

TENAC

Testimony of Jim McGrath, Chairman of the D.C. Tenants'
Advocacy Coalition (TENAC)
District of Columbia Board of Zoning Adjustment (BZA)
Application of Morton Bender for Zoning Exception to Construct
A Hotel on the 1700 Block of N Street, N.W.
October 6, 2009

Good evening members of the BZA, I appreciate the opportunity to be heard in this matter.

At stake here, is what is left, in historic preservation terms, of a premiere, elegant, historic block, 1700 N Street, N.W. and the application of Mr. Bender for a zoning exception to build a hotel there. There are a host of problems with that application and the five minutes that I have allows mention of but a few.

First of all, TENAC has voted unanimously to oppose this application, as we have done so before on several occasions. Still it keeps coming back in different guises, as befits its name, "N Street Follies" suggesting some kind of a "variety show" or "musicale" with many different amusements in it. There is nothing amusing in this application, however. It would destroy the last remnants of historic and architectural integrity of a key parcel of real estate in this city.

It seems to us that sometimes "No" should really mean "No"! No to any further zoning exceptions on that block in general, and No to Mr. Bender's hotel proposal. There is no need for another hotel on the 1700 Block of N Street, NW. There are two there already on the same side of the street a third one would be inappropriately located.

If "The Past Is Prologue" means anything, it means this application should be denied. Mr. Bender's record does not inspire confidence. His public record on that block is a disgrace. He has four buildings boarded up and deteriorating for over a decade. He evicted tenants from the last residential property on N Street, causing great hardship and dislocation of long time residents of that block.

Mr. Bender had the "Midas Touch" in obtaining the properties on N Street, beautiful, old, historic buildings all, and "Reverse Midas" after obtaining them, letting them go to rack and ruin, getting citation after citation from the city for neglect and failure to comply with zoning and preservation law.

D.C. TENANTS' ADVOCACY COALITION REPRESENTING ALL D.C. TENANTS

P.O. BOX 7237 WASHINGTON, DC 20044 (202) 628-3688

WEBSITE: www.tenac.org E-MAIL: tenacdc@yahoo.com

BOARD OF ZONING ADJUSTMENT
District of Columbia

Board of Zoning Adjustment
District of Columbia
CASE NO. 17337
EXHIBIT NO. 94

CASE NO. 17337A

EXHIBIT NO. 94

TENAC

2

Mr. Bender also gained control of one of the few minority-controlled banks in this city, Independence Federal, which began life as Community Federal Savings, chartered over 30 years ago as one of only two Black-owned banks in the city, and one dedicated to the advancement of revitalization, rehabilitation of the city in general and minority interests in particular.

I am proud to testify that the law firm I then worked with, Cohn & Marks, was successful in gaining that banking charter for that bank, and that I was a "Charter Member" of the Bank. I am not proud to report that since Mr. Bender's acquisition of Independence, it has been repeatedly cited by the Office of Thrift Supervision (OTS) for serious business shortcomings and infractions, including failures in management, diversification, and underwriting, all of which has led to annual losses every year since 2002, totaling \$12.1 million.

This is a record of failure and lack of basic good faith in dealing with the government, Federal and District, regulatory authorities, and the citizens at large in the District of Columbia.

For all of these reasons, I respectfully request that you deny this application.

Thank you.

D.C. TENANTS' ADVOCACY COALITION
REPRESENTING ALL D.C. TENANTS
P.O. BOX 7237 WASHINGTON, DC 20044 (202) 628-3688
WEBSITE: www.tenac.org E-MAIL: tenacdc@yahoo.com