

DATE: March 04, 2016

TO: Mrs. Anita Bonds, Chairperson,
Committee on Housing and Community Development,
District of Columbia City Council,
Washington, DC

FROM: Tillman M. Peck, President,
Taylor Towers Tenant Association, Inc.
4021 – 9th Street, NW (107)
Apartment 107,
Washington, DC 20011



SUBJECT: My Experiences with D. C. Department of Housing and Community Development, D. C. Department of Consumer and Regulatory Affairs, and D. C. Rental Housing Commission.

=====

Thank you, Chairperson Anita Bonds and other members of the DC Committee on Housing and Community Development, District of Columbia City Council, for allowing me this opportunity to provide remarks regarding my experiences with D. C. Department of Housing and Community Development, D. C. Department of Consumer and Regulatory Affairs, and D. C. Rental Housing Commission.

My experiences with D. C. Department of Housing and Community Development, D. C. Department of Consumer and Regulatory Affairs, and DC Rental Housing Commission stem, in part, from my role in dealing with a landlord hardship petition, #HP20,812, that moved through the System during the time frame June 2007 to date.

Little did we tenants suspect that, after the filing of landlord Hardship Petition #HP20,812 back in the year 2007, we would still be waiting for closure on that same matter here in the year 2016.

This case has generated many difficulties for our side.

- Some of the original tenants who were parties to this matter have moved out of the apartment building. Also, some of the original tenants have passed away. In addition to this, some new tenants have since moved into the building.
- Annual rent increases taken by landlords have been based on questionable premises. There is no way to state clearly what the base rents are, or should be, at Taylor Towers Apartment Building. Whenever the landlord has taken yearly rent increases under the City's CPI (consumer price index) provisions, the percentages applied in each case were applied to the previous years' rents charged. But the previous years' rents may be incorrect, due to the fact that the actual previous years' rents have not been satisfactorily resolved by the city's Rent Administrator.
- During this timeframe, the building has suffered many housing-code-related issues that would seem to argue against rent increases. These include, but are not limited to:
 - cracked paint on some walls;
 - windows that, at times, won't open;
 - elevator outages;
 - instances of exposed electrical wiring;
 - periodic trash accumulation;
 - leaking water faucet(s) in bathroom and/or kitchen areas;
 - kitchen sink that backs up – catches dirty water -- frequently;
 - instances of suspected lead paint and asbestos contamination;
 - Inadequate electricity – in some instances, fuse boxes that previously contained 20-ampere fuses have been replaced by fuse boxes containing 15-ampere fuses.
 - Etc
- On some of the coldest nights of winter, there was no heat in the building. Very seldom has this been attributed to mechanical problems. Usually this has been due to heating fuel outages.

In her testimony, Terra Fulham, counsel for the Taylor Towers Tenants' Association, has just provided you with a summary of the history of this hardship petition.

DATE: March 04, 2016

TO: Mrs. Anita Bonds, Chairperson,
Committee on Housing and Community Development,
District of Columbia City Council,
Washington, DC

FROM: Tillman M. Peck, President,
Taylor Towers Tenant Association, Inc.
4021 – 9th Street, NW (107)
Apartment 107,
Washington, DC 20011



SUBJECT: My Experiences with D. C. Department of Housing and Community Development, D. C. Department of Consumer and Regulatory Affairs, and D. C. Rental Housing Commission.

=====

I would reiterate that this case has been pending for more than seven (7) years, and is moving very slow, and provide a brief chronology of some additional key events. [The “provisional” hardship rent increase has been in effect for at least seven (7) years.]

A Brief Chronology:

This case originated in Department of Consumer and Regulatory Affairs, as a simple filing of a landlord’ hardship petition. That happened in the year 2007. Tenant appeals led to the matter being shifted to the D. C. Rental Housing Commission in the year 2008. The Rental Housing Commission held an actual hearing in April 2009. We never received a decision from Rental Housing Commission. Then in April 2014, tenants were invited to engage in settlement negotiations with landlord. On May 2, 2014, Rental Housing Commission scheduled a negotiation session for June 3, 2014. On May 23, 2014, tenants asked Rental Housing Commission to delay the June 3 negotiations because we were close to obtaining legal representation. Rental Housing Commission ignored our request and proceeded with the June 3 schedule. On June 3, landlord(s) showed up accompanied by their lawyer. We had no lawyer present, but we did have present with us a staffer from DC-based Housing Counseling Service, not in a legal capacity but in an advisory capacity. Landlord’s attorney requested, and the negotiations mediator granted the request, that the staffer from Housing Counseling Service leave the room. We tenants felt disadvantaged. The negotiation session degenerated into utter chaos. On June 4, 2014, tenants issued a follow-up letter frowning on the June 3 proceedings. Subsequently, on June 11, 2014, Rental Housing Commission issued an order denying our 2008 appeal based on landlords’ attorney’s claim that the 2008 Rent Administrator’s award to landlords had been “provisional pending audit” rather than “final.” Although it is the Rent Administrator’s duty to schedule that audit, the Rent Administrator has not acted yet.

Tenants are wondering: are these City delays pre-meditated, designed to favor landlords?

An issue of concern: under the current regulations, housing providers can request exorbitant hardship rent increases, with the expectation that the City will take so long to process the requests that they (the housing providers) will rake in substantial revenue from the “provisional” increases. Processing delays seem to reward the housing providers while punishing the tenants.

Repeat of a prior recommendation:

I recommend the establishment of statutory time-frames for **all** petitions, whether they be landlord petitions or tenant petitions. In other words, assign time-frames (in days or months) in which petitions themselves must be officially processed. To see this in action, we can take a cue from the Sports world. In the “beginning,” there was no play clock in use in professional basketball and professional football. These days, however, there is a play clock in both: a play must be run within a stated time period (number of seconds), or penalties will be assessed. With the introduction of the play clock, the quality of play improved, and interest in the games increased.

Thank you.