What is it?

Housing code enforcement compels landlords to improve building conditions. Code enforcement ensures that multi-family dwellings are owned and managed by responsible individuals, private corporations, or public agencies. When housing code violations are found and not corrected, the government can impose significant penalties upon landlords. While housing code enforcement can remedy substandard living conditions, it can have the negative consequence of displacing low-income tenants when the improvements result in significant rent increases. However, if tenants and their community partners participate in the code enforcement process, they can leverage significant benefits.

This tool provides a means for tenants to use housing code enforcement as a mechanism to transfer ownership of multi-family dwellings from negligent owners to the tenants or community organizations who will further neighborhood revitalization. It also guides tenant and community participation in code enforcement to prevent resident displacement and ensure that buildings in gentrifying neighborhoods remain affordable.

Code enforcement used in these ways can increase the stock of properties available to the revitalization process. Neighborhood revitalization requires cooperation from existing property owners to improve conditions while maintaining the local character and retaining current tenants. In every community, there will likely be some multi-family property owners (often termed "slumlords") who refuse to participate, preferring to hold properties in substandard and unsafe conditions. The housing code enforcement tool is a mechanism to bring them into the revitalization process either by forcing them to repair and properly maintain their buildings or relinquish ownership.

Code enforcement can slow gentrification and displacement. When a community faces gentrification pressures, this tool can help put a check on those forces by moving ownership of buildings targeted by gentrifying forces into the hands of the community.

Why Use is?

Importance to Equitable Development

Historic Use of Code Enforcement

Advantages of Using the Tool

Ensuring Community Benefit

Importance to Equitable Development

Most community builders seek to acquire buildings that can be used in community revitalization efforts. Community developers generally find an insufficient supply of affordable housing stock, or stock that is unsafe and uninhabitable. To increase the stock of revitalized and affordable units, many affordable housing developers try to acquire vacant properties that are government-owned or available through government programs. Others seek charitable funds to permit the purchase of buildings on the private market. These strategies, however, do not necessarily eliminate blight and substandard housing.

The failure of some owners to maintain their buildings can result in deteriorated structures where tenants remain, lacking other options.

When housing code enforcement is used to address these conditions, it can play a role in gentrification. When local jurisdictions step in to require that landlords address substandard conditions, their actions can cause wholesale eviction of current tenants while rehabilitation takes place, or can result in improvement and rent increases beyond the means of current residents.

Housing code enforcement can also be triggered to transfer building ownership from an exploitative owner to a responsible nonprofit developer, tenant association, or community group - both improving the neighborhood and increasing the stock of quality affordable housing.

Change the Intent
Where housing code enforcement is spurring gentrification, communities must work to capture the benefits of enforcement for the community good.

Historic Use of Code Enforcement

Most local governments have use housing codes to ensure safe and habitable affordable housing within their jurisdictions. Only recently has housing code enforcement been invoked by tenants and community organizations to increase tenant and community ownership of multi-family dwellings.

- The predominantly Latino and Vietnamese tenants of several buildings in Washington, D.C. are using the District's housing code enforcement efforts to ensure tenant and nonprofit developer ownership of the buildings and an end to exploitation by the owner.

- Local government is using housing code enforcement to increase the affordable housing stock in Charleston, South Carolina, where city officials condemned vacant properties and then renovated them as part of a new affordable home with ownership program.

- San Jose oriented its housing code enforcement in a community building context through its mission statement: "Code Enforcement works with the Neighborhood Services Department in improving the physical quality of these neighborhoods and initiating ongoing strategies to empower the residents."

The history of local government's enforcement of its housing codes is critical to understanding the dangers inherent in its use in particular jurisdictions. In many cities, the pattern of housing code enforcement is familiar: years of under-enforcement of housing codes in low-income and minority communities result in unsafe buildings, followed by aggressive enforcement when new investments are made in those communities. Community residents often correlate the arrival of the government inspectors with the approach of for-profit developers and the economic forces that will drive them out.

Know the Context
A community should examine its jurisdiction's use of housing code enforcement as a predictor of the jurisdiction's likelihood of cooperating in future use of the tool to support a community-driven effort to revitalize.

A jurisdiction's current code enforcement efforts can guide community response. If the city is in the under-enforcement period, the community may be able to use enforcement to encourage tenant-beneficial repairs. If the city is overenforcing, the community may have to work to redirect the city's goals with a focus on community revitalization.

