

February 23, 2017

District of Columbia Zoning Commission  
441 4<sup>th</sup> Street, NW  
Suite 210-8  
Washington, DC 20001

**RE: Statement of the Party Opponent: Zoning Commission Case No. 14-18A.**

Honorable Members of the Zoning Commission,

Good evening, my name is Will Merrifield and I am here as the authorized representative of the Brookland Manor/Brentwood Village Residents Association (the Association). We are appearing tonight in opposition of the proposed PUD. All members of the Association are current tenants of Brookland Manor.

I will make a brief statement regarding the proposed redevelopment of Block 7 and how it relates to overall redevelopment as well as the Comprehensive Plan. After I am finished, the residents and members of the Association to my right will testify about their concerns and experiences thus far through the ongoing redevelopment process. Also testifying tonight on behalf of the Party in Opposition will be:

Nooree Lee: Mr. Lee's is an attorney with Covington @ Burling LLP. His testimony will focus on the discriminatory impact caused by the current redevelopment plan which will affect a protected class (families) by effectively eliminating much of the family sized housing;

Shaina Lamchick Hagen: Ms. Lamchick Hagen is an Attorney with Neighborhood Legal Services. Her testimony will focus on legal issues associated with current and former Brookland Manor residents as it relates to the overall redevelopment process; and

Catherine Cone: Ms. Cone is a Fair Housing Staff Attorney with the Washington Lawyers' Committee for Civil Rights and Urban Affairs. Ms. Cone will offer testimony regarding the District of Columbia's duty to affirmatively further fair housing as related to the Brookland Manor redevelopment.

At the time the First Stage PUD was approved, there were 503 occupied units at Brookland Manor.<sup>1</sup> As of September 9, 2016 there were 438 occupied units at the property.<sup>2</sup> The Applicant states that number will drop to 415 occupied units by the time construction commences in early 2018. This means during the timeframe between approval of the PUD in September of 2015- and commencement of construction in early 2018- 88 units will have been emptied. These 88 units represent hundreds of people, many of them children, that either currently live or have lived in Brookland Manor that will not live there in the future. So what the Applicant is referring to as natural attrition- is not at all natural. It is PLANNED DISPLACEMENT.

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<sup>1</sup> OP Report, Case No. 14-18A, Exhibit 34, pg. 5

<sup>2</sup> Applicant's Exhibit 1G, Case No. 14-18A, pg. 1.

In August of 2016, the Washington Post ran an article that studied eviction trends at Brookland Manor. Their data found that between January 2014 and March 2016, lawsuits seeking eviction over small debts increased by more than 50 percent, and lawsuits citing lease violations more than quadrupled.<sup>3</sup>

You will hear stories tonight that back up the claims made in the Post. Specifically, you will hear about tenant's family members being barred from the property for illegitimate reasons, a private security force that harasses people at every step and has threatened to arrest advocates and organizers that come onto the property, and the erection of fences that limit people's freedom of movement and makes the property feel like a prison. You will also hear about tenants being given something called a "notice of infraction". These are notices for alleged lease violations given with no due process afforded to tenants to be able to challenge the underlying allegations contained in them.

To understand why this is happening, one only needs to look at the numbers in the Applicant's current proposal for Block 7. As we have discussed, Block 7 will contain a significant portion of the affordable housing associated with the overall redevelopment. Specifically, 200 of the 373 total affordable units in the overall redevelopment proposal will be located in Block 7. We know that 200 of those 373 units will be in the senior building. We also now know the units will be almost entirely one bedroom units, and that only seniors will be able to live in that building. This means that there will be only 173 deeply affordable units left to house the vast majority of the rest of the families that live at Brookland Manor.

Further, the Applicant's own demographic information shows that by 2020 there would only be 147 seniors living at Brookland Manor<sup>4</sup>. Thus, current Brookland Manor Residents will not be able to access a significant number of the affordable units in the redevelopment. Furthermore, many heads of households that would otherwise be eligible for the senior building currently live in intergenerational households with their children and grandchildren. In some cases children act as caregivers to their parents in these units. In other cases, many seniors watch their grandchildren while their children are at work. This plan will break up those networks and force seniors to choose between accepting a unit in the senior building- thereby breaking up their families- or keeping their family unit together and risk displacement.

