

GOVERNMENT
OF
THE DISTRICT OF COLUMBIA

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BOARD OF ELECTIONS

+ + + + +

REGULAR BOARD MEETING

+ + + + +

WEDNESDAY
JANUARY 8, 2014

+ + + + +

The Board convened in Room 280 North,
441 4th Street, N.W., Washington, D.C., 20001,
pursuant to notice at 10:30 a.m., Deborah K.
Nichols, Chairman, presiding.

BOARD OF ELECTIONS MEMBERS PRESENT:

DEBORAH K. NICHOLS, Chairman
DEVARIESTE CURRY
STEPHEN I. DANZANSKY

BOARD OF ELECTIONS STAFF PRESENT:

CLIFFORD D. TATUM, Executive Director

KENNETH J. MCGHIE, General Counsel
ARLIN BUDOO, Facilities Manager

ALSO PRESENT:

CECILY COLLIERS-MONTGOMERY, Director,
Office of Campaign Finance

WILLIAM O. SANFORD, Senior Staff
Attorney, Office of Campaign Finance

MEMBERS OF THE PUBLIC PRESENT:

MICHAEL COLEMAN

JANET SHARP

ROBERT WARREN

ERIC SHEPTOCK

VICTOR CARL HONEY

REGINALD E. BLACK

The transcript constitutes the
minutes from the Regular Board Meeting held on
January 8, 2014.

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1 P-R-O-C-E-E-D-I-N-G-S

2 10:35 a.m.

3 CHAIRMAN NICHOLS: Good morning.

4 Welcome. Happy New Year to all.

5 I hereby call to order the regular
6 meeting of the Board of Elections for January
7 2014. It is Wednesday, January the 8th, 2014,
8 and the time is 10:36 a.m.

9 We are in Room 280 North of One
10 Judiciary Square. I am Deborah K. Nichols,
11 the Board Chairman.

12 Present with me this morning is
13 Devarieste Curry and Stephen Danzansky. Also
14 present on the dias are the Board's Executive
15 Director Mr. Clifford Tatum, the Board's
16 General Counsel, Mr. Kenneth McGhie and the
17 Board's Director of Campaign Finance, Ms.
18 Cecily Collier-Montgomery.

19 Without objection the agenda for
20 today's meeting is adopted.

21 Are there any changes, amendments
22 or corrections to the minutes of the December

1 meeting? So, without, I have a couple of
2 edits - minor edits, so without objection, the
3 minutes of the regular meeting of December
4 4th, 2013, are adopted with the minor edits
5 noted.

6 Are there any public matters to be
7 brought before the Board this morning?

8 Hearing none are there any matters
9 which members wish to be raised in this public
10 meeting? Hearing none we will move to the
11 report of our Executive Director, Mr. Clifford
12 Tatum.

13 MR. TATUM: Good morning, Madam
14 Chair and Members of the Board. I have a
15 number of items on my report today to make to
16 the Board.

17 The first is the Candidate Filings
18 and the Challenge Period Update. As of
19 today's date we have 141 candidates who have
20 submitted petitions to the Board for seeking
21 office during the April primary one election.
22 Those 141 candidates will receive preliminary

1 determination letters from our office today
2 indicating that they are determined to be
3 eligible for the ballot subject to any
4 contemplated challenges that may be found by
5 other candidates or registered voters within
6 the District of Columbia.

7 The challenge period for the April
8 primary runs from January 4th, 2014, through
9 January 13th, 2014. Our office will be open
10 on Saturday and Sunday of this coming weekend
11 for any challenges to be filed. And the
12 challenge period closes at 5:00 p.m. on
13 January 13th, after which if there's any
14 challenges filed there will be preliminary
15 hearings held on those challenges which may or
16 may not result in action being brought before
17 the full Board. As of today's date, there
18 have been no challenges filed.

19 The second item on my report for
20 today is the proposed precinct relocations for
21 the April 1st primary election and I'd like to
22 bring Arlin Budoo up to present those

1 relocations to the Board. Some of these are
2 what were previously temporary relocations for
3 the re-election that we need to move back to
4 their permanent locations and some will be
5 permanent locations that will be relocations
6 going forward to the election body.

7 Mr. Budoo.

8 MR. BUDOO: My name is Arlin Budoo,
9 Support Service Specialist for the Board of
10 Elections. Good morning.

11 The first precinct I'll start off
12 with is Precinct Number 4 which is the West
13 End Public Library.

14 In past elections we have received
15 reports from the ULS, University Legal
16 Services citing that the site is structural in
17 accessible due to the size of the elevator.
18 The elevator is not up to ADA Code. I am now
19 proposing that we relocate the West End Public
20 Library to the School Without Walls at
21 Francis-Stevens located at 2425 N Street,
22 Northwest. The precinct will be on the other

1 side of the border. It's not within the
2 precinct boundaries, I mean. It's on the
3 other side of the boundary which is just on
4 the other side of N Street but it's only two
5 blocks away from the West End Public Library.
6 And I do want to make a note that the West End
7 Public Library will be closing for
8 renovations. They haven't started it yet but
9 this will move us along a little faster
10 because regardless of whether or not we use
11 the West End Public Library it's going to
12 close.

13 The next location is Precinct
14 Number 5, Christ Episcopal Church. During the
15 April 23rd, 2013, special election we
16 relocated to the Georgetown Neighborhood
17 Library because the church was not available
18 due to a art auction that they were having in
19 the location within the facility that we used.
20 I now propose that we relocate back to Christ
21 Episcopal Church located at 3116 O Street,
22 Northwest.

1 The next relocation is Precinct
2 Number 31, St. Columba's Church which served
3 as a polling place in the November 2012
4 election. We relocated the polling place to
5 combine with Janney Elementary School because
6 the facility was not available for the April
7 23rd special election. I now propose that we
8 relocate back to St. Columba's Episcopal
9 Church located at 4201 Albemarle Street,
10 Northwest.

11 The next polling site is Precinct
12 Number 38, Cesar Chavez Prep Charter School
13 which was not available for the April 23rd,
14 2013, special election. We relocated to
15 Parkview Recreation Center and combined
16 Precincts 38 and 43 for that election. I now
17 propose that we relocate back to Cesar Chavez
18 Prep Charter School located at 770 Kenyon
19 Street, Northwest.

20 The next precinct is Precinct 70,
21 Burroughs Elementary School. We were not able
22 to use the location for the April 23rd, 2013,

1 special election due to renovation and
2 remodeling within the facility. I now propose
3 that we relocate back to Burroughs Elementary
4 School located at 1820 Monroe Street,
5 Northeast.

6 And our last relocation is
7 Precinct 139, Thurgood Marshall Elementary
8 School. We were informed by DCPS that we
9 would not be able to use this site.
10 Initially, DCPS did let us know that even
11 though they were closing the school, we would
12 still be able to use the school but upon me
13 sending a notification to DCPS they did let me
14 know that the site had been winterized which
15 means they cut of the water and electricity so
16 it would not be available for the April
17 election. I propose that we move to the
18 Theodore Hagens Cultural Center located at
19 3201 Fort Lincoln Drive, Northeast.

20 CHAIRMAN NICHOLS: All right.
21 Thank you, Mr. Budoo.

22 Are there any questions from

1 members? Go ahead.

2 MEMBER DANZANSKY: I have a
3 question just about the Christ Episcopal
4 Church. As I recall, did we have some access
5 problems with that?

6 MR. BUDOO: No, sir.

7 MEMBER DANZANSKY: I got the wrong
8 one. Okay.

9 MR. BUDOO: No, that's fine.

10 MEMBER DANZANSKY: That's at 31st
11 and O?

12 MEMBER DANZANSKY: Right on the
13 corner.

14 MR. BUDOO: Right on the corner.
15 Right on the corner, yes, sir.

16 MEMBER DANZANSKY: Okay. Sorry,
17 thank you.

18 CHAIRMAN NICHOLS: Thank you, Mr.
19 Budoo, for this detailed report and I noticed
20 that, you know, what we have has even more
21 details in it. But I noted with respect to
22 the Christ Episcopal Church that the voting

1 space is described as only Good and the
2 lighting as only Good whereas in all of your
3 other reports with the exception of one, the
4 space and the lighting are shown as Excellent.
5 Is this the best alternative then if the space
6 is only Good?

7 MR. BUDOO: Ms. Curry, I would
8 rather stay at the Georgetown Neighborhood
9 Library but the residents in that area want to
10 remain at the Christ Episcopal Church.