Advantages of Using the Tool

Full Participation Required

Without voluntary or forced cooperation of all of the necessary elements of the local government, the community runs the very real danger of not only the benefit of housing code enforcement going elsewhere, but also of the community being significantly harmed by the code enforcement process.

The tool wields powerful coercive mechanisms and delivers powerful partners. Communities have ways of getting negligent property owners to the negotiating table. Housing code enforcement can include criminal prosecution. Such a threat can compel action, and leverage benefits for the community.

Ensuring Community Benefit

Housing code enforcement can benefit the community when:

- Local government specifically negotiates improvements linked to long-term affordability.
- Tenants associations negotiate transfer of ownership and develop long-term preservation as affordable housing for themselves and their successors.
- A broad spectrum of tenant and community groups develops a common perspective on using housing code enforcement to achieve results.

How to use it?

What Housing Codes Are and How They Are Enforced

Response to Violations

Community Engagement

The Nuts and Bolts

Building Participation of Tenants and Community

Dealing with Government

Fair Housing Claims to Check Gentrification

Directing Ongoing Code Enforcement Efforts

Other Mechanisms to Increase Pressure on the Landlords

What Housing Codes Are and How They Are Enforced

Residential housing codes exist in most jurisdictions and are intended to ensure that residents are safe in their dwellings. This laudable goal is crucial in the context of multi-family rental dwellings, where tenants have limited ability to correct health and safety problems.

In this tool, the term "housing code" is used as shorthand for a number of regulations. These requirements may not appear in the same regulatory codes and may be enforced by different agencies. They include:

- Building codes (electrical, plumbing, structural, etc.),
- Health codes (vermin, roaches, general cleanliness, etc.)
- Fire codes (exits, extinguishers, alarms, etc.) and
- Regulations pertaining to other safety issues, such as lead paint, asbestos, and ground contamination.

Enforcement of these codes begins with inspections by various agencies, such as the building inspectors' office, the health department, and the fire department. Inspections are made by different levels of government, including state, county, and city. Some jurisdictions engage in regular inspections of multi-family residential dwellings. In New Jersey, all multi-family dwellings are registered and put on 3-5 year inspection cycles. More commonly, jurisdictions conduct inspections when they receive complaints. Inspections may be comprehensive or limited to one agency and the codes for which it is responsible.

Response to Violations

When housing code violations are discovered that do not pose serious and imminent dangers, a notice is sent to the landlord, recording the violation and establishing a fixed period of time for correction. Typically, if not repaired within the timeframe, a fine is levied. Where the fine is not paid or the violation not remedied, further enforcement action can be taken. Actions vary by jurisdiction, but can be generally divided into three categories:

1. monetary fines/penalties that can be converted to liens on the property;
2. criminal prosecution; and
3. governmental repair of the conditions causing the violations.

These enforcement categories are not mutually exclusive and can be pursued simultaneously. Where severe violations or imminent threats to the health and safety of residents or others exist, the inspectors and their agencies can close buildings. Different agencies have varying notice requirements, dependent on the severity of the violation, which must be met before closing the building.

1. improved conditions through either voluntary landlord compliance or government repair; or
2. of fines, criminal prosecution, and negotiated resolution of community benefits.

Residents Matter

Regardless of its motivations, if a government is truly interested in prosecuting landlords, the tenants are an important evidentiary resource. While housing inspectors can give an impersonal snapshot of building conditions, the tenants can give a personal history of the conditions that could make a substantial difference at the trial of a landlord.

Local authorities will resist tenant/community participation where housing code enforcement is being used to gentrify neighborhoods. Governments potentially assist in neighborhood gentrification by using code violations as a basis for closing buildings, thus displacing tenants. Vacant buildings producing no income are attractive to developers. Where housing code enforcement is driving gentrification, engaging the cooperation of the government may be much more difficult.

Other mechanisms to reform code enforcement require mobilizing political pressure on elected officials who can redirect staff responsible for code enforcement. This requires engaging the media to call public attention to the local government's active complicity in encouraging and assisting in resident displacement and neighborhood gentrification. Strategic public relations can garner support for low-income tenants working to ensure a decent and affordable place to live.

