



District of Columbia Government
Advisory Neighborhood Commission 6A
PO Box 15020
Washington, DC 20003



January 24, 2022

Mayor Muriel Bowser
1350 Pennsylvania Ave NW
Washington, DC 20004

Re: ANC 6A Request for Immediate Action Related to the Havana, 1219 K St NE

Dear Mayor Bowser,

At a regularly scheduled and properly noticed meeting¹ on January 13th, 2022, our Commission voted 8-0-0 (with 5 Commissioners required for a quorum) to request that the building at 1219 K St NE (The Havana) be cited for a number of housing code violations with follow up to ensure timely abatement; to request information about this property from relevant agencies across DC government; and to request meaningful violence prevention efforts for the area within and surrounding 8th St NE and 13th St NE, between K St and Florida Ave NE.

The frequency of gunfire on K St NE has increased dramatically in the past year, resulting in children being afraid to walk to their in-boundary school, J.O. Wilson, at 7th and K St NE. Over 20 rounds of ammunition were fired into two homes at 9th and K St NE around 6 pm on December 15, 2021. One to two rounds of gunfire occur multiple times a week in this corridor. In addition to the MPD-assigned cameras and lights placed in the community, we request a public health approach to this health and safety crisis, and request the assignment of violence prevention coordinators to this corridor. The violence we are experiencing is due to the failure of multiple DC agencies and we would like to avoid a singular, reactive, or harmful over-reliance on law enforcement. Instead, we would like to see a cross agency effort to get at the root cause of the violence and support the community until we experience reduced violence.

We also request that efforts be undertaken to abate unsafe and unsanitary living conditions at the Havana, which we believe to contribute to incidents of crime and gun-violence in the vicinity, and that the owner must be cited for housing code violations. There are a number of laws and regulations that are regularly violated and multiple agencies are failing residents by allowing the deplorable conditions at the Havana to persist. We understand that 100% of the residents of the Havana's are recipients of different housing voucher programs, with at least some residents self-reporting that they receive Rapid Re-Housing vouchers. The building residents have reported horrific living conditions since the spring of 2021, which have been reported to DC agencies and which we detail further below. The building is a five-story, 50-unit structure, but the fifth floor is "vacant," and has not been secured by the owner. That top floor has become the site of illegal and unsalutary activities, including drug use, vandalism, and open defecation. At least two shooting incidents in the last 8 months have involved individuals at the address. For example, on April 20th 2021, on two separate occurrences that same night multiple rounds of gunfire were aimed at

¹ ANC 6A meetings are advertised electronically on, anc-6a@googlegroups.com, and newhilleast@groups.io, at www.anc6a.org, on Twitter (@ANC6A) and through print advertisements in the Hill Rag.

the Havana, with at least one person coming out from the Havana and returning fire. In addition, MPD has alerted us that a missing person was tracked to the Havana on the fifth floor that is supposed to be vacant. There is no question that the property is a public nuisance, and that the District should take immediate action to remediate the conditions for the safety of the residents and the surrounding community.

On September 3, 2021, representatives from MPD, DCRA, DC FEMS, DPW, DDOT, ONSE, and other agencies, coordinated by Kevin Pham from the Mayor's Office of Community Relations, participated in a walk-through of the neighborhood surrounding this property and were alerted to the dangerous conditions by neighbors and residents. At that time, a resident relayed a number of the issues documented below, which constitute housing code violations, to a representative from DCRA. Since that time, we understand that DPW may have issued a citation to the owner of the Havana for the piles of trash and mattresses that had accumulated at the parking garage entrance, but we are not aware of DCRA conducting any further inspections or issuing any citations, and unfortunately, the situation has deteriorated. The Fire Marshall has regularly posted violation citations since the spring of 2021, and based on the September meeting, the Fire Marshall clearly had not coordinated with DCRA to alert the agency of any operational deficiencies or housing violations. After multiple requests from the ANC Commissioner Chatterjee, Councilmember Allen, and MPD Captain Savoy, DCRA was finally scheduled to do an inspection on January 4, 2022. However, that inspection was canceled because of inclement weather and was supposed to occur a week later, but it has not yet been scheduled to our knowledge.

The housing provider is receiving 100% of his rents from DC and Federal voucher programs and continuously fails to maintain the building to ensure the residents' safety and dignity. These are substandard living conditions in a brand new building, and based on resident feedback, no one would pay their own money to live there. We support the City's efforts to house its vulnerable residents and welcome them in our neighborhood, but we urge your administration to examine the consequences of permitting a private housing provider to fill a 50-unit apartment complex exclusively with voucher holders without comprehensive supportive services to the residents and assistance to a building owner who is overwhelmed and not able or willing to maintain a safe environment. Just a few blocks from the Havana, we have a relatively well-maintained affordable housing building at The Baldwin at 1300 H St NE, developed by an experienced affordable housing developer and property manager, Dantes Partners/Faria Management. One model is working and the other is not.