11 CHAIRMAN NICHOLS: Oh, okay.

12 MR. BUDOO: Because they say that
13 this church is more centrally located for
14 those residents in the area.

15 Now, I have attempted to stay at
16 the Georgetown Neighborhood Library because it
17 does suit what we are trying to do better but
18 I'm going off the residents in the area.

19 CHAIRMAN NICHOLS: What they
20 desire?

21 MR. BUDOO: Right and their desire
22 is to remain at Christ Episcopal Church.

1 CHAIRMAN NICHOLS: Okay. And with
2 respect to - well, I understood your reasons
3 for moving back to Cesar Chavez but that
4 voting space also is described as only Good,
5 although the lighting is described as
6 Excellent.

7 MR. BUDOO: Yes.

8 CHAIRMAN NICHOLS: But that's the
9 best alternative we have for that one also.

10 MR. BUDOO: And Precinct 38, Cesar
11 Chavez, there are no other alternative sites.
12 We used to be in Bruce-Monroe Elementary
13 School before they tore it down. So, that was
14 the site that we initially used. We relocated
15 to the Cesar Chavez after they remodeled
16 because that would have been one of the
17 schools they closed and they remodel and they
18 moved the Chavez School and that was the only
19 location that we could find within the
20 precinct boundaries.

21 CHAIRMAN NICHOLS: And all of these
22 proposed precincts that you have here they are

1 all handicap accessible?

2 MR. BUDOO: Yes, ma'am.

3 CHAIRMAN NICHOLS: All right.

4 Thank you.

5 Any other questions? All right.

6 I will entertain a motion to
7 publish the proposed precinct relocations in
8 the D.C. Register for public comment.

9 MEMBER DANZANSKY: So moved, Madam
10 Chair.

11 CHAIRMAN NICHOLS: Second?

12 MEMBER CURRY: Second.

13 CHAIRMAN NICHOLS: All in favor,
14 aye.

15 (AYES)

16 CHAIRMAN NICHOLS: All opposed?

17 Motion carries.

18 Thank you, Mr. Budoo.

19 MR. TATUM: Madam Chair, the next
20 item on my report is the proposed early voting
21 center locations for the primary election and
22 I'd also ask Mr. Budoo to present that to you.

1 MR. BUDOO: With regards to the
2 early voting sites, as in previous elections
3 we have had one site per ward. We have added
4 five additional sites with one relocation of
5 a previous site. I will go down the list and
6 read them off.

7 Ward 1, will remain at the
8 Columbia Heights Community Center located at
9 1480 Girard Street, Northwest.

10 Ward 2, will be One Judiciary
11 Square Headquarters here downstairs in the Old
12 City Council Chambers located at 441 4th
13 Street, Northwest.

14 Ward 3, will remain at the Chevy
15 Chase Community Center located at 5601
16 Connecticut Avenue, Northwest. We will adding
17 an additional site within Ward 3, the Stoddert
18 Recreation Center located at 4001 Calvert
19 Street, Northwest.

20 Ward 4, will remain at the Takoma
21 Community Center located at 300 Van Buren
22 Street, Northwest. We will be adding an

1 additional site in Ward 4 at the Emery
2 Recreation Center located at 5801 Georgia
3 Avenue, Northwest.

4 Ward 5, will remain at the Turkey
5 Thicket Recreation Center located at 1100
6 Michigan Avenue, Northeast.

7 Ward 6, we are adding two
8 additional sites. We will remain at the King-
9 Greenleaf Recreation Center located at 201 N
10 Street, Southwest. We will be adding an
11 additional site at Sherwood Recreation Center
12 located at 640 10th Street, Northeast, and we
13 will also be using the Kennedy Recreation
14 Center located at 1401 7th Street, Northwest.

15 Ward 7, we will remain at the
16 Dorothy Height/Benning Library at 3935 Benning
17 Road, Northwest. We will add an additional
18 site at Hillcrest Recreation Center located at
19 3100 Denver Street, Southeast.

20 And Ward 8, we will relocate from
21 the Southeast Tennis and Learning Center to
22 the Bald Eagle Recreation Center located at

1 100 Joliet Street, Southwest.

2 I want to make a note that all of
3 the new additional sites at the recreation
4 centers we will be using the gymnasiums. When
5 we did look to add the additional sites, I did
6 look for a recreation center where will have
7 the large space within the gymnasiums.

8 CHAIRMAN NICHOLS: Thank you, Mr.
9 Budoo.

10 Are there any questions regarding
11 the additional early voting centers?

12 Do we need a motion on this to
13 publish?

14 MR. TATUM: I don't believe we need
15 a motion but I'm not sure we have to post this
16 or not.

17 CHAIRMAN NICHOLS: Okay. All
18 right.

19 Thank you, Mr. Budoo.

20 MR. TATUM: Madam Chair, the next item on
21 my report is the on-line mobile app.

22 As we previously reported to the

1 Board we have been working with the Federal
2 Voting Systems Program to generate a mobile
3 application that would allow uniformed and
4 overseas voters to register to vote on line
5 and to request an absentee ballot on line
6 using a mobile device. With Federal grant
7 money received from FVAP and with our partners
8 ConnectAd and Election Management Consulting
9 Services we have developed a mobile app that
10 will allow on-line registrations to take
11 place. And we propose to deploy the mobile
12 app at the end of January or the beginning of
13 February so that our uniformed overseas
14 citizens can use the application to register
15 for the upcoming primary election.

16 As we indicated, we've been taking
17 the mobile app through its paces and feel
18 comfortable with the security measures and
19 with the way the records would be processed in
20 the back end. And I just wanted to put that
21 on the record for the public and make the
22 Board aware that we are planning to go live

1 with the mobile application.

2 CHAIRMAN NICHOLS: Okay. Are there
3 any questions of Mr. Tatum?

4 MEMBER DANZANSKY: I just - on all
5 of these things, Mr. Tatum, I know you have a
6 plan for letting the public know about these.
7 Can you just describe how we're going to go
8 about doing that because obviously almost
9 doubling the early voting sites will require
10 some education on the part of the -

11 MR. TATUM: Yes, sir, that is
12 correct. We have what the Chair has heard me
13 refer to our Election Modernization Project
14 called the EMP. There is an external
15 communication plan that's been created by
16 Tamara Robinson, our Public Information
17 Officer, and part of that plan includes TV
18 PSAs, radio PSAs as well as print publications
19 and some of the media - paper media outlets
20 and her plan identifies several subscriptions
21 that we will publish information in like the
22 "Hill Rap", the "Northwest Current", and the

1 "Informer" and a few other of those type of
2 publications. So, she's also scheduling radio
3 PSAs for us to participate in and to get that
4 type of word out.

5 We will have placards, wall
6 posters if you will in some of the Metro
7 stations themselves. That will be the first
8 time that we've actually ever posted something
9 inside of a Metro site as well as the placards
10 on the side of busses that will be traveling
11 through the routes - through the city routes.

12 We've also, again, talked about
13 using our street teams that will go out into
14 the neighborhoods and pass our flyers and that
15 type of thing. So, there will be more of a
16 continued concerted effort to get that
17 information to - these new improvements
18 notices out to the voters. Of course, we do
19 the Voter's Guide for the primary election
20 which is mailed to every resident in the
21 District.

22 And for the relocations that take

1 places for polling places every voter in the
2 polling places that are relocated will receive
3 a notice in the mail that your precinct has
4 been relocated as well as a voter card as I
5 understand it. So, there are a number of
6 avenues that we're following to educate to
7 publicize these type of improvements. The
8 interesting thing, the mobile app itself as we
9 initially posted the app into the market so
10 that we could download it we had voters
11 actually go the app before we can load it.
12 So, those type of things drive themselves to
13 some degree but we will also make notification
14 of those.

15 MEMBER DANZANSKY: Great, thank
16 you.

17 MR. TATUM: Thank you.

18 And the last item I have, Madam
19 Chair, is the general matters and as with the
20 mobile app the Board has joined the ERIC
21 Consortium which is the Electronic
22 Registration Information Center which is a

1 consortium of states that have combined and
2 created this nonprofit organization to share
3 voter registration data and this will allow
4 the Board to compare its electors list to the
5 other electors list of the member states. So,
6 at this point there's roughly eight states and
7 I think three to five additional states that
8 are waiting to join this 2014.