Commissioners, this is just math. The current number of families on site is larger than the affordable units being redeveloped. The Applicant states there will be 415 units occupied by early 2018. To continue to approving stages of this plan without acknowledging that such approval is perversely encouraging the Applicant to displace existing residents is both irresponsible and not supported by the Comprehensive Plan.

For example, in examining the Housing Element of the Plan:

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<sup>3</sup> [http://www.washingtonpost.com/sf/local/2016/08/08/as-the-nations-capital-booms-poor-tenants-face-eviction-over-as-little-as-25/?utm\\_term=.bece25d9962d](http://www.washingtonpost.com/sf/local/2016/08/08/as-the-nations-capital-booms-poor-tenants-face-eviction-over-as-little-as-25/?utm_term=.bece25d9962d)

<sup>4</sup> Ex. No 104C. Demographic information filed by the Applicant in Case No. 14-18 First StagePUD and Zoning Map Application.

Policy H-1.2.3 of the plan encourages strategies that prevent the concentration of poverty. The Applicant's proposed elimination of deeply affordable family units proposed in both Block 7 and the overall redevelopment will drive families out of an intensely gentrifying neighborhood into hyper-segregated and impoverished areas of the city thus furthering segregation and concentrating poverty;

Policy H-1.2.1 of the plan promotes the creation of low income housing as a civic priority. The Applicant's proposed plan does not promote affordable housing. Specifically, Block 7 is part of a phase for an overall redevelopment plan that significantly eliminates overall affordability while more than tripling overall density. Moreover, the plan eliminates large swaths of affordable family units;

Policy H-1.3.1 of the plan specifically calls for the retention of three and four bedroom apartments to provide housing for families and children. The Applicant's currently proposed plan, as well as the overall development plan, eliminates all four bedrooms and significantly reduces three bedroom apartments.

Policy H-2.1.1 of the plan recognizes the importance of preserving affordable rental housing. The Applicant's currently proposed plan for Block 7 shows that family housing and housing for existing Brookland Manor residents will be greatly reduced.

Policy H-2.1.3 of the plan calls for programs to avoid displacement. As stated, there has already been mass displacement from Brookland Manor as evidenced by the significant reduction of occupied units from the First Stage Approval of The PUD to September of 2016. I should also point out, this number would be much greater if it were not for the efforts of Neighborhood Legal Services, Bread for the City, Legal Aid of the District of Columbia and UDC Law School. All three agencies have made representing Brookland Manor residents in eviction court a priority at one time or another. Because of their work many tenants who would have been displaced are still at Brookland Manor. However, many have fallen through the cracks as well.

Taking all of the above into account, it is clear that the Applicant's current proposal does not meet the purpose of the PUD process- that purpose is, *"to provide for a higher quality of developments through flexibility in building controls, including building height and density, provided that a PUD in part... Protects and advances the public health, safety, welfare, and convenience, and is not inconsistent with the Comprehensive Plan."*<sup>5</sup>

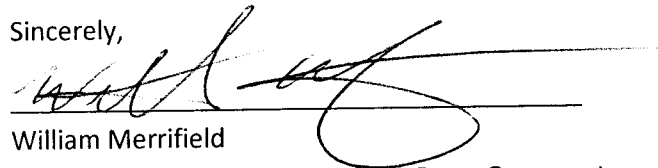
The reduction of affordable units that will fit the needs of current Brookland Manor residents contained in the current proposal, as well as the elimination of deeply affordable family units that we can clearly see is part of the overall redevelopment plan, does not advance the public health, safety, and welfare of the community. Therefore, the Applicant's current proposal is not a community benefit and cannot be approved.

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<sup>5</sup> 11 DCMR, Subtitle X Section 300.1

Lastly, on behalf of the Association, I want to make clear that all the energy that the tenants association and the surrounding community have put in to oppose this redevelopment can be rechanneled. The Association pleads with Mid-City to partner with us to achieve our goals of a replacement of the current 535 deeply affordable units at the same bedroom sizes and subsidy levels that currently exist. We want desperately to partner with Mid-City, Councilman McDuffie, and the ANCS to get you whatever funds Mid-City needs from the Housing Production Trust Fund to make that a possibility. We should not be in opposition. We ask Mid City tonight to partner with us to make this redevelopment the most equitable and unique process that DC have ever seen. Together we can make it a model for how redevelopment can be done in Washington DC and across the country.

