staff.

13. I personally began engaging in the Fall of 2023 with the San Antonio Housing Trust (SAHT) and its Executive Director, Pedro Alanis, to express our opposition to this project and the impact it’s going to have on our already

overcrowded schools (see below topic). Pedro Alanis insulted my Veteran status over the phone, claiming that the only way I was able to live where I do was because of my VA home loan status, and that he takes personal issue with VA home loans as a taxpayer himself. This is highly insulting to Veterans, as my willingness to lay my life down for my fellow countrymen from my service in the Marine Corps has earned me the entitlement to VA benefits, including the VA home loan program.

14. Pedro Alanis took it a step further, and placed a false police report against me (attached San Antonio Police Report # SAPD23258003) claiming that I submitted an online threat to the SAHT and/or Pedcor Investments through the “contact us” page. This is libelous and defaming, and a clear intimidation tactic being used to silence my opposition to this Pedcor project. I am a retired Marine Corps officer and combat veteran, and carried a Top Secret/Sensitive Compartmented Information (TS/SCI) clearance before I changed careers. I claim no feats of valor or heroism in combat; however, I served our country not just Honorably, but with distinction that includes multiple meritorious awards. I also served in combat operations in the city of Ramadi, Iraq in 2005, arguably the most dangerous city on Earth at the time. I also participated in operations to rescue American citizens from the U.S. Embassy in Beirut, Lebanon in 2006 and other Americans trapped in Lebanon. I also served our community in a volunteer status as my neighborhoods Team Lead for its Cellular On Patrol (COP) crime watch program, an officially ordained and sanctioned program through the Bexar County Sheriff’s Department. This requires a background check. So, as you can see, I am an upstanding citizen. Thus, if Pedcor Investments formed a partnership LLC with the SAHT on the Creek Bend project, it speaks on behalf of the values, morals, and principles of this organization to make such a false accusation to intimidate citizens and to insult Veterans. I placed a separate ORR to the SAHT against the timeframe upon which Pedro Alanis claims this online threat was made, and there is no substantiation this online threat was ever made.

15. I assess this entire situation to be an intimidation tactic against me as a citizen by my government and filed a complaint via email to the COSA Municipal Integrity Office (POC: Mr. Richard Hernandez, [MunicipalityIntegrity@sanantonio.gov](mailto:MunicipalityIntegrity@sanantonio.gov)).

16. COSA District #9 Zoning Chief Charles Mazuca also shared my Personally Identifiable Information (PII) with Ms. Jean Latsha, which I did not authorize. I also filed a complaint against Charlie Mazuca with the same COSA Municipal Integrity Office.

17. It was not until 29 July 2024, that Ms. Latsha and the San Antonio Housing Trust (SAHT) agreed to meet with our communities in a meeting arranged by Commissioner Grant Moody, of which our State Representative Mark Dorazio and his staff were in attendance, and representation from Senator Donna Campbell’s office were also present. My wife and children were present at this public meeting. But,

neither Ms. Latsha nor Pedro Alanis had the fortitude to address these false accusations against me in the police report made by Pedro Alanis at this public meeting.

## IMPACT ON LOCAL SCHOOLS / LACK OF ENGAGEMENT WITH COMAL ISD / NO SCHOOL BUSES / LACK OF ENGAGEMENT WITH COMAL COUNTY TAX PAYERS

18. Even though the geography of the Creek Bend Phase I and II project is inside Bexar County, the area is serviced by Comal County Independent School District (here forth referred to as “Comal ISD”). There is a long history behind why this is the case. Nevertheless, our local Comal ISD schools are already overcapacity or are approaching capacity. Substantiation of this information, is the fact that Pieper Ranch Middle School already has 10 portable trailers behind its campus to service the overcapacity campus.

19. Ms. Latsha, nor the SAHT, ever bothered to engage with the Comal County ISD Board of Trustees, including its Superintendent when concocting plans for this Affordable Housing project in 2022 or prior to. I conducted an in-person meeting with Comal ISD Dr. John Chapman in February of 2024 and my communication to Comal ISD in late Fall 2023, was the “first heard” for Comal ISD on this project according to Dr. Chapman.

20. A 30 November 2023 email (see attached) from Comal ISD Chief Communications Officer Steve Stanford confirms the Creek Bend Phase I and Phase II Affordable Housing project will place an unsupportable burden on the local Comal ISD schools, and that Comal ISD plans on filing a protest with TDHCA against this project.