9 We will have the benefit of
10 comparing our registration list to those other
11 seven or eight and perhaps even ten states to
12 compare our list to their list and insure that
13 we don't have voters registered here in the
14 District and in those other states as well.

15 The ERIC process also allows us to
16 compare our internal data for address issues,
17 duplicate voters on the list, that type of
18 comparison which will allow us to create an
19 even more cleaner list than we have in the
20 past.

21 I might also add that it includes
22 the Death Register List from the Social

1 Security Administration so we'll receive an
2 update of the nationwide death list, not just
3 those voters who pass away here in the
4 District.

5 And we are also a member of the
6 STEVE, the state and territorial electronic
7 vital records exchange. That's our own local
8 vital records department and we'll be
9 receiving vital records, death records from
10 vital records here in an electronic format as
11 well due to an electronic mailbox type of
12 scenario. So, all of that is in an effort to
13 keep our list clean and as up to date as
14 possible. And I think this will be - ERIC
15 will allow us to take more proactive steps
16 before and after every election as opposed to
17 buy-in of candidates of the general election.

18 CHAIRMAN NICHOLS: Continuous
19 process.

20 MR. TATUM: That's correct.

21 CHAIRMAN NICHOLS: Absolutely.

22 MR. TATUM: And, Madam Chair,

1 that's all I have to report on today.

2 CHAIRMAN NICHOLS: All right.

3 Are there any questions on the
4 membership and ERIC and the clean up of our
5 data for Mr. Tatum? Hearing none, we will now
6 move on to the Campaign Director's Report, Ms.
7 Collier-Montgomery.

8 DIR. COLLIER-MONTGOMERY: Yes, good
9 morning.

10 First, I would like to announce
11 that no later than January the 28th, 2014, the
12 Office of Campaign Finance will present at its
13 website a 2014 educational brochure as well as
14 our campaign finance guide. The link for both
15 have been under construction at the website
16 because both have been under review for
17 updating consistent with the changes in the
18 law. So, those items will be presented at the
19 website no later than January the 28th, 2014.

20 On December the 10th, 2013, was the
21 deadline for filing of the Report of Receipts
22 and Expenditures by a principal campaign

1 committed and political action committees who
2 are participating in the 2014 election cycle.
3 We had 90 total number of required filers and
4 that breaks down to 41 principal campaign
5 committees and 49 political action committees.
6 We had 84 timely filers. We had six who
7 failed to file and we had six who were
8 referred to the Office of the General Counsel.
9 And basically that boils down to three PCCs,
10 Michael Green Mayoral Committee, Michael
11 Green, Treasurer, Bruce Majors, Libertarian
12 for Mayor, Bruce Majors, Treasurer. The
13 league filed on December the 24th, 2013.
14 Sewell for Mayor 2014, Otis Sution, Treasurer.

15
16 The PACs who failed to file were
17 the DC Dealers, James Jackson, Treasurer, the
18 Libertarian Party of D.C., Sarah Harvard,
19 Treasurer, the Youth Action Political Action
20 Committee, Gabriel Moise.

21 Also during the month of December
22 we had 69 new candidates and committees who

1 registered to participate in the 2014 election
2 filing. The names of those candidates and
3 those committees will be published at our
4 website with our December stats.

5 In the Audit Branch for the month
6 of December the Audit Branch completed 88 desk
7 reviews. Forty-nine desk reviews were
8 conducted of political action committees, 35
9 desk reviews were conducted on principal
10 campaign committees, two were conducted of
11 exploratory committees and one desk review was
12 conducted of the candidate for the Attorney
13 General.

14 With respect to full field audits,
15 we had three full field audits which were
16 under review by the Audit Branch. The first
17 was an investigative audit, Gray for Mayor,
18 and in that case, again, the final audit
19 report was completed in draft on May the 15th,
20 2012. However, at the request of the U.S.
21 Attorney's Office additional information may
22 be necessary. The final audit report has not

1 been released for public dissemination.

2 There were two full field audits
3 of newly elected officials. The first as Bonds
4 for Council. A preliminary audit report was
5 issued on November the 27th, 2013. The
6 committee response was due on December the
7 27th, 2013, but was extended until January
8 10th, 2014, for the response due to the
9 holiday season.

10 The second full field audit of a
11 newly elected official was Mendelson for
12 Chairman. The preliminary audit report was
13 issued on November the 21st, 2013. The final
14 audit report has been completed and will be
15 released on January the 10th, 2014.

16 With the periodic random audits of
17 political action committees and continuing
18 committees, there were three periodic random
19 audits which were conducted by the Audit
20 Branch of continuing committees. The first if
21 Mara 2013. The Statement of Findings was
22 issued on November the 21st, 2013. After

1 additional information was provided, a revised
2 Statement of Findings was issued on December
3 the 20th, 2013, to which the committee will
4 have to respond.

5 The second is Committee to Elect
6 Perry Redd. The final audit report was issued
7 on December the 9th, 2013. In this case, the
8 Audit Branch found that the reports and the
9 statements of the committee were not in
10 compliance with the Campaign Finance Act. The
11 final audit report has been referred to the
12 Office of the General Counsel for enforcement
13 action.

14 The third is Elissa 2013. The
15 final audit report was issued on December the
16 20th, 2013, and the Audit Branch found that
17 the report and statements of the committee
18 were, in fact, compliant with the Campaign
19 Finance Act.

20 With the period random audits of
21 Central Campaign Committee, the Audit Branch
22 has initiated two period random audits of

1 principal campaign committees or candidates
2 who have registered to participate in the 2014
3 election cycle. This is a new process in the
4 Office of Campaign Finance which we have
5 initiated due to the increase of auditors in
6 our office and also so the office can become
7 more proactive with respect to monitoring the
8 campaign operations of candidates and
9 principal campaign committees during the
10 actual election cycle.

11 The first principal campaign
12 committee which is the subject of the period
13 random audit is Brianne for D.C. The audit
14 notification letter was issued on December the
15 4th, 2013. The field audit is in progress and
16 this is of the October the 10th, 2013, filing.

17 The second is Reta Jo Lewis for
18 Mayor. The audit notification letter was
19 issued on December the 4th, 2013, and again
20 the audit field work is in progress of the
21 October the 10th, 2013, filing.

22 I would now ask the General

1 Counsel - oh, and before he gives his report
2 I would also like to say that all of the final
3 audit reports that have been issued by the
4 agency are available for review by the public
5 at our website.

6 Thank you, ma'am.

7 MR. SANFORD: Good morning, Madam
8 Chairman and distinguished Board Members.

9 My name is William Sanford. I am
10 the General Counsel for the Office of Campaign
11 Finance.

12 During the month of December 2013
13 the Office of the General Counsel for the
14 Office of Campaign Finance received nine
15 referrals which included seven from the Public
16 Information and Records Management Division
17 and two from the Reports Analysis and Audit
18 Division.

19 Four orders were issued by the
20 Office of the General Counsel which includes
21 the following. One order for failure to
22 timely file in which no fines were imposed.

1 One order for failure to timely file a report.
2 There is a fine of \$1,700 that was imposed
3 against candidate for mayor, Frank Sewell.

4 Two orders involving failures to
5 respond to requests for additional information
6 in which fines of \$1,100 each were imposed
7 against Pete Ross for senator and Nestor for
8 Mayor.

9 During the month of December the
10 Office of Campaign Finance collected \$200 in
11 fines and imposed \$3,900 in fines.

12 During the month of December the
13 Office of Campaign Finance, Office of the
14 General Counsel carried five open
15 investigations and they include the following.

16
17 OCF Full Investigation 2011-103.
18 That was internally generated and the
19 respondent in this matter is Sulaiman Brown
20 for Mayor. As the Director has indicated,
21 this matter has not been completely resolved
22 because there are documents that are the

1 custody of the U.S. Attorney's Office that
2 have not been made available to us.

3 OCF Full Investigation 2011-104,
4 also internally generated. The respondent in
5 this matter is Gray for Mayor. This matter
6 also has not involved as a companion case
7 because there are documents with the U.S.
8 Attorney's Office that have not been made
9 available to the Office of Campaign Finance.

10 OCF Full Investigation 2013-013,
11 internally generated. The respondent Lee
12 Calhoun and OCF Full Investigation 2013-014,
13 also internally generated. The respondent in
14 this case is Stanley Straughter. These are
15 companion cases which involve the Alleged
16 Illegal Campaign Contributions through the
17 Jeffrey Thompson apparatus.