Other Strategies

These sorts of legal actions may not create the same level of pressure on landlords as the threat of governmental criminal prosecution, but they can result in significant consideration by the landlord.

Where housing code violations exist, most jurisdictions permit **affirmative legal claims** alleging breach of contract, implied warranty of habitability, and other tort claims.

- Similarly, many jurisdictions permit tenant associations to file rent petitions for **rent rollbacks and rent abatements** where the tenants live with outstanding housing code violations.
- In many jurisdictions, needed housing repairs can be made at the tenants' expense and the cost of the repairs **deducted from the tenants' rent.**

- A more risky mechanism to increase pressure against the landlord is a **rent strike,** which should only be attempted in those jurisdictions where it deprives the landlord of the rental income but does not serve as a basis for the landlord to evict the tenants.

Key Players

The Players

Tenants. The tenants in substandard buildings must be prepared to demonstrate to the local government that they have a clear plan for housing improvement. Interests of the community and the tenants will not always be consistent. Because the tenants are the most apparent beneficiaries or victims of code enforcement or lack of code enforcement, they must be prepared to play a central role in the process. Timely tenant organizing is critical. Legal incorporation of the tenants' associations gives them a status and legitimacy that will ease communication with the local authorities.

Community. The community must strive to speak with a unified voice. Successful use of this tool requires a consistent pressure on the local government. Further, the local government will need to see that it will have community support when it uses code enforcement on behalf of the community. Community organizations will likely be the entities that trigger the use of the tool. This includes both approaching the housing code enforcement entities and organizing the tenants.

Local Government. The cooperation of local government and its inspection and enforcement agencies is requisite to the successful use of this tool. Government agencies play key roles in three arenas: citing code violations and pressing for corrections or prosecution; negotiating resolution between landlords and community; and providing funding to transition housing into habitable community or tenant-owned situation.

Nonprofit Development Community. Local governments will likely make a public transfer of property to the tenants or community organization contingent on assurances that the building will be developed as long-term affordable housing. The presence of experienced nonprofit developers can provide local government with evidence that affordability provisions will be met.

Landlords. While significant pressures will be levied against the landlords, some will not cooperate. Housing code enforcement has, on occasion, stalled where the landlords do not fear prosecution.

Legal Counsel. Tenants should have expert legal advice when filing affirmative landlord/tenant actions and rent petitions and when considering the viability of rent strike or "repair and deduct" strategies.

Challenges

Housing code enforcement requires financial and business acumen, since:

- Many buildings transferred to tenants and community organizations are in poor condition and burdened with substantial debt.
- Successful rehabilitation and long-term operation depends on the creation of sustainable ownership and management structures.

Other Challenges:

Housing code enforcement is complex. Housing code enforcement agencies have the power to condemn and otherwise close buildings. As a result, code enforcement can lead to gentrification, displacement of tenants , and permanent loss of affordable housing instead of community revitalization. Communities and tenants are often rightfully cautious about bringing inspectors into the community when there is no guarantee that the enforcement personnel will resolve the code violations in a manner beneficial to the community.

Housing code enforcement makes properties more attractive to private developers . A danger of many tools that successfully revitalize communities is that revitalized communities may attract the kinds of investments that then displace lower-income residents. Local government can neglect tenants and community when it discovers that it can seize the property from the irresponsible owners and reassign as it sees fit. Some jurisdictions may choose for-profit developers creating market-rate condos, rather than working with community organizations to preserve affordable housing. In tight markets, tenant-owners will be pressured to sell their buildings or individual units at an attractive profit. While this may serve the short-term interest of the tenant-owners, it does not serve the long-term needs of preserving affordable housing for others in the community.

Know the Context
The best way to minimize the danger of invoking housing code enforcement is to know the government being dealt with and to assess that government's likely reaction to the community's efforts to direct housing code enforcement for neighborhood benefit.

Every use of the housing code enforcement tool is unique. The housing code enforcement tool involves sensitive negotiations. The identity of the players and their reactions will vary in every situation. As a result, no one road map can guide a community through the various dangers that lurk on the path to successful use of housing code enforcement.

Success Factors

A Tale of Two Code Enforcements

Government is Underenforcing its Housing Codes

Scenario: A significant portion of housing stock falling into disrepair. Landlords maximizing profits by maintaining the minimal habitability that tenants will bear.

