

July 8, 2019

Damon Duncan
Chief Executive Officer
901 Chamberlayne Parkway
Richmond, Virginia 23220

Mr. Duncan,

Please consider this letter as my public comment on Richmond Redevelopment and Housing Authority's proposed FY 2020 Annual Agency Plan and FY 2020-2024 Five Year Agency Plan. I refer to the 2 plans consolidated as "PHA Plan".

PUBLIC COMMENT

April 4, 1968 brought the assassination of Dr. Martin Luther King, Jr, one of our country's most prolific fair housing advocates. One week later President Johnson signed the Civil Rights Act making the Fair Housing Act law. The momentum of progress towards justice carried into the summer with the August 1968 signing of the HUD Act. The HUD Act filled in the racial gaps in opportunity presented by previous Housing Acts and the GI Bill. The provisions for implementation of the HUD Act are codified in Title 24 of the Code of Federal Regulations (CFR). Compliance with Title 24 is therefore a matter of civil rights!

Per 24 CFR 903.3, the PHA Plan is not merely a procedural step for PHAs to cross. The purpose of PHA Plans are to provide local accountability in the strategic planning for PHA management operations and capital planning. It is mandated to be an easily identifiable source for citizens to "locate basic [RRHA] policies, rules and requirements concerning [RRHA's] operations, programs, and services." Local accountability is ensured by a required public input process for PHA Plans which is governed by 24 CFR 903.17. This process is robust and includes public notice, reasonable outreach activities, public review period, consultation with tenants, and a public hearing to discuss the PHA plan. Furthermore after a PHA Plan is approved, any significant changes (also known as "substantial deviation") being proposed to the PHA Plan are subject to these same local accountability guidelines. In addition to ensuring local accountability the PHA Plan public input process also ensures that RRHA residents are "involved and participate in the overall policy development and direction of Public Housing operations" as mandated by 24 CFR 964.135.

RRHA's proposed PHA Plan contains policy changes that can only be interpreted as the Authority actively seeking to evade those federal mandates that ensure local accountability and resident involvement. This is blaringly evident in section B.1 (page 28) of the proposal, as RRHA aims to redefine its definition of "substantial deviation" to narrow its scope. The PHA Plan proposes to alter RRHA's definition of "substantial deviation" such that future demolition of units and conversion to housing choice vouchers would not be included in its definition. This change would suggest that plans to destroy residents' homes could proceed on a whim with tenants being provided vouchers to seek housing where ever their voucher is accepted. With this definition change RRHA administration would not even need to notify its Board of Commissioners much less the rest of the public input process before deciding to demolish units. Reduced accountability and reduced public input do not serve the interests of tenants or the public, and RRHA has offered no good cause as to why this change is necessary.

Historically RRHA has been wrought with mismanagement. This is evidenced in recent years by several punitive fines issued by HUD's Office of Inspector General, delays in redevelopment efforts at "Church Hill North", and a settled class action lawsuit regarding improper utility charges. December 2017 mismanagement led to the RRHA's failure to provide heat to numerous families during single-digit temperatures leading to a humanitarian crisis that affected 3000 public housing units. Subsequently RRHA's president resigned amid intense public pressure from City leaders, who publicly bemoaned the lack of transparency into the organization's operations, and from housing advocates who called for new housing authority leadership to change the culture of resident disenfranchisement at RRHA. It is very apparent that increased accountability and increased oversight is needed at RRHA to ensure that it is lawfully and sufficiently addressing the needs of low-income residents.

My concern is that RRHA administration's widely reported goal to "expeditiously" redevelop neighborhoods in the manner described in this PHA Plan proposal lacks the intention of ensuring adequate housing choice for low-income residents. The City's most recent Analysis of Impediments to Fair Housing Choice (AI) states "There is shortage of 15,000 units affordable to households with incomes less than 50% of AMI." The proposed PHA Plan's reliance on issuing vouchers and market-rate unit construction does not effectively address this issue. On the other hand, this approach creates the high probability of mass displacement of residents. As noted in the AI, landlord discrimination against voucher users is high with only 15% of apartment complexes surveyed accepting vouchers in Richmond. Although a marginal increase in voucher accepting units has occurred since the AI was written, if affordable replacement units are not planned along with demolition plans, there is a strong likelihood that many low-income residents would be forced to leave the City in order to find housing. Unfortunately residents would not fair much better in the counties surrounding Richmond according to the AI: "Suburban jurisdictions do not have sufficient undeveloped land designated for multifamily development. Rental demand will then fall disproportionately, as it currently does, on the City."