18 And the final open investigation
19 is OCF Preliminary Investigation 2013-019.
20 That was internally generated and the
21 respondent in this case was Frank Sewell. The
22 order in this matter was issued on the 5th of

1 December and a fine as I stated earlier was
2 \$1,700 was imposed against this Sewell's
3 campaign committee.

4 During the month of December no
5 requests of interpretive opinions were
6 received by the Office of the General Counsel
7 and no show-cause proceedings were conducted.

8 And that should conclude by report
9 unless you have questions.

10 CHAIRMAN NICHOLS: Thank you, Mr.
11 Sanford.

12 Are there any questions of Mr.
13 Sanford or Ms. Collier-Montgomery? Hearing
14 none, we will move on to the General Counsel
15 Report, Mr. McGhie.

16 MR. MCGHIE: Okay. The first thing
17 I have on my agenda is a final rule-making to
18 amend Title 3, Chapters 5 through 7, 10, 11,
19 13 through 17 and 20.

20 As the Board may recall, at its
21 November Board Meeting, the Board adopted
22 these regulations as emergency and proposed

1 rule-making. It was published in the D.C.
2 Register on November 22nd, 2013. The gist of
3 these regulations it revised a number a
4 chapters because it involves changes to the
5 circulating requirements for petitions. So,
6 that would involve nominating petitions,
7 petitions for initiative referendums and
8 recalls. So, all of the various chapters
9 dealing with circulating of petitions were
10 affected because the counsel amended the
11 circulating requirements in the Board of
12 Elections Petition Circulation Requirements
13 Amendment Act of 2013 that was Law 20, 0031.
14 It became law on October 17th so we had to put
15 our regulations in compliance. That law
16 basically changed the requirement that
17 circulators had to be registered qualified
18 electors in order to circulate petitions. Now
19 circulators no longer have to be registered
20 qualified electors. In fact they don't even
21 have to be D.C. residents if they register
22 with the Board of Elections that they are

1 circulating petitions on behalf of a candidate
2 or for a recall of a petition initiative
3 measure. So, like I said those changes were
4 needed in our regulations to put us in
5 compliance with the new law.

6 No comments were received during
7 the 30-day comment period so at this time I am
8 requesting that the Board entertain a motion
9 to adopt this as final rule-making.

10 CHAIRMAN NICHOLS: All right. So,
11 we'll entertain a motion.

12 MEMBER DANZANSKY: Yes, I will
13 move, Madam Chairman, that we adopt these
14 regulations as final rule-making for the
15 Board.

16 MEMBER CURRY: Second.

17 CHAIRMAN NICHOLS: All in favor?
18 Aye.

19 (AYES)

20 CHAIRMAN NICHOLS: All opposed?
21 Hearing none, the motion carries.

22 MR. MCGHIE: Okay. The next item

1 on our agenda is a litigation status update.
2 There has only been one new matter that the
3 Board has since we last met.

4 The first two matters that the
5 Board is familiar with is the Libertarian
6 Party Versus the Board of Elections and that
7 matter is still pending and as the Board may
8 recall, there is still the issue of attorneys'
9 fees. The parties were hoping that that could
10 be resolved through settlement. It doesn't
11 look like that that's going to happen and that
12 they may actually mitigate the issue of
13 attorney fees on the Libertarian Party.

14 Zukerberg Versus the Board of
15 Elections also the Board is familiar with.
16 That involved a challenge by Mr. Zukerberg to
17 the Council legislation which would postpone
18 the election for the elected attorney general.
19 The Office of the Attorney General is handling
20 that matter for the Board and the District
21 because they are a party as well and the
22 council.

1 I spoke to the attorney handling
2 the matter, Mr. Parsons, and he indicated that
3 they would be filing a motion to dismiss this
4 week. The matter is before Judge Cordero and
5 the next scheduled court date is February 7th.

6 A new matter that came up back on
7 December 31st was Mr. Frank Sewell Versus
8 Mayor Vincent Gray and the D.C. Board of
9 Elections. Mr. Sewell was a candidate for, I
10 believe, mayor. He filed a TRO in Superior
11 Court to extend the time for candidates to
12 file nominating petitions. Mr. Sewell did
13 not submit his nominating petitions on time.
14 The date to file nominating petitions was
15 January 2nd and he was seeking this extension
16 of time. The matter was brought before Judge
17 Von Kann and Judge Von Kann denied the
18 complaint and dismissed it. His TRO in
19 chambers. The Court found that the Board was
20 in compliance with the statute. That would be
21 D.C. Code Section 1-1001.97(i)(4). So, that
22 matter was summarily dismissed by the Court.

1 And that would conclude by
2 litigation statute update. And the only other
3 thing on my agenda is a Proper Subject Matter
4 Determination for an initiative that was filed
5 with the Board that initially was entitled the
6 District of Columbia Right to Housing
7 Initiative of 2014.

8 And pursuant to D.C. Code Section
9 1-1001.16, the Board upon receipt of a
10 proposed initiative or measure must refuse to
11 accept the measure if the Board finds that
12 it's not a proper subject matter for
13 initiative or referendum in the District of
14 Columbia. So, this is a subject matter
15 determination hearing for the public's
16 benefit. If you would like to follow along,
17 I have handouts at the table and the same
18 material - the same information is on the
19 easel. But basically the Board can only
20 reject a proposed initiative if it is in
21 violation of one of those criteria. So, if an
22 initiative comes before the Board which is

1 contrary to the terms of the Home Rule Act,
2 which the Home Rule Act is just like the
3 District of Columbia's State Constitution, it
4 seeks to amend the Home Rule Act. The Home
5 Rule Act can only be amended by a charter
6 amendment which is proposed by the Council.
7 It would appropriate funds. The initiative
8 would violate the United States Constitution
9 or the initiative on a proposed initiative or
10 the committee that submitted the initiative is
11 not in compliance with the Office of Campaign
12 Finance filing requirements, it is not in the
13 proper legislative form or the initiative
14 would unlawfully discriminate against any
15 individuals or finally if the initiative would
16 negate or limit a budget act. So, if any of
17 those reasons are present or the Board make a
18 determination that the initiative is in
19 violation of any of those criteria, the Board
20 must reject the initiative measure.

21 And that would be the summary of
22 what the process is.

1 CHAIRMAN NICHOLS: All right.

2 CHAIRMAN NICHOLS: Mr. McGhie, has
3 the proponent met all the statutory
4 administrative requirements with respect to
5 its filing?

6 MR. MCGHIE: With respect to the
7 Office of Campaign Finance filings, the
8 proposer of the initiative did file their
9 Statement of Organization but at this point
10 whether or not they are in compliance or not
11 is pending. The information that they
12 submitted was not complete. They did not
13 submit banking information so they have been
14 granted an extension of time by the Office of
15 Campaign Finance and so their submission is
16 pending until close of business today.

17 CHAIRMAN NICHOLS: Are there any
18 opponents to the initiative that wish to
19 provide testimony? Opponents? Opposing the
20 measure?

21 Are there those who support the
22 measure, proponents of the measure who wish to

1 provide testimony? I think we have a list
2 from which I will call - we'll do panels of
3 two.

4 All right. Veronica Hazel. Are
5 you present? Okay. India McKinney? Michael
6 Coleman? All right, Mr. Coleman. Janet
7 Sharp? Janet Sharp, are you present? Okay.
8 Ms. Sharp, come forward. We'll do panels of
9 two.

10 UNIDENTIFIED PERSON: Two meaning
11 what?

12 CHAIRMAN NICHOLS: Two people, yes,
13 together. All right.

14 Mr. Coleman, you may go first.

15 MR. COLEMAN: Good morning. My
16 name is Michael Coleman. I'm a registered
17 voter. And I'm currently in a homeless
18 situation that was from pillar to post. I
19 didn't know what that meant until three years
20 ago. Now I know what that means quite well.

21 I'm disabled and I'm trying to
22 live on a very limited income. I've been

1 looking for housing for over three years, you
2 know. And there's just nothing in the
3 District of Columbia that I can find in my
4 price range, you know. I really don't
5 understand - you know, the average age of a
6 homeless person in D.C. in 39 to 69 years old.
7 And, you know, them are critical times because
8 it seems to me that the older you get the more
9 the city is pushing you out. We have no place
10 for you and I don't really understand. I
11 really think it's a shame that a city that
12 I've spent all my life in, had an accident and
13 all, have no place for seniors or disabled
14 people or for people like himself to go. And
15 when you confront them the first thing they
16 tell you is go to a shelter. Well, no. I
17 don't want to go. I mean, I don't think
18 that's the solution to the problem.