Sincerely,



William Merrifield

Authorized Representative of the Party Opponent

Staff Attorney

Affordable Housing Initiative

Washington Legal Clinic for the Homeless

# As the nation's capital booms, poor tenants face eviction over as little as \$25

Her mother told her to

always maintain poise, no

matter the indignity, so she

awoke early to prepare for a

day she thought would be full

of it. She put on a purple

blouse — her favorite color —

dabbed her face with

makeup, then sprayed herself

with a \$10 perfume called Winter Candy Apple. She stepped

across an apartment bereft of furniture, unsure if it would be her

last morning there. Any day now, the U.S. Marshals Service could

arrive, deposit her few possessions on the street and leave her

homeless.

“I’m worried,” Brittany Gray told a reporter, taking a deep breath

as she left Brookland Manor, a labyrinthine, Depression-era

development perched along Rhode Island Avenue NE. She had

arisen that morning feeling ill and didn’t know what to expect

when she got to where she was going. “Do I go in there and ask for

a lawyer or something?”

It was half past 9 when she reached the District’s landlord and

tenant court, the city’s busiest chambers, where tens of thousands

of cases are churned through every year. In a metropolis of

Story by Terrence McCoy

Photos by Michael S. Williamson

Graphics by Darla Cameron

Published on August 8, 2016

surging rents and posh condominiums, the debts cited can easily soar into five figures.

But not Brittany Gray's. Since late 2014, Brookland Manor has sued Gray five times for eviction. Each lawsuit claimed she was short less than \$50 in rent. This last one, in addition to saying she was again delinquent \$25, sought her eviction for repeatedly paying these amounts late, a tactic she said she sometimes uses to force the landlord to make repairs. In March, a D.C. Superior Court judge approved the eviction.

It was now three weeks later, and Gray, an unemployed single mother who didn't graduate from high school, was asking a court clerk what to do. Could she still contest her eviction? Was she too late? "My apartment complex is being renovated," she wrote later that day in court papers. "And the landlord is taking legal action to evict me and other tenants so they do not have to relocate us."

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Brookland Manor's proposed eviction of Brittany Gray over an amount many Washingtonians spend on a weekday lunch illustrates the ongoing drama of gentrification in a city and a nation still coming to terms with its consequences. The same urban renewal that has swept cities from New York to San Francisco — and remade many D.C. neighborhoods — has now arrived in the blocks surrounding Gray's apartment complex.

Since the autumn of 2014, developers have announced plans to bring thousands of additional residential units and several

hundred thousand square feet of retail space to Rhode Island Avenue in Northeast Washington. Cranes now rise beside car-repair shops and liquor stores that have operated in this historically black community for decades.

One of the projects will remake Brookland Manor, a mammoth apartment complex housing about 1,200 mostly low-income tenants that sprawls across 18 acres on the border between the Brookland and Brentwood neighborhoods. Out will go the large, cheap units designed for big families. And in will come leafy parks, retail space and smaller, expensive apartments luring wealthier families.

But as it seeks to transform the property from an aging husk of the city's past into an archetype of its future, the owner has increased efforts to evict poor tenants.

A growing number of these lawsuits are over small or questionable infractions, including walking a dog without a leash and a suicide by firearm in an apartment, as well as late rent payments of less than \$100, according to a Washington Post analysis of 373 lawsuits, backed up by dozens of interviews.

Between January 2014 and March 2016, the analysis shows, lawsuits seeking eviction over small debts increased by more than 50 percent, and lawsuits citing lease violations more than quadrupled. The overall number of eviction lawsuits during that period increased 10 percent.

Brookland Manor executives say the lawsuits have nothing to do with the construction project, suggesting that “negative activity” has escalated and insisting that they have always sued over unpaid rent and lease violations. Police data shows that crime was relatively stable in Brookland Manor’s immediate neighborhood over the sample period.

