

VIA E-MAIL

January 19, 2024

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Commissioner
Georgia Department of Community Affairs
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The Honorable Mayor Andre Dickens
City of Atlanta
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We write to you on behalf of our clients, the Atlanta Economic Justice Program of the American Friends Service Committee (“AFSC”) and Housing Justice League (“HJL”), to demand action from the Department of Housing and Urban Development (“HUD”), Leumas, the City of Atlanta, and the Georgia Department of Community Affairs (“DCA”) regarding the rushed, chaotic and unlawful relocation of hundreds of families from their former home at Forest Cove, a project-based Section 8 development located at 900 New Town Cir. SE, Atlanta, Georgia. The combined actions and inactions of HUD, Leumas Residential (“Leumas”), the City of Atlanta, and DCA violate the civil rights of Forest Cove tenants to be free from discrimination under Title VI of the Civil Rights Act of 1964, the federal Fair Housing Act, and Section 504 of the Rehabilitation Act. These discriminatory actions have frustrated the mission of our clients and forced them to divert substantial resources to protect the Forest Cove families from further harm in violation of civil rights laws. The vast majority of Forest Cove families are Black

are large families with children or have household members with disabilities.¹, and many

AFSC and HJL's Diversion of Resources and Frustration of Mission

AFSC's mission is to work with people of all faiths and backgrounds to challenge unjust systems and promote lasting peace. HJL's mission is to support renters and homeowners to self-organize and defend their right to remain in their historic community, to preserve affordable housing, for just living conditions, and to prevent gentrification. Since 2017, AFSC and HJL have diverted resources and thousands of staff hours to helping the Forest Cove families address terrible housing conditions and trying in vain to get HUD and the City of Atlanta to protect these families from displacement from their historic community. The Forest Cove families have lost their project-based Section 8 subsidy. Now it appears that the Forest Cove residents have been and will be forced to relocate to low

threatened with eviction when Millennia failed to advance the project-based subsidy. Forest Cove families were instructed to leave their pest-infested furniture and Millennia would replace their furnishings, but some families are still waiting on furniture 15 months later. Others did not receive federally mandated utility allowance payments, again putting them at risk of eviction. HUD did little to address these issues and tenants are still facing these problems.

The unlawful displacement of 30 Forest Cove families. Worse still, approximately 30 Forest Cove families were not moved as a part of the planned temporary relocation. Prior to the notice of involuntary relocation, some families notified Millennia that due to serious health and safety concerns, they had to move out temporarily until their units could be repaired or they could be moved to a safe, habitable unit. At the time those families were moving out, Millennia promised those households that they could return to the property or be moved with continued project-based Section 8 assistance if temporary relocation occurred in the future. In other cases, families still living at Forest Cove when the planned temporary relocation was underway were told that they would not be allowed to move and continue to receive project-based Section 8 assistance. In both cases, the unlawfully displaced families received no written notice of termination of their tenancies, and on information and belief, there was no good cause for termination of their project-based subsidies. AFSC and HJL repeatedly raised concerns with HUD and the City of Atlanta that Forest Cove families had lost their project-based Section 8 housing without cause. Both entities refused to address this issue, let alone even investigate these serious allegations.

HUD's termination of Forest Cove's project-based Section 8 contract. When HUD finally signaled in the summer of 2023 that it intended to permanently terminate the project-based Section 8 contract at Forest Cove, AFSC, HJL, and HJL's tenant leaders and members asked that HUD and the City ensure that families could make successful and integrative moves with their vouchers, including by providing quality housing mobility counseling and a high enough payment standard so that landlords would take the vouchers.⁵ Given the City of Atlanta's extremely tight rental housing market and rising rent prices, AFSC and HJL urged HUD to give the Forest Cove residents the resources and support they needed to be successful.⁶ They also asked that the Forest Cove families have the opportunity to return to site-based subsidized housing if and when the Forest Cove budget authority was transferred to another property or set of properties.⁷

Families' moves are also complicated by the fact that because these vouchers are administered by DCA, every Forest Cove household will be forced to take an additional and cumbersome step of porting their voucher to another public housing authority that administers a voucher

⁵ Ltr. from the Forest Cove Tenants Association to Mark Dominick, Multifamily Southeast Regional Center Director, U.S. Dep't Hous. & Urban Dev. (Jul. 19, 2023).

⁶ *Id.*

⁷ *Id.*

program. Even in the best of circumstances, households who need to also apply to port their vouchers need additional time.⁸

HUD begins relocation, despite warnings of the civil rights implications. Even though the tenant association, AFSC, and HJL outlined these challenges to the agency, HUD initially only gave tenants until early 2024 to find housing with their vouchers and to move. HUD contracted with Leumas to provide its standard relocation services to the Forest Cove families, despite AFSC, HJL, and tenants' requests and warnings that without more support, the Forest Cove families would continue to suffer.⁹ Leumas has handled prior involuntary relocations for HUD after a project-based Section 8 contract termination. However, Leumas does not provide highly specialized housing mobility counseling. Indeed, in a prior, nearly identical relocation of tenants by Leumas from a project-based Section 8 property where the contract was also terminated, the

enforceable right to return to these newly built units within their historic community, the City of Atlanta and HUD have not committed to provide this important right. This rebuff of their