- The community determines that that the city and agency responsible for housing code enforcement will cooperate in efforts to ensure that the dilapidated buildings will either be repaired or put in the hands of responsible owners.
- The tenants and the community ask the city to send out its housing inspectors to assess various fines and penalties against the owners of the buildings.
- Some owners make the necessary repairs, but others continue their usual course of business, assuming that the local government will make no real efforts to collect the fines and penalties.

Government is Overenforcing Its Housing Codes in An Effort To Gentrify Neighborhoods.

Scenario: A city neighborhood occupied by low-income or minority residents faces rapid redevelopment and gentrification.

- The city uses its housing code enforcement to "clear" dilapidated buildings through condemnation or other mechanisms.
- The community uses the media, grassroots mobilization, and legal mechanisms to halt the city's use of housing codes to cause significant evictions.
- The community works with government to redirect its housing code enforcement to move buildings into tenants or

- The city takes significant enforcement action against the recalcitrant landlords, including criminal prosecution.
- The city negotiates resolutions of its pending actions against the landlords, which include disposition of the building in a manner that the tenants and community seek.

community ownership.

Financing

The principal costs associated with launching a campaign around improved code enforcement are staff time, legal expertise, and potential court costs. It is most helpful if there is a community-based organization that can help mobilize residents and provide support to their decisions and actions.

Should the group prove successful, there can be significant expenses involved in converting the building to tenant ownership. The ToolKit features a number of strategies for finance and operation, including:

- Community Land Trusts
- Limited Equity Housing Cooperatives
- Retention of Subsidized Housing
- Housing Trust Funds

Policy

Several policy mechanisms can greatly enhance the effectiveness of housing code enforcement as a tool to empower tenants and communities.

Require Tenant Involvement

Housing code enforcement is a more effective tool where the affected tenants are made a part of the process. Every jurisdiction should make it a policy to regularly consult tenants and their representatives regarding enforcement. The tenants are a source of valuable information to the enforcement agencies. As beneficiaries of the agencies' efforts, they can help ensure the most beneficial resolutions.

Make Transfer of Ownership A Regular Goal of Housing Code Enforcement

One challenge communities will always face when utilizing housing code enforcement as a tool is convincing the enforcing agency to remove buildings from irresponsible owners. If such a priority can be made a regular aspect of housing code enforcement, a substantial barrier will be cleared.

Ensure Regular Code Enforcement

One reason buildings fall into disrepair and communities decline is the failure of governments to enforce housing codes. Periodic inspection of all buildings will increase the likelihood that the affordable housing stock will be maintained in better conditions. Regular housing code enforcement will also decrease the likelihood of the city to engage in selective and discriminatory code enforcement.

Direct Government Resources to Preserving Affordable Housing in Revitalizing Neighborhoods

Tenants that do become owners of dilapidated buildings require substantial financial assistance. Accordingly, governments should be urged to give top priority to grants and loans in support of tenant ownership.

Maintain Database of Housing Code Violations

The ability to utilize code enforcement depends, in part, on the amount of information available to tenants and communities regarding code violations. A private or public entity maintaining a database of all housing code violations (see Neighborhood Knowledge Los Angeles , a project of the University of California at Los Angeles) enables communities to target the use of code enforcement to the problem buildings where substantial fines and penalties could be imposed.

Tenant Right of First Refusal Laws

Some landlords may attempt to sell their buildings to avoid the code enforcement authorities. In the Washington, D.C. tenants have a right to meet or beat any offer that is made on their property. This prevents landlords from excluding tenants from the process. Similar laws in other jurisdictions would increase the effectiveness of this tool.

Case Study

A Surprise Announcement in Washington D.C.'s Columbia Heights Neighborhood

On a morning in early March 2000, the residents of 1418 W Street, NW, a 24-unit apartment building, awoke to a notice posted on their front door by the District of Columbia government. It stated that their building had been deemed uninhabitable and it would be closed within two weeks. The closure notice was one of five posted on multi-family apartment buildings that day as part of a crackdown on approximately 50 "hot properties" that the District had determined contained excessive housing code violations. Eighty percent of the hot properties and all five condemned properties were within walking distance of a newly opened Metro subway station, in the heart of a rapidly gentrifying neighborhood. The neighborhood, Columbia Heights, houses the majority of the District's Latino and Vietnamese populations. The targeted buildings were mostly occupied by Latino and Vietnamese tenants. As succinctly noted by one of the tenants, these condemnation actions were contributing to gentrification that was pushing the Latino population out of the city. "Why do minorities always have to be excluded?" asked Carmen Soto, a nun who lives in a condemned