“The suggestion that we haven’t always enforced the rules and regulations in the lease provisions is just patently false,” said Michael S. Meers, a senior executive with Mid-City Financial Corp., which owns Brookland Manor. He later added: “Perhaps [enforcement] is a degree or two more intense than it was years ago . . . I can’t measure that. But clearly people are feeling it more acutely.”

District housing lawyers, however, see eviction lawsuits over small lease violations as one in an arsenal of quiet but aggressive pressure tactics landlords use to clear buildings before redevelopment; another is allowing units to deteriorate so people want to move out on their own.

Lawsuits alleging extremely small debts in particular illuminate what they call a little-known but reoccurring phenomenon in gentrifying Washington.

“We know these cases do come up, and you’re talking about a real problem,” said Joel Cohn, legislative director of the D.C. Office of the Tenant Advocate. “It seems to be happening more, vis-a-vis subsidized tenants.”





Joan Scott, 70, sits with her belongings and holds the envelope that contains court papers that she signed agreeing to leave Brookland Manor.

Eviction lawsuits at Brookland Manor rarely led to actual evictions. In fact, fewer than 5 percent did. In many cases, tenants paid up at the last minute or moved out before eviction orders were carried out. But in a digital age when court information is easy to access and cheap to acquire, lawsuits over small money can cause big problems, even when tenants aren't forcibly removed. This is especially true in quickly developing areas such as the District, where the competition for affordable housing has already pushed 1,500 families into homelessness.

Landlords deciding whom to accept from growing waiting lists of housing candidates have to pay only a small fee for online screening reports to exhume legal pasts. Even if a suit is dismissed or doesn't result in an eviction, studies and interviews suggest that lawsuit histories still haunt the urban poor.

"When we think about the Internet and access of information, we think of it as a liberating force. but for many poor families it's just

the opposite,” said Matthew Desmond, a Harvard University professor of social sciences who this year published “Evicted: Poverty and Profit in the American City.” “We have evidence that families that get evicted move from poor neighborhoods to even poorer ones, and the eviction record is a big mechanism for that.”

The implications are particularly severe in the District, where debts don’t need to eclipse any threshold before a landlord can file suit for eviction. The city’s online court database doesn’t show how much money a tenant was alleged to owe, so a debt for a few dollars and one for thousands appear the same to prospective landlords.

“This is definitely contributing to homelessness. The consequence of missing \$25 is that you’re now homeless,” said Will Merrifield, a lawyer with the Washington Legal Clinic for the Homeless who represents Brookland Manor tenants.

Meers said Brookland Manor frequently tries to connect struggling tenants with local aid groups that can help them when they fall behind on rent. “There’s an infinite amount of humanity here,” he said.

It’s unclear how often low-income renters are sued over small amounts of money in the District or nationally. The mechanics of eviction court, which change dramatically from jurisdiction to

jurisdiction, are little studied.

Daniel Pasciuti, a former research scientist at Johns Hopkins University, said lawsuits citing small debts were one of the biggest surprises of his analysis of hundreds of eviction cases in Baltimore City District Court in 2014 and 2015. One tenant, records show, was sued for \$10. Another was sued for \$24.

“We had this incredibly morbid competition,” Pasciuti said. He would gather his graduate students who witnessed the court proceedings and ask: “‘What was the lowest amount that you saw someone evicted for?’ They watched a case where in the end it was \$18.”

He said that the defendants were usually subsidized tenants and that these cases exacerbated a cycle of poverty that was already difficult to break.

“This thing is a giant treadmill, and the landlords work it for all it’s worth,” Pasciuti said.

Government-run public housing, he said, filed most of the lawsuits in Baltimore, and at a frequency comparable to what The Post found at Brookland Manor.

While “appalling,” he said, “it doesn’t shock me in the slightest.”

Brookland Manor’s owner introduced its plan to redevelop the aging complex of 535 units in an application to the District’s Zoning Commission in October 2014. It framed the development as an antidote to the maladies of gentrification. The redeveloped complex, the application said, would attract wealthier tenants but

r maintain a commitment to the poor.