21. One of Pedcor’s Affordable Housing projects, Canyon Pass, is in the same geographic area, and is already serviced by the same local Comal ISD schools. Pedcor and the SAHT should be forced to max out the Canyon Pass tax-payer funded Affordable Housing project before erecting another one that impacts the same schools with such grossly impactful consequences.

22. There are no school buses provided in our area, as the area is in the “No Transportation Zone,” based upon its too-close proximity status relative to the local schools. There is a gross shortage of school buses and school bus drivers for Comal ISD. There are already many at-risk and poverty-stricken students, and non-poverty students across all of Comal ISD that already do not have access to desperately needed school buses.

Why should this project receive special consideration?

<!--[if !supportLists]-->23. <!--[endif]-->Ms. Latsha, Pedcor, and the SAHT would have known of these circumstances if she would have engaged with Comal ISD and our communities.

<!--[if !supportLists]-->24. <!--[endif]-->As parents, we will NEVER stand for Pedcor or the SAHT attempting to arrange policy and influence that would allow for San Antonio's VIA bus system to pick up students from the Creek Bend Phase I and Phase II Affordable Housing project and bring these VIA buses into our local Comal ISD schools. Our local Comal ISD schools are out of COSA city limits. COSA and VIA could never guarantee that child sexual predators or other criminal elements will not end up on these public bus routes and into our local Comal ISD campuses. **I want to be clear about this!** We will vehemently mobilize about this specific point, more than we already are mobilized against this entire project to begin with. An ORR request (see attached) return against San Antonio Police Chief William McManus and Assistant COSA City Manager Erik Walsh text message, demonstrates that VIA bus lines have had problems with migrants taking over VIA bus stops since at least December 2023. COSA has a program to give out unlimited VIA bus passes to migrants through its Migrant Support Services. So, as parents of children in these schools, we will NEVER stand for VIA buses coming into our local Comal ISD campuses, putting the welfare and safety of our children at risk, and also all the while we pay Comal ISD property taxes and receive no bus transportation in our own neighborhoods.

<!--[if !supportLists]-->25. <!--[endif]-->So, this leads to the conclusion that if the occupants of the Creek Bend Phase I and Phase II Affordable Housing project are not, and WILL NOT, be serviced by Comal ISD buses.....and our community WILL NOT stand for VIA buses coming into our local Comal ISD campuses, and these families are in the financial situation that they are in.....will their children have to walk to school down dangerous Borgfeld Drive with its twisting and winding blind spot curves of 45 mph traffic.....with no sidewalks.....in the heat.....rain....or freezing elements in the winter?

<!--[if !supportLists]-->26. <!--[endif]-->My point is made.

## ENVIRONMENTAL IMPACT / EXPOSURE TO TOXICS

<!--[if !supportLists]-->27. <!--[endif]-->In Pedcor and Ms. Latsha's 4% tax credit application on the Required 3<sup>rd</sup> Party Reports, we see the environmental impact study was completed by Dominion Due Diligence Group based out of Virginia. This is a for-profit company that specializes in Affordable Housing projects that would be so inclined to give Affordable Housing projects the environmental "green light," based upon the financial motivation to do so. Separately, as a firm based on the other side of the country, it stands to reason they would have little to no familiarity with the environmental impact sensitivities associated with the Trinity and Edwards Aquifer.

<!--[if !supportLists]-->28. <!--[endif]-->The Creek Bend Phase I and Phase II project virtually butts up adjacent to Cibolo Creek over the aquifer contributing and recharge zones. The northside of the 37 acres is all down-hill slope, that would feed directly into Cibolo Creek from any runoff from this project, both during its construction and after its completion.

<!--[if !supportLists]-->29. <!--[endif]-->Even COSA District #9 City Councilman John Courage himself (see attached COSA ORR # W601986) expressed his concern about the impact this project will have on the aquifer contributing and recharge zones.

