

From: gwensouth@aol.com [mailto:gwensouth@aol.com]
Sent: Wednesday, April 08, 2015 9:12 AM
To: JBerkowitz@HorningBrothers.com; Barnes, Dianne (SMD 5E09); SCarter@HorningBrothers.com; ladybugg_39@yahoo.com; ATD DCOZ
Cc: droodberg@horningbrothers.com
Subject: Re: BZA Application No 18013A - Franklin Commons Child Development Center

Thank you Mr. Berkowitz,

That was my understanding as well, per your previous letter a while back (can't recall the exact date). However, except for one meeting, which was held in the Infants room, each time I've made the request, even giving Ms. Carter, the 30 day notice, I am told that we cannot use the space, because it would "interrupt the day care center." That is certainly not our intent.

In speaking with Ms. Bradsher about using the facility for tenant meetings, she informed me that the only space available would be in the "kitchen area." Which seems unsuitable for a meeting. The tenant meeting space, which we used for many years, is the large (600 sf) space, to the left of the facility, that was the intended and is the original meeting space for tenant meetings. Along with access to the restroom. While for some events, access to the kitchen area would be useful, it is NOT set up for meetings.

Again, we are not allowed to use that original space, which was designated for meetings. In addition to use of the facility after hours, would Saturdays be agreeable for tenant meetings.

It would be very helpful if Horning Brothers could allow the tenant association to use *that* original HUD meeting space.

Thank you kindly,

Gwen Southerland, President
Franklin Commons Tenant & Civic Association

-----Original Message-----

From: Jay <JBerkowitz@HorningBrothers.com>
To: gwensouth <gwensouth@aol.com>; 5E09 <5E09@anc.dc.gov>; Shelia Carter (Franklin Commons) <SCarter@HorningBrothers.com>; ladybugg_39 <ladybugg_39@yahoo.com>; dcoz <dcoz@dc.gov>
Sent: Wed, Apr 8, 2015 8:51 am
Subject: RE: BZA Application No 18013A - Franklin Commons Child Development Center

In response to the below email Horning Brothers on numerous occasions has stated that the tenant association may use the center for meetings. The meetings can take place after the center closes for the day and as long as prior notice is given to Shelia Carter the onsite manager. Horning Brothers is in favor of operating the space as a day care center.

Jay Berkowitz
Director of Affordable Housing
Horning Brothers
1350 Connecticut Ave NW, Suite 800, Washington DC, 20036
Phone 202.659-0700 | Fax 202.659.9489 | jberkowitz@horningbrothers.com



From: gwensouth@aol.com [<mailto:gwensouth@aol.com>]

Sent: Tuesday, April 07, 2015 8:16 PM

To: 5E09@anc.dc.gov; Shelia Carter (Franklin Commons); Jay; ladybugg_39@yahoo.com; dcoz@dc.gov

Subject: Re: BZA Application No 18013A - Franklin Commons Child Development Center

Thanks Commissioner Barnes,

Let me very, very clear, it is not, was not and has it ever been my intention to "interrupt the Child Development Center." Or to be opposed to a child care center in a Section 8 housing community. What I do however, oppose is the exclusive use of 2400 sq. ft. of HUD mandated community space, for a child development center, with a questionable enrollment that requires use of the entire facility.

As a bit of background, as you are aware, I served an ANC Commissioner for this very single member district from 1998 until 2002. I have been a resident of Franklin Commons since February, 1987. At around the early 1990s, the residents came to me expressing the need for a tenant association. They asked that I form the Association and I did; further, I was elected as the president, and have been re-elected many times. This, even as other officers dropped out.

As the elected president of our tenant association, I have always been helpful to assist and coordinate any reasonable requests of and by the residents, for the betterment and safety of Franklin Commons. Whether it be getting the crosswalk in front of the complex, assisting in acquiring the Intercom System for each of the 13 buildings, forming a RIF reading program, Family Day events, etc. Further, at the request of many of our tenants, I have written correspondence, including Wills, Community Service Credit Letters, Job References, you name it and I have provided such services upon the request of *any* Franklin Commons resident. Often placing myself in peril (as is the case before us at this time).

As to the case before the BZA, (#18013A) it was I who put the Center in place, based on the request of a Franklin Commons tenant, Ms. Bradsher, who offered an idea at a monthly tenant association meeting that was to benefit *all* ages of residents: from infants to senior citizens.

When Ms. Bradsher attended several of our tenant association meetings a few years ago, she presented a great idea!

As expressed by Ms. Bradsher, at the meeting of the Franklin Commons Tenant & Civic Association (FCTCA), this was NOT to be exclusively a child development center. But was intended to benefit ALL residents of Franklin Commons and perhaps even those in the surrounding community. However, the primary recipients were to be residents of our complex. Another resident provided the word "intergenerational" since, as Ms., Bradsher informed, it was for *all* age groups.

At that time, Ms. Bradsher asked for my assistance in forming the Center. Even though I was a struggling senior citizen and college student, I took the time and prepared all of the necessary documents, including: **Preparation and submission of the IRS Tax Identification Number, the Incorporation of a Non-profit Organization, the IRS Application 1023 for Tax Exempt Status 501(c)(3), the BZA Package (consisting of the Application form, Authorization Letter, Photos, Map), the Business Plan to Horning Brothers, the Budget, the Curriculum, the Two-Year Report for Domestic & Foreign Non-Profit Organizations, several visits to DCRA to obtain the Certificate of Occupancy, and a great**

deal of research, meetings with Horning Brothers, both at the on-site office and at their corporate office. I prepared all of the required documentation for this non-profit organization. The Center was incorporated as the *Franklin Commons Intergenerational Day Care Center (FCIDCC)*.

