

Legal Opinion: GCB-0006

Index: 1.750
Subject: Irregularities in Acquisition Procedures

October 10, 1991

Mr. Jose Luz Rivera
914 E. Highway 83
Pharr, TX 78577

Dear Mr. Rivera:

Your letter of August 2, 1991, addressed to former Assistant General Counsel David Pinsky, has been referred to this office for reply. You have raised a number of questions relating to the acquisition of two lots you owned in the City of Mission, Texas in 1984. You have cited a number of alleged irregularities in the acquisition process, including the substitution of a new deed for one which the City represents was lost.

Although the City claimed that the acquisition was to be carried out in order to provide a site for improvements to a local water treatment plant, no assistance for this effort was apparently applied for or granted by this Department. We have been in contact with Mr. Tom Perez of HUD's Community Planning and Development Division in our San Antonio Field Office, who researched the matter at our request and who has provided us with this advice.

Under the circumstances, this Department has no jurisdiction over the facts of this case. You may therefore wish to explore and pursue such remedies as are available to you under applicable Texas law.

Very sincerely yours,

Vincent R. Landau
Assistant General Counsel
Block Grants Division