RRHA's PHA Plan public input process has been severely inadequate. Sometime in May 2019 RRHA published a "Notice of Public Hearing" document announcing that the PHA Plan materials would be available for inspection beginning May 20, 2019 and that a public hearing for the plan would be held June 12, 2019. This 25-day period falls far short of the 45 day minimum that is lawfully required for a public comment period prior to the PHA Plan public hearing. Section A.1 (page 5) of the proposed PHA Plan states that PHA Plan elements can be found at the "Housing Authority Website: <http://www.rrha.com>". The proposed PHA Plan that was retrieved from the website contains numerous changes to policies that are part of RRHA's Admissions and Continued Occupancy Plan (ACOP). Neither the current ACOP nor the proposed ACOP (as PHA Plan elements) were able to be located on the website as purported. It is crucial that all PHA Plan elements be available were RRHA claims that they are. This is especially important for Resident Advisory Board (RAB) members to adequately provide input on the Plan.

Section B.6 (page 59) of the proposed plan contains no comments from the Resident Advisory Board. There is a note instead that states "Presentation of the Annual Plan to RAB to be held May 30, 2019." This means that the Plan was presented to the RAB 10 days after the public input period began. It is evident that the RAB was not thoroughly engaged during the development of the plan. Moreover Richmond Times Dispatch Newspaper's July 7, 2019 issue contains remarks from Gilpin Court's Tenant Council president, as she echoes concerns of fellow residents: "If they tear this down, where am I going to go?" As a sitting member of the Resident Advisory Board (RAB), the Gilpin Court Tenant Council President's comments are concerning, as they indicate that she herself has not been adequately informed of key components of the PHA Plan. This is also an indication that the RAB has not been

granted the opportunity to provide meaningful input during development of the PHA Plan, or else such a question would have been addressed. One can only infer that the majority of Gilpin Court tenants are as much uninformed as the tenant council president. In fact, as I voluntarily conducted outreach activities over several days in Gilpin Court and other RRHA housing complexes, I did not encounter a single individual who was aware of the PHA Plan's existence nor the comment period. RRHA has failed to uphold provisions of 24 CFR 903.13(a) in providing "reasonable resources" such that the RAB can "become informed on programs covered by the PHA Plan, to communicate in writing and by telephone with assisted families and hold meetings with those families, and to access information regarding covered programs on the internet..." I find RRHA to be noncompliant with federal guidelines provided by 24 CFR 903.17 and 24 CFR 903.13(a) in this area of public input.

Lastly the proposed PHA plan does not appear to be consistent with the following community development guidance from the City of Richmond Consolidated Plan:

- "There should be an "inclusive" planning process that is not top-down"
- "evaluation and implementation of creative strategies to create civic engagement and a sense of neighborhood within communities and publicly-assisted housing"
- "Redevelopment of current housing stock should not lead to a net loss of public housing units. Offering Section 8 vouchers to displaced residents while reducing the net number of housing units is not acceptable, because it decreases the supply of affordable housing in the City. It is also unlikely to produce deconcentration of poverty as vouchers are generally only accepted by landlords in high-poverty areas."

My suggestion is that RRHA postpone the finalizing of the PHA Plan so that it may hold a lawful public comment period and begin authentically engaging residents to participate in developing a PHA plan that comports with strategies and recommendations outlined in the City of Richmond 2017-2020 Analysis of Impediments to Fair Housing Choice, City of Richmond 2013 Antipoverty Commission Report, and the City of Richmond 2016-2020 Consolidated Plan. RRHA should adhere to guidance provided by 24 Title 964.140 to provide training for residents on HUD policies, federal rights, and resident management corporations. RRHA should completely remove its planned changes to the definition of "substantial deviation". In the interest of accountability and organizational culture transformation RRHA should take action on the following items that were presented by a coalition of advocates to RRHA administration:

- Evaluation of process for tenant organization elections and determination of status of all tenant organizations
- Inclusion of two community leaders to the Board of Commissioners
- Removal and replacement of all Board members out of compliance with City Council rules on length of time that persons can serve
- Support of community organizations in implementing 964 "Know your rights" trainings.

Thank you for this opportunity to be heard,

Omari Al-Qadaffi