This was not the first time Latinos of the Columbia Heights neighborhoods faced the threat of being dislocated from their homes. Discriminatory code enforcement against Latinos has a long history in the District, but this action was particularly egregious. In the wake of the 1991 Mount Pleasant riots, the United States Commission on Civil Rights held hearings on the riots' underlying causes. They heard testimony by the Latino Civil Rights Task Force that the eviction of tenants in response to housing code violations had a disproportionate impact on the Hispanic community in the Columbia Heights area.

The District's actions continue the cycle of slum clearance and urban renewal that displaced African American residents and destroyed vibrant communities in Georgetown and in southwest neighborhoods from the 1940s through the 1960s. The condemnation of buildings in largely Latino neighborhoods, also mirrored urban renewal projects around the country that have resulted in increased residential segregation.

Why Now?
"We put up for years with the noise and dust and headache while the Metro was being built, and now we are being told we have to leave."
Sister Carmen Soto

The residents of 1418 W Street, however, did not simply accede to the District's attempts to gentrify their neighborhood and close their building. Instead, with community support they mobilized all available resources in an attempt to preserve and improve their homes and neighborhood. The tenants or 1418 W Street turned the District's code enforcement into a powerful tool for the community. Four months after being faced with homelessness, the tenants had become the owners of their building, with $300,000 to begin the process of rehabilitating their homes.

Strategies Emerge

The W Street tenants were forced to use the code enforcement tool defensively as their homes were being threatened. The tenants and the community, both of whom were taken by surprise by the District's actions, first had to organize. The community organizations that regularly worked with the tenants, the Central American Resource Center (CARECEN) and Asian-American LEAD (AA LEAD) organized the tenants. They convened meetings with the concerned tenants, made various resources available, presented options, and gave the tenants the power to determine how they would proceed. By necessity, the tenants quickly transformed from a collection of individual families that happened to share an address into a single group that shared thinking and spoke with consistency. Although, an outside force-the closure notice-was the impetus for forming the group, the structure was shaped internally. Tenants chose their own leaders, their own structure, and their own priorities. Almost immediately the tenants of 1418 W Street became an association pursuant to the requirements of the city government with incorporators, officers, and bylaws. This allowed lawyers to represent the association and established a legal entity that could negotiate with the District government.

As the tenants coalesced, CARECEN and AA LEAD identified the political, legal, economic, and other resources in the community that could assist in efforts to preserve 1418 W Street, including:

- community organizations;
- community leaders;
- politicians;
- local and national civil rights organizations and advocates; and
- legal services organizations.

These individuals and groups immediately identified two complimentary strategies, one political and one legal.

Political and Legal Acumen

The political strategy. Significant efforts were taken to raise awareness of what was occurring to the W Street tenants. Marches and vigils garnered substantial community participation and received significant media attention. The Washington Post documented the harm that code enforcement was having on the tenants and reported on the potential measures to protect the tenants. "The District has allowed these unsanitary conditions to fester," asserted Saul Salorzano, CARECEN Director, "so they have a responsibility to ensure that substandard buildings are repaired without unfairly burdening the residents." The tenants saw the support they had in the community. Community organizations and leaders met with District officials. These talks did not produce immediate results, but created awareness of an organized and powerful opposition.

Due Diligence

[the City] has a responsibility to ensure that substandard buildings are repaired without unfairly burdening the residents...
Saul Salorzano CARECEN

Eventually, Mayor Anthony A. Williams bowed to the pressure and met with tenants and community leaders. He tried to say the right things, but most were unconvinced as the city continued to press on with the condemnation of the buildings. Lora Mitchell, 10, came to the meeting with her mother, Angela, who started crying when she stood up and told the mayor that for the first time in her life she was scared that her family would be homeless. "It's sad," Lora said. "I think we are afraid we are going to become street people. All my stuff--my

stickers, my bed--will be put out on the street." Tenants and their advocates used every method possible to highlight the District's disregard for the tenants and their homes. Tenants gathered at the St. Augustine School on V Street NW and sang gospel songs, performed skits and passed out newspaper clippings about the city's desire to spend $1 million so the National Zoo could obtain a pair of giant pandas from the Chinese government. They chanted, "Housing, not bears."