“This can be a national model for how to responsibly build and reimagine inclusive mixed-income communities,” Meers would later say, noting that the redeveloped property would boast a higher percentage of affordable housing than what the city requires.

The owner called for continuing to provide 373 federally subsidized units — the same number it does now — but eliminating the remaining 162 market-rate apartments that charge substantially less rent than city averages. Those units would be replaced by nearly 1,400 additional apartments renting for far more.

All residents, whether they had a federal subsidy or not, would have the right to stay at the property if they could meet the new rents. Brookland Manor said it would pay families’ relocation costs, either to a new apartment on site during construction if they planned to remain, or elsewhere if they could not afford to.

Last September, the commission green-lighted the development, calling it a “transformative project that will benefit the existing Brookland Manor residents and members of the surrounding community.”

Minnie Elliott, president of the complex’s resident association, said she “thought it was a good thing.” Crime, drugs and intractable poverty had long bedeviled the community. Maybe it was time for a change.

But as weeks gave way to months, she said, she started wondering whether her trust had been misplaced. She said residents began describing examples of draconian enforcement of Brookland Manor regulations. The security force, she and housing advocates

said, cracked down on tenants, barring relatives from the property and writing infractions for such things as sitting outside or leaning on a fence. Lawsuits for eviction citing what Elliott described as minor infractions increased, as did those alleging small debts.

“Every time I turn around I get another notice,” said

Shawntay Hankins, whom Brookland Manor has sued over debts of \$32 and \$106

in lawsuits that were later dismissed. “I don’t know what’s going on. It’s just terrible.”

Advocates began to think that Brookland Manor was looking for any excuse to dislodge tenants, citing two possible motives: Either the owner wanted to clear the way for a new crop of low-income tenants who would better assimilate to a property trying to attract wealthier residents, they said, or it wanted to reduce what could be significant relocation costs, or both.

Brookland Manor officials estimate that it costs “a couple thousand dollars” to relocate someone on-site — more to relocate them off-site — and about \$200 to sue someone.

“It’s cheaper to file a bogus lawsuit against someone than to get them into a new home,” said Philip Kennedy, a tenant organizer

with the Latino Economic Development Center who has been



Minnie Elliott, president of the complex's resident association, said she thought the complex's changes were good at first. But now she says she wonders whether her trust had been misplaced.

monitoring the development. “Either you pay to move them to another unit, or you pay for them to find a new place — and that alternative is a lot more expensive than paying court costs or your lawyer.”

Meers called those allegations “crazy talk.”

“It’s not accurate,” he said. “And more than that, it’s just wrong.”

In the first nine-month term, before news of the development went public and when the complex was at near capacity, Brookland Manor filed 115 lawsuits for eviction against tenants.

He said HUD rules do not allow him to cherry-pick tenants off subsidy waiting lists. He added that he’s not planning on relocating residents off-site during construction, which “would get really, really expensive,” but is instead moving them from old units to new ones as they’re built.

The Post reviewed Brookland Manor’s court activity over a 27-month period, between January 2014 and March 2016, when it submitted at least 373 lawsuits for eviction. The Post then divided

the sample period into three nine-month terms to determine longitudinal trends. The analysis excluded eight lawsuits in which the death of a sole occupant triggered routine eviction proceedings.

In the first nine-month term, before news of the development went public and when the complex was near capacity, Brookland Manor filed 115 lawsuits for eviction against tenants. Five alleged a lease violation. The remaining 110 concerned nonpayment of rent. Of the nonpayment suits, 15 claimed that tenants owed amounts less than \$100.

In the following nine months, the number of suits crept up to 124. Of those, 13 claimed lease violations. And of the 111 alleging non-payment of rent, 21 claimed that tenants owed amounts less than \$100.

In the final nine months of the sample period, when Brookland Manor had already shed dozens of households and begun boarding up vacated buildings, the property filed at least 126 lawsuits for eviction. The number of suits citing lease violations had grown to 23. And of the 103 lawsuits alleging non-payment of rent, 23 claimed less debts less than \$100.

In all, Brookland Manor sued residents at least 59 times for alleged debts of \$100 or less during the sample period. Nearly all of them were based on a single month's rent. One-third of the lawsuits led to judgments against the tenants, and four ultimately resulted in an eviction order, called a writ of restitution. One was carried out. Roughly half of the suits — 27 — were for \$25 or less.

