



## Denton City Council Candidate Questionnaire

***This Questionnaire is a Word document which allows you to respond without regard to space limitations.***

### ***Candidate information***

Name of candidate: **Alison Maguire**

Office sought / party: **Denton City Council District 4/nonpartisan**

Date of interview: **Tuesday, March 23, 2021**

Candidate Mailing address: **2208 Miranda Pl., Denton, TX 76210**

Candidate Phone number: **940-268-4285**

Candidate email address: **alisonfordenton@gmail.com**

Why are you running? **I am running to serve our community. In my ten years of teaching in Title I schools, I found myself struggling to meet the educational needs of students who were facing food and housing insecurity. I realized that I could better serve my students and their families by working to change the policies that kept them in poverty.**

What are your three top priority issues? **I want to see our community thrive for generations to come. This means responsible development (including affordable housing), environmental stewardship, and evidence-based measures to protect public health.**

What is your prior or professional or community engagement with local REALTORS? **Rahna Raney helped my husband and me purchase our home.**

### **Campaign Information**

How much do you expect to spend in this race? **\$15,000**

How much have you raised so far? **\$10,143**

Campaign treasurer: **Sandy Swan**

Campaign consultant(s) if any: **Jordan Villarreal**

## **Anything else you'd like us to know?**

If the GDWCAR decides to support your campaign, would you accept funds from our Texas Association of REALTORS® Political Action Committee (TREPAC)? These funds have been contributed by local REALTORS as well as persons in the community.

**No.**

REALTORS® are committed to our communities, our clients, and the public. We work to ensure private property rights are protected, and that Texans can buy, sell, lease, and enjoy real property. To accomplish those goals, we monitor and advocate on a wide variety of local, state, and federal policy issues. The following questions seek to understand your position as a candidate and potential lawmaker on issues that will impact housing and real estate within your jurisdiction.

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### **Issue: Rental Registration**

**Background:** Several cities across Texas have undertaken excessively restrictive measures on rental property in their communities in an effort to monitor landlords and generate local fee-driven revenues through rental property. Some of these actions are registration of rental property and the inspection of rental property, with permitting and other subsequent fees associated with these measures.

**Candidate Question 1:** *Would you support or oppose proposals to enact a rental registration and/or rental property inspection fee?*

Please Explain your Position in Some Detail:

**I support enacting a rental registration in the City of Denton which would include a small fee to offset the cost of regular city inspections. More than half of Denton residents rent their homes, and those folks have a right to safe housing. Studies show <sup>1,2</sup> that 50%-80% of code violations in rental properties go unreported. When landlords and city inspectors are not aware of necessary repairs, the result can be costlier repairs down the road. City inspectors can identify code violations before they become costly and dangerous, saving landlords money in the long term while also holding them accountable for providing safe living conditions to their tenants.**

<sup>1</sup> Jane E. Prothman, Housing: Health and Code Enforcement, degree project for Masters of Public Administration at Univ. of Wash. (2010)

<sup>2</sup> Phyllis Betts, Best Practice Number Ten: Broken Windows - Strategies to Strengthen Housing Code Enforcement and Approaches to Community-Based Crime Prevention in Memphis (Memphis Shelby Crime Commission, Apr. 2001)

### **Issue: Short-term Rentals**

**Background:** Short-term rentals, or vacation rentals, are typically defined as those rented for less than 30 consecutive days. These are typically single-family homes in neighborhoods of cities that are desirable to visitors.

Some cities have banned short-term rental use in their local development or zoning codes and others have limited the use under specific parameters or guidelines. Registration programs may be required for all short-term-rental owners or may be limited to those owners who exclusively rent their properties as an investment.

**Candidate Question 2:** *Would you support or oppose banning short-term rental use in your city?*

Please Explain Your Position:

**I oppose banning short-term rentals in the City of Denton. However, I am in favor of requiring owners of short-term rentals to register with the city and to pay hotel occupancy tax.**

**Issue: Eminent Domain**

**Background**

Texas has ambiguous eminent domain laws that many believe are at odds with the state's philosophical support of private-property rights. The Texas Constitution limits the scope of eminent domain power and requires "adequate" compensation for the land on which eminent domain is used. However, there is a lack of consensus about the term "adequate" and the law does not address several matters related to eminent domain.

A few examples that may not be considered in determining "adequate" compensation could be:

- 1) Requiring fractional division of property that may impact the value of the remaining portion adversely.
- 2) Destroying (acres) significant stands of trees.
- 3) Creating a traffic pattern that impacts the value of a remaining portion of property.

