



Alms Hill Apartments Timeline 2015-Present

	Actions	Results
Feb-2015	<ul style="list-style-type: none"> Alms Resident Association (ARA) legally formed. ARA creates a list of demands (Attachment) to improve conditions and sends to HUD, city council, management, and ownership. Residents circulated a petition regarding poor conditions in the building. 	<ul style="list-style-type: none"> City of Cincinnati filed a complaint with HUD and sued the owners of the Alms. Residents were represented in lawsuit by legal aid. Management feels threatened and intimidates residents with deceptive letters.
Mar-2015	<ul style="list-style-type: none"> ARA sends a letter to management and owners to discuss demands. March 15th – City Council Meeting March 30th – City Council meeting with management and owner representatives present. Residents officially join lawsuit against owners 	<ul style="list-style-type: none"> City sides with residents in council meeting. Condemns owners and management. City inspects building with warrant. City council members attend ARA meeting HUD audits owner's files. Lawsuit moves to federal level
Mar-2015	<ul style="list-style-type: none"> Residents learn of regional manager Robert's criminal history: stealing from management companies and property owners. Question where the \$140,000 a month from rent collection is going Residents inform owners of Robert's history of stealing from owners. ARA calls for Robert to be fired. 	<ul style="list-style-type: none"> Management blames residents for poor conditions Robert tries to disable ARA by creating false meetings.
Apr-2015	<ul style="list-style-type: none"> Residents meet with police department to discuss issues that Robert said were mandated by police (Clouded windows, back door locks, etc.) Residents found out that Robert was lying and that police did not mandate these conditions. 	<ul style="list-style-type: none"> Robert fired Building manager Tracy (friend of Robert) takes larger management role
May, June & July - 2015	<ul style="list-style-type: none"> City hall meeting Celebrate Robert being fired Major inspection of the building by HUD 	<ul style="list-style-type: none"> Results of HUD inspection causes HUD to demand owners to make repairs Tracy (building manager) is removed Security guard in place at the front
Oct-2015		<ul style="list-style-type: none"> Security dropped to part-time Conditions worsen Involvement in ARA dropping
Dec-2015	City inspected multiple buildings and found 1800 violations	Court deemed building a "public nuisance"
Jan-2016	Receivership Hearing	Building placed into Receivership (Court appointed temporary manager tasked with repairing fixing 1800 violations)

	Actions	Results
Feb-2016 to Jul-2017	<ul style="list-style-type: none"> Residents work with Legal Aid Society to hold Receiver accountable for repairs. Regularly met with Receiver to express concerns and continue pressures for repairs. 	<ul style="list-style-type: none"> Several repairs were made. Building in the best condition it's been in for the past decade.
Aug-2017	<ul style="list-style-type: none"> HUD provides Legal Aid Society with a notice of abatement for the subsidy on the building, meaning residents would have to move. (Attachment 1) Residents respond (Attachment 2) and organize mass support from neighbors, community, and city. 	City Council members, community members, community council, local organizations, and community partners send letters to HUD encouraging them to keep subsidy on the Alms. Letters also went to Senators, encouraging them to put pressure on HUD.
Sep-2017	HUD meets with residents about their decision to abate the subsidy. (Attachment 3)	<ul style="list-style-type: none"> 70 Residents show up to express concerns to HUD in organized fashion. HUD taken surprised by resident organization. HUD lawyers recommended the spokesperson for HUD not respond to any questions or concerns, but opted for a written response.
Sep-2017	Tenants, with Legal Aid Society, file lawsuit against HUD for not following their own procedure when choosing to abate subsidy on the Alms. (Attachment 4)	In early October, the judge grants injunction to residents. This means that the court has decided that the Residents' case is of such strength and the probable harm to Residents if HUD continues to work to close the building is great enough that HUD must stop all work to close the building while the case is being heard.
Oct-2017 to Dec-2017	Continued pressure on HUD from residents and community. The Receiver chooses to subcontract management of the Alms.	HUD offered to fully rescind the abatement notice (meaning units would be able to be re-rented, not under threat of abatement) in exchange for a dismissal of the lawsuit.
Current	Building is being sold to purchaser willing to put around \$8 million of repairs into the building. Purchaser will keep building affordable and work with residents.	