How is it that a tenant fails to pay \$25? Poor budgeting or carelessness can play a role. So can the loss of a job. And then

there's the fact that even a small amount of money can burden the urban poor living in subsidized units, experts say.

“A mother of two on [welfare] may receive as little as \$154 per month in cash income,” said Beth Harrison, a lawyer with Legal Aid of the District of Columbia. That money has to pay for rent, transportation and any necessities that food stamps don't cover. When an unforeseen expense arises, the poor rarely have friends and family from whom they can borrow money.

Meers said Brookland Manor has to sue when families are short on rent, even when it “sounds preposterous.” He said the U.S. Department of Housing and Urban Development, which supports the bulk of the subsidized units, could punish the property if it doesn't collect rent.

The agency's regulations state that owners must “initiate termination proceedings” when the lease isn't followed and must do so “consistently and equitably.” Brookland Manor, Meers said, has interpreted this to mean it must sue over every debt — regardless of the amount.

Brian E. Sullivan, a HUD spokesman, said that despite the wording of its regulations, the agency has never reprimanded a property owner for failing to sue over small amounts of money. He called Brookland Manor's reasoning an “extreme and highly unusual interpretation of our rules.”

“I mean, come on, you think a federal agency is going to compel a landlord to sue someone over \$25?” he added. “That's just not correct. . . . HUD has no interest to make a family homeless over \$25.”



But at Brookland Manor, lawsuits over tiny debts are only a part of the story.



Shawntay Hankins has been sued by Brookland Manor over debts of \$32 and \$106 in lawsuits later dismissed. “Every time I turn around I get another notice,” she said. “I don’t know what’s going on. It’s just terrible.”

Karen Reel’s son rarely talked about his emotions. A tall, laconic 17-year-old, Coby Reel was most comfortable with a basketball in his hands — both suave and sweet in that shy, lanky sort of way.

She was home at their Brookland Manor apartment with her granddaughter one Tuesday afternoon last October when Coby, her youngest child, who never once got in trouble with the police, arrived home from school.

Reel remembers that Coby played with her granddaughter for a moment. Then he entered the kitchen, but only partway. Afterward he went to his room, locked the door and was quiet. Eight minutes passed.

“I heard a pop, and I said, ‘Coby, you hear that?’ Then I was like: ‘Hold up. That was in Coby’s room.’ I got in there with a precision [tool] set and saw my baby. He was facing the wall, in bed. . . . Pink was on the pillow.”

The following weeks brought a series of reports rendering the gravity of Reel’s loss into small paragraphs of type. First, the police report: “MPD units arrived and found Subject-1 suffering from a gunshot wound to the head. Truck 15, Engine 16 and EMS 1 arrived on scene and left when Subject-1 was not showing any signs of life.” Then the medical examiner’s report: “Cause: Gunshot wound of the head. Manner: Suicide.” Then came the final report.

The eviction lawsuit arrived after the funeral, after Reel’s blood pressure had skyrocketed, after she’d refused to make anything sweet for Thanksgiving because that had been what Coby liked.

“Notice to quit and vacate for violation of lease,” it said. “. . . You and/or your household members have engaged in criminal activity that threatens the health, safety, or peaceful enjoyment of the premises by other residents.” It added: “MPD responded to a self-inflicted shooting and an unregistered weapon was found.”

Reel, a secretary who has never been accused of a crime in the District, almost stayed and fought. Saddened and outraged — “they’re so busy trying to get rid of people,” she said — she connected with a lawyer to contest her eviction. But mostly, she said, she just felt exhausted. So in March, she agreed to leave.

“They didn’t give me any time” to search for a new home, she said. “I had to take the first place I could take.”

Meers, citing privacy considerations, declined to discuss Reel's eviction lawsuit on the record, as well as others against individual tenants.

Cohn, the District's tenant advocate, said he has never seen an eviction lawsuit over a suicide.

Reel's attorney, Bradford Voegeli, who has represented numerous Brookland Manor tenants, said her decision to vacate was normal. "People feel targeted," he said. "The manager doesn't want them there, and they choose to leave rather than pursuing their cases."

