

Sara Green
Advisory Neighborhood Commissioner 4B01
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November 8, 2007

Mr. Anthony J. Hood
 Chair
 Board of Zoning of the District of Columbia
 441 4th Street, NW
 Washington, D.C. 20002

Re: Case Number 07-24
 To Be Sent Via Fax

RECEIVED
 D.C. OFFICE OF ZONING
 2007 NOV - 8 PM 4:33

Dear Chairman Hood:

Please include this testimony in the record for tonight's public hearing on "DCMR Title 11 - Text Amendment to Eliminate the Certificate of Occupancy Requirement for Community Based Residential Facilities (CBRFs) Housing Six or Less Persons with Disabilities."

I am speaking for myself, as Advisory Neighborhood Commissioner 4B01, and not on behalf of the entire Advisory Neighborhood Commission 4B.

I oppose this text amendment, and feel that am justified in the Office of the City Clerk's oversight for a group of fragile, in-need residents. Many people who live in licensed group homes are have significant physical and mental disabilities and cannot speak for themselves. They rely on the D.C. government to protect them.

Right now, the city's Department of Consumer and Regulatory Affairs' (DCRA) staff examine and evaluate basic safety in licensed group homes as part of the Certificate of Occupancy process. For a very modest cost, DCRA staff give us, and those who live in the homes, an additional set of eyes and ears. And given the history of poor (and sometimes deadly) care in city-funded licensed group homes, it is hard to imagine why any agency would advocate cuts in oversight.

Please recognize that most licensed group homes are businesses, and they bring employees, parking demands, and noise and congestion problems to our neighborhoods. They have much in common with restaurants, hotels, and medical centers, establishments that must have Certificates of Occupancy.

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However, unlike most restaurant and hotel customers, licensed group home residents are often incapable of asking questions and making independent choices. Many have little say in where they live.

A series of notification requirements and public processes give neighbors a voice in the establishment of hotels and restaurants. But right now communities do not even get advance notice of licensed group homes.

Last year I filed a Freedom of Information Act request to learn the addresses of established licensed group homes in my community and was refused the information. Please note that I did not ask for the names of residents or specific information about them -- just the addresses of the homes and the names of those profit or nonprofit businesses who operate them and receive public funds to do so.

These issues have been discussed often and in depth in my Single Member District, both in large public meetings and in smaller discussion groups. Many of my neighbors and constituents, including the community group, Concerned Neighbors, Inc., tell me that the excessive concentration of licensed group homes in our community is a problem, and they are concerned about the safety of licensed group home residents.

Ward 4 has the highest concentration of licensed group homes in the city. As of 2003 (the latest numbers I have seen), we had 133 homes, or about 23 percent of the homes in the city. Ward 5 had the second highest concentration, with 113 homes. Ward 3 had only 19.

The concentration is even higher in my Single Member District. There are about six licensed group homes within a two-block area. Four sit roughly next to or across the street from each other on the 800 block of Fern Place, NW, a very short street, and two homes are located directly behind the Fern Place homes on Floral Place, NW. Others are close by on Dahlia Street, 7th Street, and 8th Street.

Those in the field refer to this as "institutionalizing the street," and the recently adopted Comprehensive Plan for the District of Columbia acknowledges the problem. It states that "greater community involvement, including advisory committees, good neighbor agreements *and more rigorous monitoring procedures*, [emphasis added] should be used to improve operations and address land use conflicts."

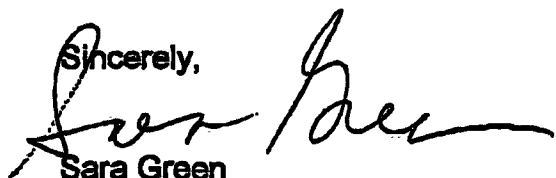
Contrast that statement with the Comprehensive Plan's Policy LU-3.4.3. It says that "[z]oning requirements for such homes that are more restrictive than those applying to other residential uses are unlawful and shall not be permitted." So it appears that the Office of Planning is arguing that Certificate of Occupancy requirements for Licensed Group Homes are illegal.

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I disagree that this is good public policy, especially when our current problems with safety and excessive concentration are considered, and in view of the city's promise to toughen its monitoring procedures. Eliminating something as basic as a Certificate of Occupancy *reduces* the rigor of the monitoring process, and therefore decreases the protection available to home residents and their neighbors.

Please reject this proposal.

Sincerely,

A handwritten signature in black ink, appearing to read 'Sara Green', written over the word 'Sincerely,'.

Sara Green

Advisory Neighborhood Commissioner 4B01

FAX COVER SHEET

November 8, 2007

To: Anthony J. Hood, Chair, Zoning Board

From:
Sara Green, ANC 4B01

This fax has four pages, including this cover sheet

Please call Sara Green at 202 829-8802 if you have any problems with the receipt of this fax or any questions about it.

Thank you!

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