ALMS RESIDENTS' ASSOCIATION

2525 VICTORY PARKWAY ~ CINCINNATI, OH 45202



*"Justice and Quality Housing
For All Alms Residents"*

Our Demands

1. Maintain all apartments and the common areas with fast, efficient and sustainable maintenance:

- Repair the elevators for the building.
- Provide working windows for all apartments.
- Provide proper heat for all apartments.
- Provide hot water for all apartments.
- Stop all plumbing leaks throughout the building, in apartments and common areas.
- Provide functional, safe appliances for each apartment.
- Clean the common areas on a regular schedule.
- Increase the trash pick-up schedule to two times per week for the building.
- Make wash-tokens available for purchase at all times.
- Create reasonable hours for use of the laundry area, including evening and weekend hours.
- Provide a working fire prevention system, with functional alarms and working smoke detectors throughout the building.
- Agree to provide written acknowledgement of all maintenance and work-order requests regardless of whether the request is made verbally, in writing, or on behalf of a resident through a third-party.

2. Make the building properly accessible for all Residents:

- Provide proper handicap ramps without such a steep grade as to make them unusable.
- Provide re-entry through the buildings back entrance with the residents' key-fobs.
- Provide and maintain a functioning front entrance buzzer system.
- Provide more than one key-fab to each resident household.

3. Communicate with Residents:

- Meet monthly with the Alms Residents Association;
- Place general building-wide notices under each apartment door, in addition to placement in common areas.
- Notify Tenants as soon as a package or any other delivered mail is received by management for them. Ensure the property is accessible by Postal Personnel.

Attachment

4. Cease all threats, retaliation, and intimidation of the Residents:

- Cease making threats or serving eviction notices for ordinary, daily resident activities like holding the front door for known neighbors and family members.
- Provide residents with receipts for all rent payments; and the payment of any HUD approved fees.
- Provide residents with written acknowledgement of all maintenance and work-order requests.
- Management and staff will not carry guns visibly displayed on premises; Management and staff will not enter apartments with guns.

5. Show all Residents respect:

- Make the management office a welcoming place.
- Speak civilly and professionally to all residents.
- Provide the residents with access to building's ballroom and/or recreation room upon their request to schedule these spaces.
- Do not enter a resident's apartment without a 24 hour written notice, or against their wishes or without their knowledge.



U.S. DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT
Multifamily Midwest Region
Detroit Satellite Office
477 Michigan Ave.
Detroit, MI 48226

July 31, 2017

NOTICE OF ENFORCEMENT ACTION AGAINST OWNER

Virginia Tallent, Senior Attorney
Legal Aid Society of Greater Cincinnati
215 E Ninth Street, Suite 200
Cincinnati, Ohio 45202

Dear Ms. Tallent:

SUBJECT: Notice of Abatement of the Housing Assistance Payments ("HAP")
Contract and Required Corrective Actions
iREMS ID Number: 80001624
HAP Contract Number: OH10L000009
Alms Hill Apartments, Cincinnati, Ohio

The purpose of this letter is to notify the Legal Aid Society of Greater Cincinnati (Legal Aid), as representatives of the tenants of Alms Hill Apartments, Cincinnati Ohio (Project) that the US Department of Housing and Urban Development (HUD) will be abating the Housing Assistance Payments (HAP) contract of the Project due to the defaults of the Owner, PE Alms Hill Realty, LLC (Owner). As counsel for the tenants at the Project, HUD is informing you that your clients will be relocated to alternative housing that is decent, safe and sanitary and meets HUD's standards. Details on relocation assistance and the voucher process will be issued under separate cover.

HUD based its decision to abate this contract on the Owners inability to address the serious physical deficiencies at the property. HUD made this decision after consultation with the City of Cincinnati and Legal Aid as representatives for the tenants. HUD took into consideration all comments made by the City of Cincinnati and Legal Aid as representatives for the tenants. Unfortunately, the Owner's on-going default and inability to restore decent, safe and sanitary conditions to the property do not serve the interests of the tenants or HUD.