Since becoming operational and to date, the FCIDCC has operated as a sole-proprietorship serving infants and children only, with Ms. Bradsher as the Director. It was only later that I learned of Ms. Bradsher's intent to operate the center exclusively as a child development center. Even though I am one of the original Incorporators, an original Board Member and the Registered Agent, for this non-profit organization, I have never been invited to participate in any way at, or within, the facility.

This omission of my participation was made very clear to me at a closing meeting at the Franklin Commons office, [attended by myself, Ms. Bradsher, her daughter, Ms. Thomas (another resident) and Ms. Carter, the manager of Franklin Commons], when suddenly and without any provocation, Ms. Bradsher lept up, rushed over to me, pointing her index finger within an inch of my face and began repeatedly shouting at me, "I want you out, I want you out." It was only when Ms. Thomas spoke up to Ms. Bradsher that she was out of order, disrespectful and very rude. Interestingly, the manager, Ms. Carter said nothing, only slightly smiling with her arms crossed. She never said a word. Even upon leaving the rental office, Ms. Bradsher, and by now her daughter, continued the verbal assault against me, causing me to be very fearful of them both.

Since the BZA #180113A continuance process began a few weeks ago, once again, Ms. Bradsher and her family have hurled several verbal assaults to me. As recent as a few days ago, as I was entering the building (where Ms. Bradsher's family resides, and supposedly, she herself, no longer resides in Franklin Commons, but arrives each morning in a vehicle bearing Maryland tags), her son abruptly pushed open the front door to building 121, as I was entering the building, causing me to stump my toe as I jumped to get out of his way. I could assume that he didn't see me, however, he offered not the slightest apology, not even an oops.

Commissioner Barnes, at this time, I am in great fear of Ms. Bradsher and her family, hence, I will probably **not** attend the BZA Hearing on April 21, 2015. Hopefully the Notice will be placed on the front of the Franklin Commons property for the full, I believe, two weeks. As opposed to the original BZA Notice which (1) was placed so high up that no one could read it, and (2), it only stayed up for about two days. At that time, I was not even aware of the date for the initial BZA #18013 hearing.

However, I must reiterate that I am not opposed to a child development center here at Franklin Commons. What I am opposed to is the operation of the center as exclusively for that purpose, and that Conditions be placed for some tenant association use of the facility for meetings and activities. Also, a part of that space (specifically at least 600 sq. ft., of the 2400 sq. ft.) is the HUD mandated community meeting space for the residents.

As to the space offered by Horning Brothers in the rear of 111 Franklin Street, that was formerly the engineer's room, housing several of the electronic meters that run the property. Although the meters were covered up and are invisible, that space is very small measures about 8ft x36ft, with the addition of the restroom. At most, we can get 16 chairs in the room, however, in speaking with the Engineer, he did indicate that the space can hold as many as 30 chairs. However, I do not believe that the space at 111 Franklin is adequate. However, we have used this small space for many years for tenant association meetings and some activities. Even after the DC Fire Chief threatened to close it down at one of our tenant association meetings.

It was back in 1999, at a Y2K meeting, the DC Fire Chief, who was a member of the Y2K team, forbade us to "ever" use that room again, because it did not meet the specifications for a meeting space. Needless to say, we had no other space on the property to use and continued to use it for many more years.

First, the residents of Franklin Commons were denied access and use of the space by the Darrell Green Center, and now once again, we are denied adequate space for our meetings and events. As a note,

prior to being denied access to the space, previously we held many meetings, activities and special events in that space. Denial of access to this community space in the rear of 119 Franklin that now exclusively houses the child development center, which on any day, I've been informed has less than 10 children in 2400 square feet of space.

HUD has established that tenants have a right to organize and convene tenant association meetings on-site, and that owners and management must make available use of any community room or other available space for tenant meetings and activities (HUD 24 CFR 245.100).

It appears that, for some unfathomable reason, there is a concerted effort to deny the residents of Franklin Commons the ability to meet. The inability to use a HUD space for tenants has meant curtailing many important meetings and activities for the residents this 100 percent HUD subsidized multi-family housing community.

In closing, I once again state, as I shared at the ANC meeting, the tenant association should be allowed to share this space, and to operate as it was incorporated to do, as an intergenerational center, not exclusively as a child care facility. That would be the only Condition I could support for BZA #18013A. However, all residents within the 200 feet, who have finally been notified (as previously they were not in neither case), are free to make their own decisions in this matter.

I would also ask that Ms. Bradsher, the director and her family please refrain from the verbal assaults, and even the non-verbals that only serve to promote and intimidate me, a 70 year old senior citizen who poses no threat to them at all.

Sorry for the length of this response. However, I would also request that you share this response with the other ANC commissioners of ANC 5E.

Gwen Southerland, MA
President,
Franklin Commons Tenant & Civic Association (FCTCA)
and
Incorporator, Board Member, Registered Agent
Franklin Commons Intergenerational Day Care Center (FCIDCC)

-----Original Message-----

From: Barnes, Dianne (SMD 5E09) (SMD 5E09) <5E09@anc.dc.gov>
To: gwen south <gwen south@aol.com>
Cc: Barnes, Dianne (SMD 5E09) (SMD 5E09) <5E09@anc.dc.gov>
Sent: Tue, Apr 7, 2015 2:29 pm
Subject: BZA Application No 18013A - Franklin Commons Child Development Center
Hello Gwen:

I am forwarding the report submitted to the BZA after my meeting with the Owners' staff person in the rental office for your information. Since the owners do not want you to interrupt the Child Development Center, they have offered you a room in Building 111 for your meeting.

Please review my attachment and give me a call if you have a need to do so.

Dianne
202-409-7155