19 You know, last week the Capitol
20 Towers they opened a waiting list. And over
21 200 people showed up for one apartment that
22 it's going to take six months to get that one

1 apartment open. Two hundred people showed up
2 to apply for that one apartment on limited
3 income and in the same situation that I am.
4 And I'm just one of very many people waiting
5 for housing. You know, the waiting list in
6 D.C. the way it's set up now it would take
7 around 20 years before the waiting list could
8 get someone like me housing. And I just don't
9 think that's right.

10 You know, when I walk around the
11 city I look around and I see condos here,
12 condos there, condos everywhere but I can't
13 even apply for this type of housing because
14 their term of affordability is somewhere in
15 the neighborhood of \$1,200 just for the rent
16 and not to say what it would take to get a
17 place like that. And I saw on the news last
18 night that the city has Metro buses around the
19 city so people could come in and just get
20 warm. It's that need on the street where they
21 have to have Metro Buses at different places
22 so people can just come in and just get warm.

1 So, if they don't think that
2 there's a need for housing I don't know what
3 our Council and all think and so I think that
4 if the District voters, people like me, were
5 put to a question, is this something that our
6 Council should really take a look at, I
7 guarantee you that overwhelmingly, 75 percent
8 of people would say yes. The city needs to do
9 something about housing. Can't just tell me
10 that there's no place for me in the city. I
11 grew up in this city.

12 I see condominiums going up
13 everywhere. Last year the city said they had
14 a \$470 million surplus. Well, that means
15 nothing to me because the more I try to help
16 or do something there's no place for me, you
17 know.

18 And I want to close by saying, you
19 know, people in my situation, we aren't lazy,
20 you know, contrary to what people may say, you
21 know. People like me, we're willing to do
22 anything that, you know, we're willing to come

1 to the table volunteer or doing whatever to
2 help get housing. But housing is such a
3 crisis in the city that I think that maybe the
4 voters of the District of Columbia should have
5 a saying somebody take a look at this housing,
6 you know. And, I mean, I'm an older guy.
7 There are, you know, I'm on my way down but
8 there are younger people. There's no housing
9 for them. I mean, so the city is really doing
10 a very, very, very poor job at housing its
11 people. If the city is saying that if you're
12 disabled or if you're a senior or if you're
13 very poor that you don't belong to live in the
14 city. That's what it sees like to me. No one
15 can tell me anything else. What it's saying
16 to me is that, you know, the city, I know - I
17 don't know what they call progress. I guess
18 that's what all of those condos are is what
19 you guys call progress. But not progress to
20 me if it's running - if some what that I'm
21 used to calling home I can't live no more. I
22 can't do this. I can't even apply for some of

1 these place, you know. I'm not looking for a
2 handout. I'm willing to help myself to even
3 volunteer and do whatever, but there is a
4 housing crisis in the District of Columbia and
5 no one is paying attention. No one. No one.
6 Everybody is just shuffling and moving on
7 down. Moving on down or either the question
8 they say to me is go to a shelter. Well, I
9 think I'm better than a shelter.

10 Thank you.

11 CHAIRMAN NICHOLS: Thank you, Mr.
12 Coleman.

13 Ms. Sharp.

14 MS. SHARP: My name is Janet Sharp.
15 I live at N Street Village, 1333 N Street in
16 permanent supportive housing.

17 I have been looking, filing,
18 looking around. I'm a senior citizen and I
19 have been looking and filling out paperwork
20 for senior housing. Three to five year wait
21 list on some places. It's a severe shortage
22 but it's going to get worse because I was born

1 in 1947 and a lot of people were born - I'm a
2 Baby Boomer and there's going to be a lot more
3 Baby Boomers looking for senior housing.

4 My only concern is, some of the
5 senior housing is built for people who have
6 cars. I don't have a car. My eyesight is too
7 poor to permit me plus I can't afford one
8 anyhow.

9 Senior housing, low income
10 housing, disabled housing, any kind of housing
11 should and can be built on a bus line close to
12 a bank, a grocery store, a drug store and any
13 other vital area.

14 I look up south 14th Street. I've
15 got a luxury apartment. I've got apartments,
16 apartments, apartments, condos, expensive
17 restaurants I can't afford. All the local
18 businesses are being run out so make way for
19 this expensive housing.

20 I don't understand. Why can't if
21 the District has the money and the sense, why
22 isn't it that we can't put mixed income

1 housing in areas, you know, that are
2 accessible to everything?

3 And I have been hearing on the
4 street those people who choose to live in this
5 city like me and those who have been born in
6 this city are being forced out. They're being
7 told, oh, go to P.G. County, go to Virginia.

8 I'm just going to close with this.
9 I will continue to work for the Right to
10 Housing Campaign as I fill out senior housing
11 - applications for senior housing. This is my
12 city. I choose to live here and I'm going to
13 continue to fight for descent housing.

14 Thank you very much.

15 CHAIRMAN NICHOLS: Thank you so
16 much, Ms. Sharp.

17 Are there any questions? Before
18 you leave, Ms. Sharp, and Mr. Coleman. Were
19 there any questions from members for either
20 Mr. Coleman or Ms. Sharp?

21 Thank you, Ms. Sharp.

22 Robert Warren? Eric Sheptock?

1 MR. WARREN: Good morning Board
2 Members.

3 My name is Robert Warren. I am
4 the Director of People for Fairness Coalition,
5 which is a group of homeless and formerly
6 homeless individuals.

7 For the last six years we have
8 been fighting for people in Washington and
9 ourselves to have the housing we need to be
10 able to move our and other people experiencing
11 housing woes of living lives to move forward.

12 Over this period of time we have
13 been engaged with two mayors testifying before
14 many D.C. Council members about housing for
15 those most in need. We have seen and been
16 given input to two housing task forces that
17 has been established by the District of
18 Columbia. And the mayors one city summit
19 which life-long District residents determined
20 the number one issue in this city for them was
21 affordable housing and being able to live in
22 the city.

1 D.C. residents. We are currently
2 now trying to give voice to a task force that
3 has been established two blocks and over at
4 2nd and D to determine what can be done to
5 bring workforce housing to that property there
6 that's under covenant with the Federal
7 Government and has been deeded to the - some
8 of the property I believe has been deeded to
9 the District of Columbia. So, that's going to
10 be one of the biggest housing projects in the
11 city.

12 We at PLC believe that housing is
13 a human right. We are living in a human
14 rights city which is one of the reasons why we
15 believe people are moving to D.C. at record
16 rates. We welcome these people who are moving
17 to D.C.. The city is looking to make D.C. -
18 the city is looking to make D.C. their -
19 people are looking to make D.C. their home.
20 I believe as our city goes through these
21 changes with old neighborhoods being made new,
22 for our new residents that we can not take and

1 price out old residents of the city, long-term
2 D.C. residents out of the city. So, we have
3 been to the Human Rights Commission and we
4 have testified before that board members to
5 tell them that people are now being
6 economically discriminated against D.C.
7 residents. We have been to mayor - excuse me,
8 Council Member Barry's office who chairs the
9 Human Rights Commission. He is currently
10 talking with his legislative aids, I believe,
11 to try to have the Human Rights Commission
12 declare economics as a part their venue when
13 they look at housing as far as housing and
14 economics because the people of the District
15 of Columbia are economically discriminated
16 against.

17 So, we testified before these
18 board members and, again, we are losing whole
19 neighborhoods of people because of economics
20 so that is the main reason we decided to do
21 this Right to Housing Initiative.

22 Also, I have a lot of written

1 testimony and different things pertaining to
2 the District of Columbia and the way housing
3 is provided to District residents. I would
4 like to list the record for you guys to look
5 at.

6 CHAIRMAN NICHOLS: Thank you, Mr.
7 Warren.

8 MR. WARREN: Also, the best way to
9 give people healthcare is to start with a roof
10 over their head. The best way for people to
11 be able to work and give back to the community
12 is for that person to have a mailing address
13 that is not a shelter or a soup kitchen. The
14 best way for young single mothers to become
15 self sufficient for her to have a - for her to
16 be stress-free is to help her out for her
17 where she will be able to stay without being
18 stressed out about how she's going to pay her
19 rent from week to week.