**Candidate Question 3** *Please share your thoughts on eminent domain, including property-owner rights and what constitutes an "adequate" offer.*

Please Explain Your Position:

**The Texas Property Code and the State of Texas Landowner's Bill of Rights provide ample opportunities for landowners to contest eminent domain proceedings. If the property owner chooses not to accept the City's initial offer and the City files a condemnation action, the special commissioners are required to determine damages based not only on the fair market value of the property, but also based on the impact of the condemnation on the property owner's remaining property, including both injury and benefit to property value. As far as I am aware, eminent domain proceedings do not impact the City's tree ordinances. The City has a responsibility and an interest in preserving our tree canopy to promote carbon sequestration, improve air quality, and improve property values. If elected, I will work to find solutions that protect our trees and fairly compensate property owners while meeting our growing community's infrastructure needs.**

**Issue: Tax of Professional Services**

**Background**

As long as policymakers look for ways to restructure the tax system, Texas REALTORS® will actively participate to ensure the buyers, sellers, and owners of real estate, and real estate

professionals, have representation. Texas REALTORS® is committed to working with the Texas Legislature to create a tax policy that is just and fair to all Texans.

During previous legislative sessions, there have been various proposals advocating new taxes. These taxes range from a state income tax, expansion of the sales-tax base, additional taxes on business, and “sin” taxes, among others. In recent years, the Texas Legislature has debated proposals to expand the sales-tax base to include professional services, which currently have certain exclusions.

#### **Candidate Question 4:**

*Would you support a tax on professional services, such as commissions paid to a real estate broker or fees paid to an accountant or architect?*

Yes    No

Please Explain Your Position:

**Although I am not running for Texas Legislature, I am skeptical of measures that would increase the already large closing cost burden placed on homebuyers, particularly first time homebuyers. I would not rule out supporting taxes on some professional services, but my greater concerns are housing affordability and promoting homeownership among working class families.**

#### **Issue: Property Taxes and the Appraisal Process**

##### **Background:**

Creating a budget and adopting a property tax rate to support that budget are major functions of locally elected officials in Texas.

In simple terms, the Texas property tax system is based on an equation that multiplies a property’s appraised value by locally adopted tax rates. In recent years, Texans have seen skyrocketing property tax bills due to rapid increases in appraised value and little or no change in their tax rates. In addition, over the last decade, many local taxing jurisdictions have seen their budgets increase over 60%, far outpacing the rate of inflation and population growth.

When appraisal values increase, taxing jurisdictions can hold the line by adopting a tax rate that guarantees no new revenue will be realized from existing properties, instead relying on new or improved properties to generate new revenue. (Formerly known as the “effective tax rate,” new property tax laws resulting from Senate Bill 2 from the 86<sup>th</sup> Texas Legislature will rename this the “no-new-revenue maintenance and operations rate.”)

Some taxing entities assert that if they do not change or even lower tax rates, but taxpayers’ overall bills go up due to an increase in the appraised value of the property, this does not constitute a property tax increase.

#### **Candidate Question 5: If a property owner’s tax bill goes up, does that constitute a tax increase?**

Yes    No

Please Explain Your Position:

I care about relieving the burden faced by homeowners and in managing skyrocketing rent prices which are driven in part by growing property tax bills. One way to do this would be to adopt policies that stabilize property values so that working families can afford to buy or rent a home in Denton. I favor an approach that balances the need to generate revenue to fund Denton's substantial infrastructure and human services needs with the need to keep housing costs below 30% of household income for families who are struggling to afford housing, food, healthcare, childcare, and other necessities.

**Candidate Question 6:** *Do you support increased transparency measures, including (but not limited to) better notifications and explanations of terms, to ensure property owners fully understand why their property tax bill increases or decreases, and would you work to implement such changes in your city?*

Yes

Please Explain Your Position:

**I am in favor of any measure that enhances transparency and helps Denton residents be better informed and more engaged in the operations of the City.**

**Candidate Question 6:** *While considering the relationship between local taxing jurisdictions (city, county, or school district) and the Central Appraisal District, what role do you feel the Chief Appraiser/ Central Appraisal District should play in the budgeting process for your city?*

Please Explain Your Position:

**The role of the Chief Appraiser and Central Appraisal District is to fairly assess property values and communicate those values so that the City can budget based on anticipated property tax revenue.**

**Candidate Question 7:**

The State of Texas does not require the disclosure of sales prices for real property transactions. However, for many years, many local governments and central appraisal districts (CADs) have argued in favor of mandating such disclosure.

