

PARTY STATUS APPLICATION

Notice: See other side of party status form for instructions.

NAME: Last Dorchester Tenants Association Middle I. (DTA)
c/o Eleanor JOHNSON President

ADDRESS: Street 2480-16th St. N.W Apt. # (if any) 933 City Washington State DC Zip Code 20009-6711

Phone No. 202-387-0796 Fax No. E-Mail

I, hereby request to appear and participate as a party.

Signature

Date

E. Johnson

3/16/06

Will you appear as a(n) ☐ Proponent ☒ Opponent Will you appear through legal counsel ☐ Yes ☒ No

If yes, please enter the name and address of such legal counsel.

NAME: Last ZONING COMMISSION Middle I. CASE No. 04-36
EXHIBIT No. 48

ADDRESS: Street Ste. # (if any) City State Zip Code

Phone No. Fax No. E-Mail

Please answer all of the following questions referencing why the above person should be granted party status.
 (If you require additional space, please attach an additional sheet.)

- How will the property owned or occupied by such person, or in which the person has an interest be affected by the action requested of the Board?
 It this action goes forward it will have a harmful effect on all residents. It will have a negative impact on the economic and social lives of all tenants. Construction on site will greatly reduce Quality of life for all residents and tenants. May result in loss of homes and parking... Loss of Affordable housing and parking and a further reduction in services and facilities for tenants.
- What legal interest does the person have in the property? (i.e. owner, tenant, trustee, or mortgagee)
 many low and moderate income families, seniors, disabled person tenants in culturally socially and economically diverse Bldg (Tenant Association)
- What is the distance between the person's property and the property that is the subject of the appeal or application before the Board? (Preferably no farther than 200ft.)
 tenant in existing Dorchester House Apts is historically significant; Bldg is "Rent Control" (D.C.R.A) a part of D.C. Rental Stabilization Program
- What are the environmental, economic or social impacts that are likely to affect the person and/or the person's property if the action requested of the Board is approved or denied?
 The Expansion would have a harmful effect on the residential quality of life and a harmful economic impact on the tenants and their families and the surrounding community also. MAJOR economic impact on rents and the renters. Cause a major loss of Affordable Housing and homes of current tenants more redevelopment along 16th Street, N.W has been luxury rental at "market rates"
- Describe any other relevant matters that demonstrate how the person will likely be affected or aggrieved if the action requested of the Board is approved or denied.
 Expansion would further destabilize the Bldg. Negative impact lost of way of life and community. Dorchester House as is it tenants, it tenant association contribute to the vitality of neighborhood. Will evade rent control Bldg. The expansion will create congestion will forever change the character and peace and safety of narrow quiet 17th Street in short a major economic, safety and Quality of life lost
- Explain how the person's interest will be more significantly, distinctively, or uniquely affected in character or kind by the proposed zoning action than that of other person's in the general public.

Decrease in services and facilities like parking, Affordable rents. The project will negative impact tenants... Decrease the Affordable units in a D.C. Rent Control Bldg... will fell several very old trees and displace the tenants and the green space existing now. Will be described in testimony documentation. The project will have an Adverse impact on hundreds of tenants total, too big, No Affordable Housing Plan, Does not address Rent Control issues on the site today

INSTRUCTIONS

Any request for party status for action provided in the District of Columbia Zoning Regulations (11 DCMR Zoning) that is not completed in accordance with the following instructions shall not be accepted.

1. Form 140 must be completely filled out and be typewritten or printed. If additional space is necessary, use separate sheets of 8½" x 11" paper to complete the form.
2. Present this form to the Office of Zoning at 441 4th Street, N.W., Suite 210, Washington, D.C. 20001.

APPEARANCE AND REPRESENTATION

In a proceeding before the Zoning Commission or Board of Zoning Adjustment, any person or party may appear on his or her own behalf. Any person or party may be represented by any other person duly authorized in writing to do so. The authorization shall state specifically that the authorization includes the power of the agent or representation to bind the person in the case.

Except for the applicant, appellant or the ANC, to participate as a party in a proceeding before the Board, any affected person shall file with the Zoning Commission or Board of Zoning Adjustment, not less than fourteen (14) days prior to the date set for the hearing, the following information.