20 The best way to move people out of
21 poverty is not to have to choose between to
22 pay your rent or whether you're going to be

1 able to feed your family. I think that was
2 made clear just the other day when the lady
3 who testified about who along with President
4 Obama who stood up and said that she was
5 trying to receive unemployment and she had to
6 choose between just being able to have
7 somewhere and you have so many District
8 residents who are in that same situation who
9 have been put in this situation through no
10 fault of their own. When you have more people
11 in this city is all in this packet, more than
12 50 percent of their income. It's so much
13 information that, you know, people are just in
14 this city when it comes to housing and they're
15 being forced out. I mean, it's just - and we
16 have to really do something to try to address
17 this for District residents, for long-term
18 District residents, for life-long District
19 residents.

20 So, the best way in order to bring
21 down the crime rate in the District of
22 Columbia is for people not to have to go out

1 and sell narcotics or engage in illegal
2 activities in order just to keep a roof over
3 their head. And I know a lot of people who do
4 this on a daily basis. This is how they
5 maintain their housing by engaging in criminal
6 activities. This is where we have put people
7 at in this city.

8 And so I would just say in
9 closing, we have to remember that we live in
10 a human rights city. Housing is a human
11 right. So, we have to really look at that and
12 address that in this city. That's the reason
13 why we are now considered the number one city,
14 the gayest city in this country now because we
15 are a human rights city. We welcome all
16 people to come and live here. So, people
17 should be able to live here who have been
18 living here all their lives. They shouldn't
19 be forced out of the neighborhood. Housing
20 should be made available to them and I would
21 hope you would take up this fight along with
22 us to give the people in the District of

1 Columbia the housing that they deserve.

2 Thank you.

3 CHAIRMAN NICHOLS: Thank you, Mr.

4 Warren.

5 Mr. Sheptock.

6 MR. SHEPTOCK: Good morning. So,
7 first of all, I'd like to point out that I saw
8 a few typos in what I just handed out. I been
9 in a rush right before I came here so I
10 apologize.

11 But that said, hello. I am Eric
12 Johnson Sheptock, Chairman of SHARC. Shelter,
13 Housing and Respectful Change, a group of
14 homeless advocates that formed in April 2011.
15 As such, I am aware of that there are
16 approximately 7,000 homeless people in the
17 Washington, D.C., about one in every ninety
18 people. This number doesn't include couch
19 surfers, so HUD has begun to include them in
20 its definition of homeless people.

21 As recently as April 2013, there
22 are 70,000 people on the D.C. Housing

1 Authority Wait List for affordable housing but
2 then only housing about 1,000 per year. Some
3 of my associates who are not her today could
4 give you some concrete numbers on the loss of
5 affordable housing in the city over the past
6 10 years. If memory serves, that number has
7 been cut in half over the past 10 years. That
8 said, the lack of affordable housing in our
9 Nation's Capitol is a large and growing
10 problem. With that said, I'm certain that
11 were the petition approved we'd have
12 absolutely no problem getting the required
13 number of signatures. That makes it
14 imperative that we find the proper wording for
15 the petition in that we not throw out the baby
16 with the bath water. The goal is not to give
17 able-bodied people something for nothing but
18 rather to insure that everyone who has lived
19 or chooses to live in Washington, D.C., can do
20 so without the cost of housing being a factor
21 in that decision.

22 So, the wording for the petition

1 is insufficient as it now stands. I would
2 implore you to modify it accordingly. Let me
3 remind this board that while there is no
4 structure in place to keep our politicians
5 honest or to make them keep their promises, we
6 can and should seize this opportunity to hold
7 them to their word as best we can.

8 On February 11th at the One City
9 Summit in 2012, Mayor Gray promised to make
10 good of Washingtonians' demand for affordable
11 housing. He and his predecessors convened
12 task forces to look at the options for
13 creating affordable housing. The results have
14 been minimal token efforts to create
15 affordable housing. Creating 10,000 units
16 between now and 2020 is like bringing a bag
17 lunch to a starving nation.

18 This petition would give
19 Washingtonians another opportunity to voice
20 their demand for affordable housing. But it
21 would do more than that. It will insure that
22 the D.C. Council takes up this matter and

1 addresses it in a more robust manner than
2 either of our last two mayors have.

3 I trust that you would do the wise
4 thing concerning this issue and I thank you
5 for your time.

6 Eric Johnson Sheptock, Chairman of
7 Shelter, Housing and Respectful Change, SHARC.

8 CHAIRMAN NICHOLS: Thank you, Mr.
9 Sheptock.

10 I have a question about the one
11 quarter - the one-fourth ruling requirement
12 and what it means. Can you give me, either
13 you or Mr. Warren can you give me an
14 explanation of what that means?

15 MR. WARREN: I think the reason why
16 - I made that statement in front of Muriel
17 Bowser where actually during a hearing on the
18 New Community Initiative. And you had a lot
19 of people who were coming in and talking about
20 how new communities were losing affordable
21 units with these new community initiatives.
22 And so I made that statement, you know, saying

1 that ruling, I mean, it's based on what HUD
2 considers as affordable housing with the
3 Federal Government as basically considered as
4 affordable housing. And so it basically just
5 says that been as though hopefully through
6 that one-fourth ruling the District of
7 Columbia would not be - it would just be the
8 same cost that they already spending. I mean,
9 like I said, there's as lot of information in
10 this package and currently, I mean, Andy
11 Shallal made a statement that the poor people
12 of the District of Columbia were not receiving
13 their fair share of the budget. And
14 currently, I believe, D.C. spend like 0.2
15 percent on every hundred dollars they receive
16 in D.C. tax money on affordable housing. So,
17 it was kind of like to give everybody skin in
18 the game when nobody is not, you know, not
19 being accountable to the housing crisis that
20 we are under.

21 CHAIRMAN NICHOLS: So, this is an
22 allocation of funding you're saying should be

1 set aside?

2 MR. WARREN: Right.

3 CHAIRMAN NICHOLS: Okay.

4 MR. WARREN: Right. I think the
5 District residents -

6 CHAIRMAN NICHOLS: Of local
7 revenues, of Federal revenues.

8 MR. WARREN: Right.

9 CHAIRMAN NICHOLS: And the
10 individual income I'm not sure. I guess that
11 should be the maximum of what you set - have
12 to dedicate to housing?

13 MR. WARREN: No, the income would
14 be if a person is under \$39,000 and he can
15 qualify for an affordable unit, then one-third
16 of whatever his income is he would contribute
17 to his rent.

18 CHAIRMAN NICHOLS: Do you have
19 anything to add, Mr. Sheptock, to this?

20 MR. SHEPTOCK: Well, I would do the
21 math a little bit differently. I mean, take
22 someone who is making \$39,000 a year, 30

1 percent of that is \$11,700. When you pay
2 \$1,600 a month rent in D.C., that comes out to
3 \$19,200 and so you don't even have 75 percent
4 of their rent left if they were to pay, you
5 know, 30 percent. So, anyway, the cost to the
6 Government would actually be much lower. But
7 I also understand that you can't pass an
8 initiative that requires the Government to
9 spend money. I'm well aware of that. But
10 nonetheless, what I would say is what I said
11 in my testimony that if by chance there's a
12 petition as is that doesn't stand, then we
13 should be able to modify it. I don't know
14 what your rules are concerning that if you
15 would do it as part of this hearing process or
16 if you would just give us another opportunity
17 to rework it and submit it again. So, can you
18 tell me or how does that work?

19 CHAIRMAN NICHOLS: I'll let Mr.
20 McGhie, the General Counsel, respond to that.

21 MR. MCGHIE: Yes, the Board cannot
22 modify the language of the initiative because

1 it would be a totally different initiative.
2 But you can always - let's see, if you want
3 to, you can withdraw the initiative if you
4 want to. You can have the Board rule on the
5 initiative. You can withdraw it and then make
6 the changes so that it puts it in compliance
7 yourself and resubmit that initiative to the
8 Board. But since you're modifying it, it's a
9 totally different initiative. It has to be
10 published in the D.C. Register again so that
11 the public is aware that this is the
12 initiative measure so that anybody can come
13 and speak on the measure.

14 MR. SHEPTOCK: Okay. So, I guess
15 my other question would be that, you know, if
16 by chance it doesn't pass, would you issue a
17 statement to the proponents of it here so that
18 we can understand why it didn't pass?

