

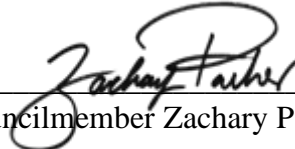
Statement of Introduction
Jeremiah House and Shalom House TOPA Exemption Amendment Act of 2023
Councilmember Vincent C. Gray and Councilmember Zachary Parker
Friday, November 3, 2023

Today, Councilmember Parker and I introduce the Jeremiah House and Shalom House TOPA Exemption Amendment Act of 2023, joined by our colleagues Councilmembers Anita D. Bonds, Robert C. White, Jr., Matthew Frumin, Christina Henderson, and Janeese Lewis George. This bill would exempt from the Tenant Opportunity to Purchase Act of 1980 the transfer of the real property owned by SOME, Inc. that is located at #2 18th Street, SE and known as Jeremiah House, and the real property owned by Affordable Housing Opportunities, Inc. that is located at 1876 4th Street, NE, also designated as 332 Seaton Place, NE, and known as Shalom House.

This legislation would exempt two So Others Might Eat (SOME) properties from TOPA - Shalom House in Ward 5 and Jeremiah House in Ward 7. Shalom House and Jeremiah House need substantial renovation. To finance the renovation, SOME will be applying to the District for low-income housing tax credits (LIHTC). Completing a tax credit financing structure would require the sale of Jeremiah House by SOME to an LLC that SOME controls. This sale, which would have no practical implications in terms of management, mission, etc. would trigger TOPA. This is potentially problematic in that a for-profit developer could try to step in and take over the building by convincing enough residents to assign them their TOPA rights. If that happened, the District would lose approximately 140 units of affordable housing. Alternatively, in order to keep the building from transferring to an LLC controlled by SOME, the District could be forced to use additional HPTF dollars to make up for the lost potential tax credit equity to help cover the necessary renovation costs.

In 2018, the Council unanimously adopted similar legislation in connection with a title transfer involving Anna Cooper House, another affordable housing property managed by SOME. Additionally, the Council recently passed emergency legislation to address similar TOPA concerns regarding a SOME property in Ward 4.

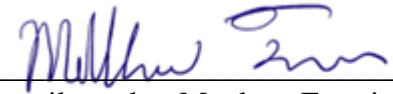
We look forward to working with our colleagues to successfully pass this legislation.

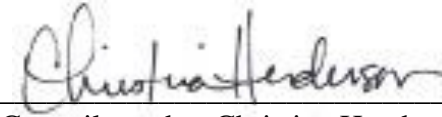

Councilmember Zachary Parker


Councilmember Vincent C. Gray


Councilmember Anita D. Bonds


Councilmember Robert C. White, Jr.


Councilmember Matthew Frumin


Councilmember Christina Henderson


Councilmember Janeese Lewis George

A BILL

IN THE COUNCIL OF THE DISTRICT OF COLUMBIA

1 To exempt from the Tenant Opportunity to Purchase Act of 1980 the transfer of the real property
2 owned by SOME, Inc. that is located at #2 18th Street, SE and known as Jeremiah House,
3 and the real property owned by Affordable Housing Opportunities, Inc. that is located at
4 1876 4th Street, NE, also designated as 332 Seaton Place, NE, and known as Shalom
5 House.

6
7 BE IT ENACTED BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this
8 act may be cited as the “Jeremiah House and Shalom House TOPA Exemption Act of 2023”.

9 Sec. 2. (a) The transfer of the property described as Lot 86 in Square 1110, located at #2
10 18th Street, SE, and known as Jeremiah House, from SOME, Inc., and the transfer of the
11 property described as Lots 811 and 812 in Square 3567, located at 1876 4th Street, NE, also
12 designated 332 Seaton Place, NE, and known as Shalom House, from Affordable Housing
13 Opportunities, Inc. to an owner that qualifies as a nonprofit affordable housing developer under
14 D.C. Official Code § 47-1005.02(a)(1), which is controlled by SOME, Inc. or by Affordable
15 Housing Opportunities, Inc., shall be exempt from the Tenant Opportunity to Purchase Act of
16 1980, effective September 10, 1980 (D.C. Law 3-86; D.C. Official Code § 42-3404.01 *et seq.*).

17 (b) No tenant or tenant organization shall have the right to challenge the transfer made
18 pursuant to subsection (a) of this section under sections 503 or 503a of the Rental Housing
19 Conversion and Sale Act of 1980, effective September 10, 1980 (D.C. Law 3-86; D.C. Official
20 Code §§ 42-3405.03, -3405.03a.).

21 Sec. 3. Fiscal impact statement.

22 The Council adopts the fiscal impact statement in the committee report as the fiscal
23 impact statement in the committee report as required by section 4a of the General Legislative
24 Procedures Act of 1975, approved October 16, 2006 (120 Stat. 2038; D.C. Official Code § 1-
25 301.47a).

26 Sec. 4. Effective date.

27 This act shall take effect upon its approval by the Mayor (or in the event of veto by the
28 Mayor, action by the Council to override the veto), a 30-day period of congressional review as
29 provided in section 602(c)(1) of the District of Columbia Home Rule Act, approved December

30 24, 1973 (87 Stat. 813; D.C. Official Code § 1-206.02(c)(1)), and publication in the District of
31 Columbia Register.