- (a) The person's name and address;
- (b) A request to appear and participate as a party;
- (c) Whether the person will appear as a proponent or opponent of the application or appeal;
- (d) Whether the person will appear through legal counsel and, if so, the name and address of such legal counsel;
- (e) A list of witnesses who will testify on the persons behalf; and
- (f) A written statement setting forth why the person should be granted party status, including reference to the following:
 - (1) The property owned or occupied by such person, or in which such person has an interest, that will be affected by the action requested of the Board;
 - (2) The legal interest such person has in such property, such as owner, tenant, trustee or mortgagee;
 - (3) The distance between such person's property and the property that is the subject of the application or appeal before the Board;
 - (4) The environmental, economic or social impacts that are likely to affect such person and/or such person's property if the action requested of the Board is approved or denied; and
 - (5) Any other relevant matters that demonstrate how such person likely will be affected or aggrieved if the action requested of the Board is approved or denied.
- (6) In considering any request for party status pursuant to Subsection 3106.2, the Board shall grant party status only if the person has clearly demonstrated that his or her interests will be more significantly, distinctively or uniquely affected in character or kind by the proposed zoning action than those of other persons in the general public.

ZONING COMMISSION FOR THE DISTRICT OF COLUMBIA

Dorchester House Apartments Expansion)
2480 16th Street, NW)

Case 04-36

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D.C. OFFICE OF ZONING

RECEIVED

PETITION OF THE DORCHESTER TENANTS ASSOCIATION
TO PARTICIPATE AS
PARTY

The Dorchester Tenants Association, which represents 392 apartment units of current residents of the housing complex petitions, through Eleanor Johnson, its President, residing at 2480 16th St, NW Apt. 933, Washington, DC 20009, telephone number 202/387-0796, petitions for party status in this proceeding in OPPOSITION to the Planned Unit Development (PUD) and zoning change.

I will testify on behalf of the association that the Applicant's Affordable Housing Program does not meet the requirements of the Planned Unit Development and will have an adverse economic and social impact on Dorchester House Residents—and the immediate community—for the reasons as enumerated:

1. the proposal states that there are “approximately forty-five rental units that are restricted by the rent control law,” in fact, the entire building, all 392 units, based upon the decision in Tenant Petition 3788 Benoit Brookens et. al. v. Dorchester House et. al.

dated February 14, 2001, by the D.C. Department of Consumer and Regulatory Affairs, (Attachment 1, Dorchester Rent Rollback Organization Petition for Party Status Filed March 15, 2006) is covered by D.C. rent control—leaving none of the current apartment units in the existing Dorchester House Apartments available for the required Affordable Housing Component of the PUD;

2. the owner, through its agent, has not currently registered its rental units with the D.C. Rent Administrator which included the proper ROLL BACK OF THE RENT LEVELS, and has refused its obligation to reduce rents for current residents (Attachment 2, Dorchester Rent Rollback Organization Petition for Party Status Filed March 15, 2006) and such failure to comply with the order of the DCRA is contrary to public policy and does not advance the objective the PUD.;

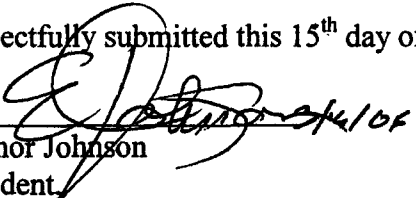
3. the owner, in its representation to the Zoning Commission, contrary to public policy, has not recognized in its application that (a) it much comply with lawful orders of the D.C. Department of Consumer and Regulatory Affairs, in T/P 3788 Benoit Brookens et. al. v. Dorchester House et. al.

dated February 14, 2001, (b) must pay approximately \$142,000 in rent refunds to current and former tenants, and (c) that an offer to make a \$100,000 contribution to Jubilee house for development of the area's housing stock is not a substitute for the required payment to tenants and its obligation to implement rent reductions for current residents;

The Rent Administrator, as part of the report of the D.C. Department of Consumer and Regulatory Affairs (DCRA), (and the D.C. Department of Housing) should provide to the Commission the status of the Applicant's compliance with the February 14, 2001, DCRA decision, and can testify to that effect as a witness before this Zoning Commission on the stock of "affordable" rental housing in the District of Columbia.