During the sample period of January 2014 to March 2016, court records show that Brookland Manor filed at least 41 lawsuits for eviction citing lease violations, 16 of which accused tenants of breaking the law. In cases alleging noncriminal violations, D.C. law says tenants have 30 days to fix the problem before an eviction lawsuit is filed. But that right isn't extended to federally subsidized tenants accused of illegal behavior. They don't have an opportunity to remedy the problem and are open to immediate eviction lawsuits.

A conviction isn't required to evict someone accused of criminal behavior. In the 16 cases Brookland Manor filed against tenants accusing them of illegal activity, only four resulted in guilty verdicts. In the other 12 instances, either the charges never materialized or were later dropped — but the eviction cases

weren't. At least nine of those cases, records indicate, led to the tenant's voluntary departure or an eviction order.

The legal actions "reflect how harsh some of the laws are," Voegeli said. "Under federal one-strike provisions, the fact there hasn't been a conviction doesn't end the case. . . . Just because that case hasn't been adjudicated doesn't stop an eviction."

Brookland Manor tenants had more capacity to fight eviction lawsuits alleging noncriminal infractions, including smoking in the hallways, being loud, \$60 worth of damage to a unit, repeatedly paying rent late and walking a dog without a leash.

That's a charge Sashagay McNamee, 29, contested for months. She came to the United States from Jamaica when she was 12 and moved into Brookland Manor with her common-law husband, Shaun Jackson, in 2009. For years, she said, things were calm, and she started going to school to become a medical assistant. Then last summer, court records say, one Brookland Manor security guard started flirting with her and sending her pictures of his genitals.

McNamee, who doesn't have a criminal record in the District, said she complained about it to the management office. Then the security guard issued a barring notice against her husband, who she says was no longer living with her, for "destruction of property," without specifying what he had allegedly damaged.

She found an eviction notice at her door. It said that she had allowed Jackson to "visit or reside" at her apartment — and that she had walked her dog without a leash. Attached to the lawsuit, which said she had violated city code, was a form of municipal

regulations advising that dogs must be walked with leashes in public places.

McNamee denied the allegations and found a lawyer to defend her. Months later, Brookland Manor dropped the eviction suit.

Not everyone has been so lucky.

“It’s cheaper to file a bogus lawsuit against someone than to get them into a new home. Either you pay to move them to another unit or you pay for them to find a new place — and that alternative is a lot more expensive than paying court costs or your lawyer.”

**Philip Kennedy**, a tenant organizer with the Latino Economic Development Center, who has been monitoring the development

On a chilly Monday morning in March, an eviction crew of more than a dozen hustled in and out of Brookland Manor, hauling

forth belongings for deposit along the curb. The task was

surprisingly brisk: District law says eviction crews need to have 10 movers for one-bedroom apartments, 15 movers for two bedrooms and 20 for three bedrooms.

Everything was out in 20 minutes. Then the movers climbed into a U-Haul van and were gone — on to the next job.

The artifacts left behind hinted at the evicted tenant's life: doctor's notes prescribing Percocet for chronic muscle pain, elementary school math homework, trash bags bulging with clothing. It was unclear where the owner was, which is not uncommon.

When the urban poor are evicted, they can disappear. Family members of Joseph Ellis, 33, who was evicted in April 2015 after Brookland Manor sued him over a \$25 debt, haven't seen him since then. "I have no clue where he is now," his cousin Mesha Ellis said. "The last time I seen him was around that time. . . . He didn't have no cellphone."

Added his grandmother, Rena Ellis: "He got evicted over \$25 because he wasn't working nowhere. . . . I haven't seen him" since.

Eviction is a profoundly consequential event. Studies show that the evicted are more likely to lose their jobs in the aftermath, suffer from depression and other health issues, and sink into homelessness. The effects of eviction orders can linger for years — partly because it's emotionally wrenching to lose a home and also because it tars the person's record, diminishing their chances of securing stable housing in the future.

And in highly segregated cities such the District, where landlords in nice neighborhoods are hesitant to rent to tenants with records, experts said, the lawsuits — whether they ultimately lead to

eviction or not — deepen racial fault lines because the

preponderance of people who face them are poor African Americans.