*Would you be in favor of any proposed legislation to mandate the disclosure of the sales price of commercial and residential real estate transactions?*

Yes

Please Explain Your Position:

**Transparency is always best. Central Appraisal Districts already base mass appraisals on sales prices, and I see no reason why they shouldn't have access to more accurate information, especially given the state's year-to-year limits on increase in assessed value.**

## Background

State law allows for an Agriculture Special Valuation (often mistakenly referred to as an ag exemption) on certain lands, which can lower the property's tax liability. The tax savings a property owner receives depends on the current market value of the property and the type of Ag Valuation the landowner holds.

However, the law also enables local governments to collect substantial "rollback" taxes on agricultural land when the owner stops using it for agriculture. This penalty is commonly called a rollback (or lookback) tax because it recaptures the taxes the owner would have paid had the property been taxed at full market value in previous years.

A law passed by the 86<sup>th</sup> Texas Legislature reduces the lookback period from five to three years and reduces the interest from 7% to 5%.

### **Candidate Question 8:**

Although modified in recently, state law allows local governments to collect a "rollback" tax on agriculture land when the owner stops using it for agriculture as a disincentive for taking the land out of agricultural production.

*Do you favor repealing the rollback tax applied to agriculture land when the owner stops using it for agriculture?*

Yes

Please Explain Your Position:

**While ag exemptions and rollback taxes can both serve valuable purposes in some areas, the rollback tax applied to agricultural land within the Denton city limits is not serving our goal of smart development and land use.**

## **Issue: Infrastructure Overview**

Recent State and Local Background

Water – Since the passage of Proposition 6 in 2013, a ballot measure that created a long-term fund for water and water infrastructure projects, Texas REALTORS®' water policy has focused on removing statutory and regulatory barriers to implementation of the nationally renowned Texas Water Plan.

Transportation – As a general philosophy, Texas REALTORS® believe in a return to the pay-as-you-go system for public access (non-tolled) roads, which served this state so well for so long. Recently, lawmakers have been reluctant to increase registration fees or the gasoline tax, so the state moved toward a system of bonding and toll roads. That unsustainable system is ending, as the state's bonding capacity is essentially exhausted and there is a general distaste for creating more toll roads.

The resulting problem is significant: In 2013, the Texas Department of Transportation suggested it would need an additional \$5 billion annually to maintain current roadway conditions. In 2014,

Texas voters approved Proposition 1, a measure designed to take advantage of the state's oil and natural gas boom by providing a portion of the oil and gas severance tax to the State Highway Fund (Fund 6). In 2019, lawmakers extended those provisions to ensure no interruption of funding for 10 years.

In 2015, voters approved Proposition 7, a referendum that, among other things, dedicated \$2.5 billion of existing sales tax revenue to the credit of the State Highway Fund for the maintenance, construction, and expansion of non-tolled roadways.

Energy – Texas companies, competing in the global marketplace, also need adequate, reliable, and reasonably priced energy to keep Texas a business-friendly environment. Without access to such energy, the economic prosperity of Texas and its citizens is threatened.

### **Candidate Question 9:**

The Metroplex, including Denton and Collin County is expected to approach 20 million people by the year 2050. Additionally, the A&M Real Estate Center predicts Denton County's population in 2050 will be over 3,000,000 people. This growth will balloon infrastructure needs for the entire area, including the city of Denton, exponentially.

*Local Infrastructure will also be a critical issue as time progresses, maybe even more than it has been in the past. Do you feel that we are keeping up with infrastructure development for the city of Denton now? What, if anything, do you think is needed to prepare the city and this general area for the growth that has begun?*

Please Explain Your Position:

**Denton has been behind the curve on infrastructure development for at least a decade. We must approach infrastructure expansion - particularly transportation infrastructure - with a sense of urgency and an eye toward the future. According to UNT's Center for Economic Development and Research, the City of Denton will likely have a population of around 207,000 by the year 2030. I'm glad to see some much needed road expansions finally underway in District 4, but we must recognize that adding a few lanes to Teasley, Hickory Creek Road, and Ryan Road will not be adequate to meet the needs of the tens of thousands of new residents who will be arriving in the next decade, particularly if every resident uses a car as their primary means of transportation. We need to take a "complete streets" approach to transportation infrastructure, ensuring that we not only have plenty of car lanes, but also protected bike lanes and interconnected, ADA compliant sidewalks so residents view walking and cycling as safe and practical options.**

*We appreciate your time and look forward to seeing you on March 23rd, and a continuing relationship! Please share any additional comments or questions you may have.*