The Dorchester Tenants Association, including myself, includes other residents who would be beneficiaries of the rent reductions and any rent refunds ordered in Tenant Petition T/P 11,552 and 12,085, Benoit Brookens et. al. v. Dorchester House et. al.

Respectfully submitted this 15th day of March 2006.


Eleanor Johnson
President

Dorchester House Tenant's Association
2480 16th Street, NW
Apt. 933
Washington, DC 20009
202/387-0796

DORCHESTER HOUSE TENANTS ASSOCIATION

Resolution

OPPOSITION TO DORCHESTER HOUSE EXPANSION ZONING APPLICATION

March 15, 2006

Whereas, Expansion of the Dorchester House Apartments includes new construction which is exempt from D.C. Rent Control;

Current Dorchester residents are covered by the DC Rent Control Law and are entitled to rent reductions and rent refunds or both;

Whereas the Dorchester Expansion plan incorporates only forty-five (45) of the 392 current rent controlled units as part of the Planned Urban Development (PUD);

Whereas approval of the Dorchester Expansion plan will not be in the housing interest of Dorchester residents nor advance the housing, environmental, or community developments needs of the neighborhood;

Be it Resolved: That the Dorchester Tenants Association OPPOSE the Dorchester House Apartments Expansion Application before the D.C. Zoning Commission on March 30, 2006, Case 04-36.

ZONING COMMISSION FOR THE DISTRICT OF COLUMBIA

The Dorchester Tenant's Association (DTA) and its residents stand in opposition to case 04-36 (the Dorchester House Expansion). DTA represents the tenants in the 394 unit Dorchester House Apartments.

Witnesses to testify on behalf of the association are Peter Petropoulos, Rudolph Douglas, Danielle Kichler and current residents of the Dorchester House Apartments. Also scheduled to testify are Timothy Handy, acting tenant advocate, Department of Consumer & Regulatory Affairs and Benoit Brookens, secretary and general counsel of the Dorchester Rent Rollback organization (DRRO). The witnesses will testify that the affordable housing program presented by the applicant does not meet the requirements of the Planned Unit Development and will have an adverse economic and social impact on Dorchester House Residents and the immediate community for the reasons enumerated here: *plus additional witnesses*

1. The proposal states that there are "approximately forty-five rental units of 394" that are restricted by the Rental Housing Act of 1975 and the Rent Stabilization Program. In fact, the entire building all 394 units based on the efforts of former and current tenants and upon the decision in Tenant Petition 3788, dated February 14, 2001 by the D.C. Department of Consumer & Regulatory Affairs of the D.C. government.
2. The expansion could require that tenants be displaced and lose their homes as a result of substantial rehabilitation. Returning tenants could face 125% rent increases.
3. The proposal fails to state how rents would increase as a result of the expansion, and to address the economic impact on current residents.
4. The applicant, in its representation to the zoning commission, contrary to public policy and the health, safety, peace and quiet of the residents, has not recognized in its application that it must comply with lawful orders of the Department of Consumer & Regulatory Affairs and the D.C. Rental Stabilization Program.
5. The expansion will cause the dilution of the Dorchester Tenant's Association. Tenants in the new building will be exempt from rent control. This will erode current tenants first right of refusal.

6. The decrease in services caused by the construction on the residential site will cause an increase in noise, debris, dust and construction vibrations threatening the foundation of the existing building adversely affecting the health, safety, habitability, and peace and quiet of the residents.
7. The employee and residential parking will be eliminated during construction with no alternative plan proposed by applicant. The current parking proposal contradicts his present policy on parking which includes non-residential parking. Applicant currently rents parking spaces to non-residents which is against the law and aggravates the parking crisis in the morning. Traffic congestion on 17th Street would be increased due to the expanded underground parking.
8. The elimination of private residential green space will result in the felling of mature trees in the residential garden area.
9. The Dorchester House is historically significant but is not on the historic preservation list at this time. The gardens as well as the building should be preserved for future generations.
10. The applicant's proposal will cause rental increases that will result in the displacement many current residents and will contribute to the affordable rental housing crisis that exists in the District of Columbia.