19 MR. MCGHIE: Well, yes. At the
20 conclusion of the hearing, the Board will
21 deliberate on the measure and there will be a
22 written opinion and in the written opinion if

1 it doesn't pass everything - the reason why it
2 did not pass is stated in the written opinion.

3

4 MR. SHEPTOCK: Okay. Thank you.

5 CHAIRMAN NICHOLS: All right.

6 MEMBER CURRY: I have a question.

7 First off, let me commend all of
8 you for your efforts and your work and ask you
9 to keep at it. We are limited in what we can
10 do and I personally want to say and it's
11 inappropriate that I wish I could do more.

12 Mr. McGhie, are we prohibited from
13 referring these gentlemen to other advocacy
14 groups that might be in a position to help
15 them with the language and help them in some
16 other because we can't do it. But are we
17 prohibited? There are more established
18 groups. Your group appears to be kind of new
19 but there are homeless groups that's been
20 around for years and housing advocacy groups
21 and we could make no guarantees, but are we
22 prohibited from referring them to -

1 MR. MCGHIE: No, we are not, and
2 previous boards have made that type of
3 referral to other organizations or advocacy
4 groups that could assist them.

5 CHAIRMAN NICHOLS: If we could do
6 that. Thank you.

7 MEMBER CURRY: You know what
8 Frederick Douglass said, you just got to keep
9 at it.

10 CHAIRMAN NICHOLS: Don't go back
11 tot he -

12 MR. SHEPTOCK: And he also said
13 power concedes nothing without a demand. It
14 never did and it never will.

15 CHAIRMAN NICHOLS: Thank you.
16 Thank you so much, Mr. Warren and Mr.
17 Sheptock.

18 Victor Carl Honey? Victor Honey?
19 Come forward.

20 Reginald E. Black? Reginald
21 Black?

22 Good morning. All right. We're

1 going to let Mr. Honey go first and they you,
2 Mr. Black.

3 MR. HONEY: I apologize for being
4 late.

5 CHAIRMAN NICHOLS: No problem. No
6 problem.

7 MR. HONEY: And I don't have
8 anything written for you -

9 CHAIRMAN NICHOLS: Not a problem.

10 MR. HONEY: - but I would like to
11 present oral testimony.

12 CHAIRMAN NICHOLS: All right.

13 MR. HONEY: My name is Victor Carl
14 Honey. I am a legal consultant for my company
15 which is Victor Marketing Enterprises.

16 CHAIRMAN NICHOLS: I'm sorry, sir,
17 would you speak up because I didn't hear your
18 company's name?

19 MR. HONEY: I am the legal
20 consultant for my company which is Victor
21 Marketing Enterprises.

22 CHAIRMAN NICHOLS: Okay.

1 MR. HONEY: I have been here back
2 and forth from Washington to Texas for several
3 years now and have decided to try to obtain
4 housing in the District of Columbia area. I
5 have issues in Texas against the governor and
6 several state officials, Senator Kay Bailey
7 Hutchinson and traveling back and forth has
8 been quite time consuming. So, I'm here today
9 to provide my testimony and my story
10 concerning housing in the District of
11 Columbia.

12 I applied for housing when May
13 Anthony Williams was in office in
14 approximately 2004. So, I've been on the
15 housing list for that long time. I've been in
16 the homeless shelter area for several years.
17 I stayed at the Franklin School Shelter for
18 two years, although it was quite long. From
19 Franklin School Shelter I went into a housing
20 program, Pathways to Housing D.C. The
21 president of the organization is Christie
22 Vasquez. Her and her organization were

1 atrocious. They have been a detriment to my
2 business, to my legal plans. My first try at
3 business was in real estate and as a notary.
4 Also my former Texas commission notary public.

5 The housing program which I
6 entered into I was not aware that they cater
7 and try to provide for severe mental disabled
8 people and as a person trying to start a small
9 business and going to law school it was a
10 conflict of interest. So, I suffered an
11 eviction for the - they call it case
12 management company not taking care of their
13 part of the responsibilities and actually
14 trying to categorize me with the other
15 disabled people, mentally disabled people.

16 I have a physical disability which
17 is back injury and it started in 1996 and it's
18 been quite a battle with this housing agency
19 where they want to keep someone in their
20 program to make money like in other programs
21 they just want someone to stay around and not
22 provide the proper services and housing and

1 that type of thing. So, the program ended and
2 I returned back to the shelters. So, there's
3 an issue where a shelter by the name of 801
4 East Shelter where it was not too far from my
5 apartment and several individuals, one in
6 particular by the name of Wanda Pool and a
7 residential counselor by the name of Ms. Lisa
8 Gordon. They've been not adequate concerning
9 looking for or helping the persons in the
10 shelter provide housing. They will not
11 provide housing lists. They would not provide
12 any referrals. They would not do anything.
13 The only program they had was on the RP
14 Program which is run by Mr. Carter and the
15 program just wasn't suitable for me. Their
16 persons were felons, quite dangerous and
17 violent persons and the program just was not
18 the type of program that I needed to be
19 involved in.

20 So, I'm here today to provide
21 assistance to provide input and I called
22 Council Member Muriel Bowser, Council Person

1 Jim Graham and Phil Mendelson's office to see
2 if anyone would be able to possibly show up
3 today to assist in this initiative and I'd
4 appreciate the Board consider it first.

5 CHAIRMAN NICHOLS: Thank you, Mr.
6 Honey.

7 MR. HONEY: Thank you very much.

8 CHAIRMAN NICHOLS: I like your
9 name. All right.

10 Mr. Black?

11 MR. BLACK: I do have this to give
12 you.

13 Hello friends, neighbors and
14 fellow supporters. Thank you Board of
15 Elections for lessons in ethics for hearing
16 this proposal for declared public policy
17 entitled "The Right to Housing Initiative."

18 My name is Reginald Eugene Black,
19 Jr., and I am Chief Executive Officer and
20 owner of Wellocity. Wellocity came about
21 after I saw the need for something different.
22 Wellocity's mission is to strengthen

1 impoverished communities so they can stand for
2 themselves. It is Wellocity's hope that these
3 ideals will become universal all over
4 Washington.

5 I am a native Washingtonian and
6 have been living in Washington my whole life.
7 And I have watched as changes have occurred.
8 I remember the day you could secure an
9 apartment at a price that was affordable
10 enough to promote social mobility. That is
11 what my parents accomplished. They were able
12 to save enough money to eventually buy a
13 house. That kind of mobility seems to have
14 vanished in recent years. There are
15 staggering numbers that have many asking, is
16 Washington, D.C., really a role-model city for
17 the rest of the country?

18 The District of Columbia is not
19 currently reducing homelessness at all. With
20 a stagnant 11,000 people reporting literally
21 homeless how can Washington get better? I
22 have noticed that there is development near

1 the vital facilities that are keeping people
2 alive. This last year 26 people died because
3 they didn't earn enough. New development is
4 not necessarily a bad thing but with studio
5 apartments like Kennedy Ros prices being right
6 around \$1,500 a month I don't see how
7 Washington can call itself a role-model city.

8 With 10,000 residents gone, I
9 don't believe we're doing enough to save lives
10 and create a better community. Even Federal
11 programs like HOPE IV and CHOICE have not
12 helped those in poverty to move forward. So,
13 what is it that will make Washington better?

14 For me, it would have to be to
15 declare war on poverty itself. The first step
16 to that I have taken. You have seen and heard
17 others before me. They all feel housing is a
18 human right.

19 I have brought before you today
20 the Right to Housing Initiative, a declare
21 public policy that says all have a right to
22 a stable place to live, all on their own or

1 with someone else. It says that no one can
2 just take your home for no reason and answer
3 to the question of what is affordable and
4 affordable to whom?

5 Last year the Housing Finance
6 Agency set income and rent limits that
7 determine a household of one would have to be
8 \$37,600 a year and should pay \$940 a month for
9 a studio apartment that means an individual
10 would need to earn at least \$12.82 and that
11 would be enough to cover the cost that will if
12 the individual is able to work every single
13 day of the year without missing a day of work.

14 Our own city Council show down a
15 bill that would have given the service workers
16 currently working at \$8.25 an hour a chance to
17 earn at least \$13.00 stating that it would
18 only kill jobs and it's not a real living
19 wage.

