



U.S. DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT  
WASHINGTON, DC 20410-8000

OFFICE OF HOUSING

JUL 17 2017

RECEIVED  
JUL 20 2017

HOPEWELL REDEVELOPMENT  
AND HOUSING AUTHORITY

Steven Benham, Executive Director  
Hopewell Redevelopment and Housing Authority  
350 Poythress Street  
Hopewell, VA 23860

Right to Return for Four Former Residents of Langston Park

Dear Mr. Benham:

Several offices within the United States Department of Housing and Urban Development (HUD), including the Office of Recapitalization (Recap) were contacted by the Legal Aid Justice Center (LAJC) on behalf of eight (8) current or former public housing residents regarding potential housing violations in connection with the conversion of Langston Park into the Summit at Hopewell (Summit) under the Rental Assistance Demonstration Program (RAD).

HUD has been making inquiries regarding the claims made by the LAJC on behalf of these residents and other residents. On June 6, 2017, Recap interviewed Katrina Jones and Veldreka Crockett at LAJC's offices in Richmond, VA. At that time, Recap learned that LAJC had become aware of two additional residents, not initially identified by LAJC, who had potential housing violations: Ms. Trowell and Ms. Joyner. Ms. Trowell and Ms. Joyner were subsequently interviewed via telephone on June 13, 2017 and June 15, 2017, respectively.

While they were living at Langston Park, all of these individuals were told they could not return to the project after the RAD conversion. At the time they lived at Langston Park, Ms. Jones and Ms. Trowell had family sizes too large for the project post-conversion to two bedroom units (Ms. Jones had 4 persons in her family and Ms. Trowell had 5 persons in her family). Additionally, Ms. Jones has a physically handicapped daughter and the two-level units with all bedrooms on the second floor would not have been handicapped accessible. Ms. Crockett and Ms. Joyner were told that they were over-income and could not return to the project (Ms. Jones was also told she was over-income).

One of the cornerstones of RAD is that all persons living at the project at the time of conversion have a right to return to the project. The original RAD Notice (PIH-2012-32, Issued July 2, 2013) stated that "[a]ny residents who may need to be temporarily relocated to facilitate development or construction have a right to return to an assisted unit at the development once rehabilitation or construction is completed. Sec. 1.6(C)(2). The resident's right to return means that there can be no

re-screening for income eligibility, Sec. 1.6(C)(1) and the resident cannot be subject to permanent involuntary displacement “as a result of a change in bedroom distribution.” Sec. 1.5(B).

All of these individuals were denied their right to return to Langston Park after the RAD conversion. HUD recognizes that all of these residents were offered monetary payments in connection with leaving Langston Park. However, returning to the project post RAD conversion was not presented as an option along with the cash payments offered; the right to return to Langston was never offered to these individuals.

The right to return may be voluntarily relinquished only after the resident has had a reasonable amount of time to consider his or her options and only if that right is relinquished in writing. More recent notices have set forth detailed procedures, but even prior to those notices, consent meant it had to be informed and in writing. None of these individuals were given sufficient time to consider their options nor did any of them, based on the interviews conducted by HUD, relinquish that right in writing.

As a result, the right to return to Summit at Hopewell must be offered to these individuals at the present time. If family size or accessibility considerations preclude their return to Summit, then they must be accommodated in the next RAD conversion. Understand that this letter in no manner limits the right of other former Langston Park residents to claim that their right to return was denied them nor does this letter affect the on-going RAD compliance reviews or investigation of potential Fair Housing violations.

Please contact Claude Dickson at [Claude.C.Dickson@hud.gov](mailto:Claude.C.Dickson@hud.gov) or (202) 402-8372 of my office if you have any questions regarding HUD’s findings with regard to these residents. He will also be your point of contact for the review of your procedures for offering the right to return to each of these individuals as well as any appropriate housing any of them may need, especially if the right to return cannot be offered immediately.

Sincerely,



Thomas R. Davis  
Director, Office of Recapitalization

**RECEIVED**  
JUL 20 2017

HOPEWELL REDEVELOPMENT  
AND HOUSING AUTHORITY