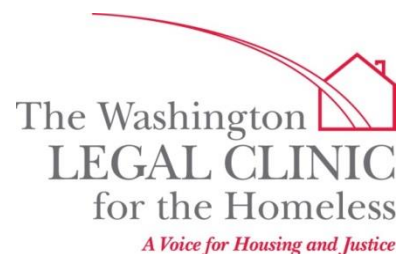


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Testimony for the DC Department of Housing and Community Development Public Hearing on the Proposed Disposition of Nine Properties in Columbia Heights, Brookland, Woodridge, LeDroit Park, Deanwood, Marshall Heights, and Bellevue

**Submitted July 16, 2019 by Caitlin Cocilova, Staff Attorney
Assisted by Lynn Zhang, Legal Intern**

Dear Director Donaldson and DHCD:

I am submitting this testimony on behalf of the Washington Legal Clinic for the Homeless, a nonprofit organization that since 1987 has worked towards a just and inclusive community for all residents of the District of Columbia, where housing is a human right and where every individual and family has equal access to the resources they need to thrive. This testimony focuses on the need for DC to stop giving public land away to private developers. The District has repeatedly shown that disposition deals frequently end up becoming giveaways for wealthy and often politically connected actors. As such, the practice, as it stands, must be stopped.

Current regulations state that when the District disposes of land, a certain percentage of the new development must be dedicated to affordable housing. Accordingly, rather than disposing of public land to private developers to build unaffordable housing units, the District should be leveraging its valuable assets to create high quality affordable housing for those most in need. As reported in June of this year, the housing at the nine sites being discussed at today's disposition hearing is slated to be for families earning up to 120% median family income, or \$145,000 for a family of four.ⁱ This income is currently out of reach for a vast majority of people in the wards at hand and absolutely out of reach for people making low to no wages, particularly Black and other District residents of color.ⁱⁱ

In preparation for today, we went back through the DC Register Notices beginning in January 2018 to see how many properties were or are in surplus and disposition processes in some capacity. As of July 15, 2019, about 17 parcels of DC-owned land have been placed in surplus and/or disposition processes in 2019, while about 114 properties were placed in surplus and/or disposition processes in 2018. This means that in the past nineteen months, over 130 parcels of land currently owned by the DC government have been or could be deemed "no longer required for public purposes" and given away or sold to private entities.



DC must think twice about quickly declaring public land as no longer required for public use, as disposing of such public land reduces DC’s long-term leverage to negotiate with private developers for increased community benefits. The stated purpose of the D.C. Official Code § 10-801 regarding the sale of public lands is to support community development, the creation of affordable housing, and increased job opportunities. The city cannot meaningfully fulfill these goals without putting the needs of the community front and center. While some of the owners may provide community benefits as required in the disposition agreements, those benefits too often have not aligned with what neighbors actually want and need. If the DC law governing surplus and disposition is to realize the goal of supporting community development, the communities themselves should be given control over the properties that are being disposed. By quickly declaring a property no longer required for public use, the city is giving private entities a free reign to interpret what “public” means in practice – private owners set the hours of their businesses, determine what can and cannot be brought into those public spaces, and develop informal parameters that often leave people feeling unwelcome in their own neighborhood.

Furthermore, if DC is going to have any chance to implement sustainable housing solutions for residents of all income levels (particularly those with low to no-incomes), such as, for example, government-owned municipal housing, it must stop giving or selling off District lands. There simply will not be any more physical room for creative solutions if this practice continues.

Sincerely,

/s/

Caitlin Cocilova
Staff Attorney

ⁱ Andrew Giambrone, “9 city-owned vacant sites to be turned into affordable housing,” Curbed (June 24, 2019), available at <https://dc.curbed.com/2019/6/24/18715414/affordable-housing-vacant-properties-dhcd-redevelopment-homes>.

ⁱⁱ For example, the median household income in Ward 8 in 2017 was \$31, 954. *See* “Census Reporter: Ward 8,” <https://censusreporter.org/profiles/61000US11008-ward-8-dc/> (last visited July 16, 2019).