HUD will maintain communication with the City of Cincinnati, Legal Aid, and the tenants as the relocation process is determined. Legal Aid will be included in all communications between HUD, the housing authority and the tenants, as well as invited to any meetings regarding this Project and the relocation process.

Please direct any questions you have to Kelly McIntyre-Konkle at (313) 234-7524 or Nancy Christopher, Office of General Counsel at (202) 402-2364.

Sincerely,



Digitally signed by: U.S. Government
DN: C = US, O = U.S. Government, OU
= Department of Housing and Urban
Development, Office of Housing
Date: 2017.07.31 11:33:34 -05'00'

Barbara Chiapella
Director of Asset Management
Detroit Satellite Office

Cc: Christopher Cathy, Esq.
Kevin Carter, Esq.
Alexandra Jackiw
Mark Manning, Esq.
Virginia Tallent, Esq.



LEGAL AID SOCIETY OF GREATER CINCINNATI

LEGAL SERVICES IN BROWN, BUTLER, CLERMONT, CLINTON, HAMILTON, HIGHLAND, AND WARREN COUNTIES

DONALD P. KLEKAMP
COMMUNITY LAW
CENTER BUILDING

215 East Ninth Street
Suite 200
Cincinnati, Ohio
45202

Telephone
(513) 241-9400
(800) 582-2682

Facsimile
(513) 241-0047

TTD
(513) 241-1390

APPOINTMENTS AVAILABLE

Batavia
Cincinnati
Georgetown
Hamilton
Hillsboro
Lebanon
Middletown
Wilmington



September 27, 2017

Via E-Mail to Barbara.Chiapella@hud.gov

Response of Alms Residents' Association to 9/26/17 "Notice to Residents of the Alms Hill Apartments"

Barbara Chiapella
HUD Multifamily Midwest Region
Detroit Satellite Office, 477 Michigan Ave.
Detroit, MI 48226

Dear Ms. Chiapella:

The Alms Residents' Association is in receipt of your "Notice to Residents of Alms Hill Apartments" dated September 26, 2017. The residents, through Counsel, respectfully reject your conclusions, and offer the following response.

HUD ignores all progress made at the Alms during the receivership

Your notice insinuates that there has been no progress on the conditions at the Alms through the state court receivership and foreclosure case. This is false. The Receiver and the City of Cincinnati have kept HUD informed regarding all of these items, yet HUD makes no mention of them. Residents raised many during the September 22 meeting, including: complete electrical retrofit of the property, replacement of passenger elevators, roof replacement, boiler replacement, appliance replacement, cabinets and fixture replacement, among others. Moreover, as stated by the Residents on September 22: the work continues and has not stopped. The notice identifies no emergency life, health, or safety threats to the Alms Residents requiring their immediate relocation. HUD is fixated on terminating the rental assistance for a property that has shown continuous improvement over the last year. The September 6 REAC inspection mentioned in the notice occurred with less than two business days' notice to the new on-site manager, Hayes Gibson, who had been on the job for 10 days, and was conducted over their objection. Hayes Gibson was a manager that was promoted by HUD, yet HUD has given them no opportunity as was promised.

HUD did not "consult" Residents' Counsel before terminating the Alms' rental assistance contract

HUD has never "consulted" the Legal Aid Society of Greater Cincinnati on the matter of abatement or termination of the Alms' rental assistance contract. HUD never asked Residents' Counsel for information, feedback, or

dialogue prior to abruptly issuing its July 31 notice. In this latest instance, HUD did not ask any questions of Residents' Counsel in advance of the September 22 meeting, nor seek input or advice on alternatives to abatement and termination.

HUD refused to consult with the Residents at the September 22, 2017 meeting

HUD refused to answer any questions raised by the Residents during the September 22 meeting. HUD staff did not speak, except to introduce themselves, and acknowledge individual residents who chose to speak. Your notice provides no clear or substantive responses to the many important questions raised by the Residents during this meeting. Your notice goes on to state that HUD received "no comments regarding the cost of rehabilitating and operating the property", and "no comments on the availability of Federal, State, and Local resources". The Residents are at a loss, since HUD did not raise either issue during the meeting (refusing to speak), nor at any time prior to the meeting. HUD apparently would like to burden the Residents with its own legal responsibilities. HUD is required by law to take steps short of terminating rental assistance. Your notice is silent as to how HUD has fulfilled its legal duties to the Residents and the project. HUD has never considered any other available option under the law besides termination of the rental assistance contract and forced relocation of the residents.