Below is a list of tenant-expressed concerns with associated regulations in the appendix to this letter.

1. Lack of secure exterior doors and an insecure vacant floor
 - a. The unoccupied 5th floor, which has been locked but which non-residents use all manner of tools to unlock and do whatever they will in, including urination, defecation, sex, and drugs.
 - b. Smells of urine and feces when heat is turned on (coming from the 5th floor) and lack of heating altogether in some units, with temporary space heaters provided.
 - c. Defecation in stairwells.
 - d. Unlocked front and back doors & general use of premises by non-residents, including high school-aged youth, for unlawful/unsanitary purposes.
2. Other health and safety concerns
 - a. Gunfire inside the building and outside the building
 - b. Missing persons tracked to the fifth floor of the building

- c. Individuals sleeping/passed out in hallways and common areas
- d. Drugs frequently left in common areas
- e. Broken/unusable elevator
- f. Overflowing trash and lack of adequate trash containers to service demand.
- g. Illegal parking in rear of building, which is not managed and blocks entrances, trash removal, and adjacent property access.

The residents of the Havana are some of the District's most vulnerable, but the City is funneling scarce affordable housing resources to a slumlord, endangering the very people voucher programs are intended to help. While the City enriches this individual, the Havana's residents and the surrounding community must endure the health and safety consequences of living in and around a public nuisance. Given these serious concerns, we are writing to request that immediate action is taken and to request answers to the following questions:

1. Why is it possible for the building to be rented when an entire floor is uninhabitable and cannot be safely maintained?
2. How many times in the last 12 months has MPD responded to calls associated with the site, and for what purposes?
3. How many, if any, arrests or search warrants have been associated with the location?
4. How many times in the last 12 months has FPD responded to calls associated with the site and for what purposes?
5. From what city agencies has the owner received fines and citations, what are the dollar amounts, and have they been paid?
6. Why has it taken 5+ months to get DCRA to inspect the premises?
7. How much money did the District pay the housing provider in 2021? What is the monthly voucher rate he's currently receiving? What types of vouchers are being used and in what quantities?
8. How many buildings in the city are entirely voucher-occupied?
9. Do the agencies responsible for issuing vouchers exercise any oversight over the housing conditions of the housing providers who receive vouchers? If not, why not? If so, how do voucher recipients avail themselves of the agency's services and what are the standard operating procedures when such a complaint is received?
10. Are housing providers who receive vouchers subject to any greater scrutiny or conditions beyond those to which a non-voucher provider is subject? If not, why not?

Many thanks for your attention to these matters. We look forward to a comprehensive response.

On Behalf of the Commission,



Amber Gove
Chair, Advisory Neighborhood Commission 6A
CC:

Kevin Donahoe, City Administrator
Ernest Chrappah, Director of DCRA
Christine Davis, Interim Director of DPW
Laura Zeilinger, DHS
Robert Contee, Chief of MPD
Charles Allen, Ward 6 Councilmember
Elissa Silverman, At-Large Councilmember
Robert White, At-Large Councilmember
Brianna Nadeau, Ward 1 Councilmember
Anita Bonds, At-Large Councilmember
Phil Mendelson, DC Council Chair

Appendix 1: Relevant Housing Code Provisions from Title 14 of the District of Columbia Municipal Regulations:

- 700.2 Every premise accommodating one (1) or more habitations shall be maintained and kept in repair to provide decent living accommodations for the occupants.
- 705.5 Each exterior door, when closed, shall fit reasonably well within its frame and shall be equipped with a lock which will permit easy egress without a key but will prevent entrance to the multi-unit dwelling without a key unless the door is opened from the inside, electrically or otherwise, by one (1) of the tenants or by an employee of the building owner.
- 800.1 All premises occupied for residential purposes shall be kept in a clean, safe, and sanitary condition, including, but not limited to, the requirements of this chapter.
- 800.2 Floors, floor coverings, and other walking surfaces shall be clean and free of dirt, dust, filth, garbage, human or animal wastes, litter, refuse, or any other insanitary matter.
- 800.6 Other portions of each premise which are not specifically listed in this section shall be kept clean, and in a safe and sanitary condition.
- 800.8 The owner of any premises shall maintain the premises free of any condition that may render the premises unhealthy or unsanitary for the occupant, the neighborhood or the community at large pursuant to An Act To provide for the abatement of nuisances in the District of Columbia by the Commissioners of said District, and for other purposes, approved April 14, 1906 (34 Stat. 114, ch. 1626; D.C. Official Code §§ 42-3131, et seq. (2010 Repl. & 2011 Supp.)).
- 800.9 Premises maintained in violation of this chapter create a danger to the health, welfare or safety of the occupants and public, and, constitute a public nuisance.
- 1205.1 The owner of any apartment building or a house consisting of five (5) or more floors which contains one (1) or more elevators shall maintain the elevators in good working order.