20 How can we satisfy Federal
21 mandates to reduce homeless and we are only
22 willing to pay a service worker \$11.00 and it

1 won't happen until three years' time has
2 passed. I don't think it's fair for people to
3 be forced out of the city of their birth. The
4 sad situation there is a lot of talk about
5 doing something for those who are in need but
6 nothing is really done.

7 According to WUSA9 there are
8 currently 15,000 homeless persons living in
9 Washington and 1,700 of them are actually
10 living outside.

11 In April of 2013, the District of
12 Columbia Housing Authority closed its waiting
13 list. At that point there were 70,000 names
14 on that list. Some of these same names have
15 been on the wait list for more than a decade.
16 Since last year 26 people died because they
17 did not have a secure, sanitary place to live.

18 Their health declined and they
19 died. Bleeding hearts like mine march for
20 them and no later than seven days later to
21 have another person die in a bus stop of all
22 places. I can just imagine the scene where

1 people just walked by this man and did nothing
2 to help. People like Chris Williams comes to
3 mind when I hear the word right. Here was a
4 senior and military veteran who was a double
5 amputee. If my colleague and I did not act,
6 Chris would have surely died. All around usu
7 people just brush past them, police officers
8 were confused and unsure what to do. Even
9 family members thought maybe we were doing
10 something wrong so how could that be when
11 today Chris is still with us and has another
12 chance to live his days in peace?

13 I feel that here in the District
14 of Columbia we should be the first to say that
15 we should have a right to ownership, whether
16 that we buy a home or an apartment for
17 ourselves or in cooperation with others.

18 In today's world we talk about
19 compassion so why deny someone of such a place
20 to call home? Shelters keep people alive, I
21 know that from experience but there should be
22 a connection to someone owning something of

1 theirs. I cannot sign on to insisting that a
2 person prove themselves financially in order
3 to live. We do not ask to be born. We just
4 are. And we as a city have a responsibility
5 to each other as a city. This is what makes
6 us unique. Here today we say no more. No
7 more deaths while homeless. No more pricing
8 people who have lived in poverty out of the
9 city they know best. No more will we allow
10 another person to be discriminated against
11 because of the amount of money they can
12 access. It is essential that this initiative
13 before you goes before District of Columbia
14 voters. As it stands now, we are not in
15 compliance of Articles 17 and 25 of the United
16 Nations Declaration of Human Rights where both
17 articles imply that housing is a human right.

18 I feel that it is only fair that
19 the District of Columbia voters be the ones to
20 say that everyone work together to produce
21 real housing and that essential housing is a
22 right.

1 The document now before you
2 reflects and attempts to address the needs of
3 this initiative. It is a way for
4 Washingtonians to have a say in where and how
5 they live. It is not for the interest of
6 money that should decide if a person lives or
7 dies. It is only fair that whoever is mayor
8 should identify those who are in need of
9 housing that would allow those individuals to
10 stabilize themselves and promote the journey
11 to home ownership.

12 It is only fair that the Human
13 Rights Commission can act on the obvious
14 discrimination occurring in our community, not
15 only provide guidelines on how we can best
16 serve our impoverished residents but also
17 demand that entities that build housing should
18 be able and willing to make every effort to
19 assist those who wish to be treated fairly
20 when attempting to acquire a place to live.

21 How can a city that boasts it has
22 the most disposable income in the country

1 allow an entire population to roam its streets
2 and allow those same streets to be that
3 population's grave?

4 I have come before you today to
5 say, you know, let's give this a try. Allow
6 us to say to the Federal Government we would
7 like to use 25 percent of the funding you
8 already are giving the District of Columbia.
9 It should be used in securing a unit for
10 somebody in poverty. Allow us to say to our
11 local government we would like to use 25
12 percent of the local revenue. It should be
13 used in securing a unit for somebody in
14 poverty. Allow us to say that those who own
15 property could you or ask them, could you take
16 a 25 percent cut in rental cost to help low
17 income individuals and families security
18 units? Allow us the stand-up citizens of the
19 District of Columbia to contribute 25 percent
20 of our income to securing our housing. We
21 need the extra five percent that is left for
22 transportation and it will help foster social

1 mobility.

2 For example, a person that only
3 make \$740 a month will be able to document
4 that they cannot pay more than \$105 a month.
5 In addition, that means even if a landlord or
6 property manager is charging \$1,000 a month,
7 they can only charge someone who is eligible
8 for the provisions of this initiative before
9 them a maximum amount of \$285. That
10 difference that remains can be worked out
11 between customer and residential management
12 agencies equally by the parties agreeing to
13 split the remaining cost. This is only fair
14 for hard-working people who would not have any
15 resources to move to the next level. We all
16 see the need and all need to recognize that we
17 all have a stake in our current prices as it
18 stands now.

19 We have an obligation to serve
20 those who are the least of us. I hope that we
21 will always remember America should take care
22 about those who live here in this country as

1 we should be quick about responding to our
2 respective community needs as it pertains to
3 housing.

4 For all those who have come before
5 us, for all those who have died along our
6 journey, allow us not to let this sacrifice be
7 in vain. We are here to declare housing is a
8 human right and I am one of many who feel this
9 right is also theirs to claim.

10 And in closing, my name is
11 Reginald Eugene Black, Jr., and I am a voter
12 of the District of Columbia and housing is my
13 right.

14 Thank you.

15 CHAIRMAN NICHOLS: Thank you, Mr.
16 Black, and I apologize for incorrectly
17 pronouncing your name in the beginning. They
18 gave me Block but it is Black. Thank you so
19 much for that.

20 And, of course, as Member Curry
21 has indicated, we think your cause is
22 commendable. Understand that we are limited

1 in what we can do but we will certainly do
2 everything within our power and authority, you
3 know, to address this.

4 I have no questions.

5 Do any other members have any
6 questions for Mr. Black or Mr. Honey?

7 Your testimony was excellent and
8 you read it so very well.

9 MEMBER CURRY: Did you write this?

10 MR. BLACK: Yes.

11 CHAIRMAN NICHOLS: Outstanding.

12 MEMBER CURRY: Just keep up what
13 you're doing.

14 CHAIRMAN NICHOLS: Yes.

15 MEMBER CURRY: We limited at what
16 we're doing but -

17 CHAIRMAN NICHOLS: Yes, very good.
18 Yes. Absolutely wonderful.

19 MEMBER CURRY: You got to do it.
20 You got to move the right people.

21 CHAIRMAN NICHOLS: Yes. Don't give
22 up. Never give up.

1 MEMBER DANZANSKY: I, too, would
2 like to commend all of our citizens here for
3 making their grievances and their needs known.

4
5 Our job here is just to make sure
6 that you are in the proper forum. We have
7 certain statutory guidelines that permit
8 access that we must follow regardless of the
9 merits of your case. But we certainly
10 appreciate all of you coming out and
11 discussing these issues publicly and taking
12 the time and the energy to make these needs
13 known.

14 CHAIRMAN NICHOLS: So, with that,
15 we will take this matter under deliberation
16 and we will issue an order as soon as we can
17 regarding the initiative. But remember you do
18 have to comply with the administrative
19 requirements that are still outstanding before
20 the end of the day today, okay, to keep this
21 moving.

22 Yes, sir, Mr. Honey?

1 MR. HONEY: Ms. Nichols, I didn't
2 receive a response in writing. Luckily I was
3 here for the meeting. Could we possibly check
4 on the status of why I didn't if the Board
5 doesn't mind why I didn't receive a response
6 in writing.

7 CHAIRMAN NICHOLS: A response to?

8 MR. HONEY: To my request for
9 testimony here today. Luckily I was able to
10 get here in time.

11 CHAIRMAN NICHOLS: Well, your name
12 is on the list.

13 MR. HONEY: Yes, but I didn't
14 receive a response in writing. I just wanted
15 to know if you could possibly just check on
16 that.

17 CHAIRMAN NICHOLS: Yes.

18 MR. McGHIE: I don't think if you
19 call or write they just put you on the list.

20 CHAIRMAN NICHOLS: They just put
21 you on a list. They don't - yes. But thank
22 you all so much.

1 There being no other - yes. Are
2 there any other witnesses? Anybody else wish
3 to speak?

4 There being no further business
5 before us, this meeting is adjourned at 12:01
6 p.m. on January 8th, Wednesday, 2014.

7 (Whereupon, the above matter was
8 adjourned at 12:01 p.m.)

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In the matter of: Regular Board Meeting

Before: BOE

Date: 01-08-2014

Place: Washington, D.C.

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