HUD has fully failed to provide due process to the Residents of the Alms

HUD did not take the comments of the Residents, or the information that they shared on September 22, 2017, into account when "determining whether to proceed with the abatement and eventual termination of the rental assistance contract." Instead, HUD predetermined that the rental assistance contract was terminated well in advance of this recent meeting. On July 31, 2017, HUD issued a notice of abatement directly to the Legal Aid Society, offering the Alms Residents no notice and no opportunity to be heard in advance of its decision. Again on September 19, 2017, three days in advance of the September 22 meeting, HUD sent tenant protection vouchers and notice of funding to the Cincinnati Metropolitan Housing Authority, advising that it had cancelled the Alms' rental assistance contract. Simply telling a Resident that their property rights are being taken away, and to come to a meeting to facilitate that deprivation does not satisfy constitutional due process.

HUD has given no consideration to the fair housing rights of the Alms Residents

Your notice makes no mention of HUD's duty to affirmatively further fair housing in all program decisions, including this one. HUD has given no consideration to the Residents' rights to fair housing. Your notice treats all Cincinnati neighborhoods as equivalent, with no regard to areas of opportunity, racial concentration, or patterns perpetuated segregation. Rather than specifically address Residents' stated concerns about placing housing choice vouchers in their neighborhood (or even the City generally), HUD offers blanket assertion that "vouchers will be provided to each and every eligible family" without stating the eligibility requirements, or addressing what should befall Residents who are either ineligible or unsuccessful placing a voucher on the open market.

The Residents continue to offer their support for the Alms, and express their desire to stay at the project with rental assistance and in their homes. They remain willing to work with all interested parties, including HUD, to achieve success and continued improvements in the building through the

state court receivership, which remains fully funded. The Residents have full confidence in the Receiver's management entity -- Hayes-Gibson, to continue to execute a plan to improve property. HUD's notice makes clear that it intends to continue to ignore the Residents.

Sincerely,

/s/ Virginia Tallent

Virginia Tallent
vtallent@lascinti.org
Attorney for Alms Residents' Association.

Cc: Residents of the Alms Hill Apartments, via hand delivery

Kelly McIntyre Konkle, email

Nancy D. Christopher, email

William B. King, email

Mark Manning, email

Erica Faaborg, email

Christopher Cathey, email

James Botti, email

Kevin C. Carter, email

Alexandra Jackiw, email

Carson Hayes, email

Nick DiNardo, email

Stephanie Moes, email



U.S. DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT
WASHINGTON, DC 20410-0500

Notice of Meeting with HUD **to the Residents of Alms Hill Apartments**

This notice is to inform the Residents of Alms Hill Apartments that representatives of the U.S. Department of Housing and Development (HUD) will be at Alms Hill Apartments to meet with the residents regarding the potential termination of the housing assistance subsidy at Alms Hill Apartments.

The meeting will take place in the Alms Hill Apartments Community Room at 10 a.m. on Friday, September 22, 2017.

HUD looks forward to consulting with the Residents of Alms Hill to hear their view point on the costs of rehabilitating and operating the property, the availability of Federal, State, and local resources, and the environmental conditions that cannot be remedied in a cost-effective fashion.

If any residents would like to provide their comments in writing, they may do so to Kelly McIntyre-Konkle, Asset Resolution Specialist at Kelly.McIntyreKonkle@hud.gov by Friday, September 22, 2017.

Who: HUD and Resident of Alms Hill Apartments

When: Friday, September 22, 2017 at 10 a.m.

Where: Alms Hill Apartments Community Room

Why: Consultation with Tenants on Abatement of Subsidy at Alms Hill

it. Plaintiffs respectfully request that the Court order a preliminary injunction to suspend HUD's abatement and termination process so that their legal interests may be protected while the case is pending. Plaintiffs would invite the Court to tour the Alms with the state court Judge, who is scheduled to visit the Alms with the court-appointed Receiver on Friday, October 6, 2017, at 3:00 PM, to further aid in the Court's consideration of this matter.