Since 2013, D.C. judges have ordered an annual average of 6,554 evictions, according to statistics provided by the Marshals Service. About 27 percent of those resulted in an eviction crew carting away someone's things. That percentage has been higher at Brookland Manor, court records show, where tenants faced 44 eviction orders between January 2014 and March of this year. Marshals executed more than 40 percent of those — 18 in all.

Marvell Bellas, 26, was one of those tenants. In 2014, Brookland Manor sued him three times for eviction. The first lawsuit was over \$34. He skipped his hearing, following the path of many low-income renters. Tenants often skip their court hearings, studies and interviews suggest, because they can't miss work, can't find transportation or child care that day, or simply don't understand what to do. A 2011 study in Milwaukee found that about 70 percent of renters skipped their hearings. Last year, a report in Baltimore called absence "the most ubiquitous response to a rent action," resulting in a "virtually automatic" default judgment.

One month after a judge entered a default judgment against Bellas, an eviction order was approved. It was ultimately canceled for undisclosed reasons. But the next eviction order wasn't.

Bellas's portion of his monthly rent had by then risen to \$215. He had fallen behind a few times after losing his job, sister Marquisha Gray said. It resulted in two more lawsuits. The first one was dismissed. The second, this one for habitual late payment of rent, led to his eviction last year.

Bellas, who declined to comment, hasn't recovered, his family said.

"Because it was an eviction order, it went on his credit and he was having troubles, and he doesn't have a place as we speak," his sister said. ". . . It hurt him as far as getting assistance with public housing."

"He just homeless!" his mother, Viola Bellas, wept into the phone before hanging up.



**Brookland Manor is an apartment complex that houses about 1,200 mostly low-income tenants and sprawls across 18 acres on the border between the Brookland and Brentwood neighborhoods in Northeast Washington.**



Brittany Gray was still hopeful she wouldn't end up that way. But she was also embarrassed by the lawsuit against her. Who loses their home over \$25? Her subsidy pays 98 percent of the \$1,168 owed in rent. Too ashamed to confide her problem to anyone, especially her 8-year-old daughter, she had arrived at landlord tenant court alone, without a job or a dollar in her pocket, and was now trying to figure out what in the world the word "quash" meant.

A clerk had handed Gray a form and asked her to fill it out using the nomenclature of the court. "This is the live writ they filed against you," the clerk said, calling up the eviction order against her. She explained that if Gray wanted to contest her expulsion, she needed to tell the judge to "quash" the "writ."

Blank stare.

"You want the judge to stay your writ or quash your writ?" the clerk asked again.

Blank stare. "Quash is spelled q-u-a-s-h," the clerk finally said. "Writ is spelled w-r-i-t."

She didn't want to mess this up, so Gray, who dropped out of school after she got pregnant, first typed her contestation on her phone. "I never received any papers about court or that a writ has been put out for my home the only paper I received about court was mailed to me but for someone else that rent" at Brookland Manor, she wrote. She left unmentioned that she claimed she didn't pay her rent to try to force the property owners to fix a hole in her ceiling and broken floorboards.

And then, form in hand, she waited to see the judge in the tenant

courtroom, where the only sounds were benches creaking under

the weight of their occupants, paper rustling, and the door creaking open and slamming closed.

A brown-haired woman noticed Gray sitting alone, looking confused, and asked whether she needed help. Gray said she did, and then she was sitting on another bench, this time outside a legal aid office at the courthouse, where a nice woman at the window said she would find a lawyer to assist her.

It was past 3 p.m. when Gray finally left. She hadn't eaten all day. But a lawyer with Bread for the City had taken her case, submitting a request to stay her eviction, which a judge granted. Her case is now pending.

"We had to file some more stuff, and then the stay thing," Gray said as she walked out.

"I feel like this weight is lifted off of me," she added. "I feel way better."

But that feeling of elation was short-lived. It was March 30. Gray, who hasn't worked since she lost her retail job at Gymboree last year, still didn't have any money in her pocket. The next day was still the first of the month. And rent was due in the morning.

*Jennifer Jenkins and Darla Cameron contributed to this report.*