<!--[if !supportLists]-->30. <!--[endif]-->Dominion Due Diligence Group's report (attached) finds the following toxic circumstances present on the property:

- <!--[if !supportLists]-->a. <!--[endif]-->Unregulated Underground Storage Tanks
- <!--[if !supportLists]-->b. <!--[endif]-->Past industrial/detrimental operations
- <!--[if !supportLists]-->c. <!--[endif]-->Vapor Encroachment Conditions
- <!--[if !supportLists]-->d. <!--[endif]-->Stored Hazardous Materials
- <!--[if !supportLists]-->e. <!--[endif]-->Polychlorinated Biphenyls, which are highly carcinogenic
- <!--[if !supportLists]-->f. <!--[endif]-->Above ground storage tanks
- <!--[if !supportLists]-->g. <!--[endif]-->Hazardous run-off
- <!--[if !supportLists]-->h. <!--[endif]-->Asbestos containing material
- <!--[if !supportLists]-->i. <!--[endif]-->Lead-based paint

<!--[if !supportLists]-->31. <!--[endif]-->This leads to the conclusion that this property and its acreage were likely used as a dump by previous property owners. Although Dominion Due Diligence Group's report says these levels are "acceptable," our community assesses these are rationale and tangible threats to the environment and in particular the Trinity and Edwards Aquifers given the property's immediate adjacency to Cibolo Creek, and the steep down-hill sloping terrain of the property and acreage that would feed runoff directly into Cibolo Creek. This also lends credence to the possibility of the previous property owner being so inclined to sell it, so the environmental problems become someone else's burden to bear.

<!--[if !supportLists]-->32. <!--[endif]-->Does the TDHCA, Pedcor, and the SAHT really want to be responsible for an environmental catastrophe that not only exposes the Creek Bend Phase I and Phase II occupants to carcinogenic substances, but also results in a Texas regional environmental catastrophe and blunder from disturbing this property and spillage of these pollutants into millions of Texans' drinking water, by

contaminating Cibolo Creek and into the aquifers?

<!--[if !supportLists]-->33. <!--[endif]-->This environmental fiasco further puts tax payers on the hook, as Pedcor will likely have to spend even more money to remedy the property, and will attempt to secure more money through the already established conflicts of interest with Ms. Latsha's previous employment with TDHCA and her husband's status as the Executive Director of the Texas Bond Review Board.

<!--[if !supportLists]-->34. <!--[endif]-->Thus, you can see the Public Relations nightmare the environmental and entire situation unfolds.

#### **INACCURANCY IN DOMICILE NUMBERS / DANGEROUS TRAFFIC SITUATION**

<!--[if !supportLists]-->35. <!--[endif]-->Ms. Latsha, the SAHT, and Pedcor will claim this project is only intended for 312 apartment homes. Our community's investigative efforts have uncovered project plans that call for 678 apartment homes while another plan calls for 552. See attached. Which is it?

<!--[if !supportLists]-->36. <!--[endif]-->Any traffic headed from either direction on HWY 281 is essentially "sling-shotted" on to westbound Borgfeld Drive up a hill with a highly dangerous blind spot from a steep hill. The plans for Creek Bend call for two separate drive way entrances right at this location, that will also put the entire retaining wall of this cliff at risk of collapsing into the roads.

<!--[if !supportLists]-->37. <!--[endif]-->On equal footing, any traffic that is headed eastbound on Borgfeld Drive, and towards HWY 281, approach the opposite side of the aforementioned hill, and drivers have to be extremely careful as the surprise blind spot always catches drivers off guard.

<!--[if !supportLists]-->38. <!--[endif]-->Again, the Creek Bend plans call for two driveway entrances and exits at this highly dangerous spot.

<!--[if !supportLists]-->39. <!--[endif]-->This is a dimly lit area on a very steep hill. Now factor in rain. People are going to die at this intersection because of how bad this arrangement is and how busy Borgfeld Drive is, with blind spots coming from both directions on and against a hill, right at the proposed driveway entrances to this project.

#### **CONCLUSION:**

The TDHCA Board should use its moral compass, conscious, logic, and obligation of transparency and good stewardship with Texans' tax payer dollars, and REJECT Pedcor's 4% tax credit application for this project, based upon the aforementioned



clear and compelling case. Due to Pedcor's, the SAHT's, and Ms. Latsha's foul planning, lack of engagement with our specific area communities, intimidation tactics against a citizen, insult to Veterans, lack of engagement with Comal ISD, lack of engagement with neighboring Comal County tax payers who obviously also foot the bill on taxes for Comal ISD schools, and the clear and unconscionable ethical conflicts of interest, you can see that this entire project has no merit worthy of tax credit, in particular tens of millions of dollar paid for by Texan tax payers. Although not an action decision by the TDHCA, this project should be cancelled in its entirety.

Do the right thing! Reject Pedcor's application for 4% tax credit for this project!

Semper Fidelis,

Mason Brand

Maj, USMCR (Ret.)

210-396-2594