Inspiration
Other buildings that faced the District's discriminatory code enforcement have attempted to follow the lead of the 1418 W Street tenants.

The legal strategy. Soon after organizing and incorporating, the tenants decided to file a civil rights lawsuit against the District for discriminatory enforcement of its housing code. The lawsuit further increased the pressure on the District. They also filed a lawsuit against the landlords for their failure to do repairs. Tenants began withholding rent, filed a rent petition with the rent administrator, and considered filing affirmative claims against the landlords in landlord/tenant court for the landlords' failure to meet their obligations under the rental contracts.

A growing chorus of voices asked if the District was truly interested in code enforcement to ensure safe habitable buildings. If so, advocates began to call for less harmful enforcement measures, especially criminal prosecution of the landlords. U.S. District Court Judge , James Robertson expressed his views: "These are people with lives and homes and children and schools," Robertson told the city's attorneys. "You are basically saying, as I hear it, that it's okay to have them leave their bags packed at the door, waiting for a stay of execution every 30 days." Eventually the District listened and began prosecuting the 1418 W Street landlords. This began a critical period of three-way negotiations among the tenants, the District , and the landlords.

The Negotiations . The District sought to quell the legal and political attacks on its attempts to close 1418 W Street and other buildings. At the same time, the landlords sought to avoid being criminally prosecuted for failing to maintain their building. The tenants offered a win-win solution: that the District drop its charges against the landlords in exchange for the owners relinquishing the building to the tenants and providing them with sufficient funds to ensure rehabilitation. The idea was attractive to the District as the tenants would be responsible owners that would ensure compliance with the housing code. Preserving the building as affordable housing would answer the critics that were saying the city was merely functioning as tool for the big developers who wanted the poor and minority tenants cleared from the rapidly gentrifying area. The idea was attractive to the landlords because they would avoid criminal prosecution (at substantial but not excessive cost). In addition, landlords were afforded a way to join the "good guys" by "donating" the building and money to the community. The biggest winners, of course, were the tenants, having gone from imminent closure of their building to home ownership in a few months.

Accomplishments

Taking a Stand

Tenants began withholding rent, filed a rent petition with the rent administrator, and considered filing legal claims against the landlords for failure to meet their obligations under the rental contracts.

The strategy worked. In August , 2000, 1418 W Street was transferred to the tenants' association for $1 and the landlords' contributed $300,000 toward the rehabilitation of the building. This success became a rallying point in other efforts to fight the gentrification process in the District's Latino neighborhoods. The owners of 1418 W Street and other tenant owners in the neighborhood have resisted significant pressures from for-profit developers to sell their building to allow the creation of luxury condominiums. These buildings remain as examples of how the forces of gentrification can be resisted. The Columbia Heights building is "a model for what ought to be done with slum properties" in the District, said Council member Jim Graham.

Blocks away, the tenants of 1611 Park Road, one of the targeted "hot properties," put extensive pressure on the landlord through withholding rent, filing affirmative actions against him, and pursuing rent control board actions. Eventually, the landlord was unable to meet his loan payments and was forced into foreclosure. The tenants purchased the building at foreclosure and have transferred title to a nonprofit developer to create affordable housing for the original tenants. Although community resources are slim, other tenants have formed associations and are

attempting to follow the 1418 W Street model of by using the District's code enforcement powers to force ownership out of the hand of the current landlords.

This success of 1418 W Street demonstrated that tenants were not simply subject to the whims of landlords, the city, or even powerful economic forces. Now when there is a crisis in ownership of an affordable multi-family apartment building, a new possibility exists- tenant ownership.

Keys to Success

Code enforcement worked effectively at 1418 W Street because a crisis caused quick mobilization of the tenants, their community, and allies. The voices condemning the District's actions could not be ignored, and the District needed a success story to affirm its good intentions. The community came forth with a successful plan to benefit the tenants and the long-term good of the community. The District seized upon the plan as a great public relations gain. Ironically, when tenants of 1418 W Street took possession of their building, District officials held a press conference in front of the building that they had condemned only three months earlier.

Challenges

The greatest challenge for the tenants of 1418 W Street was maintaining the delicate balance among the District, the landlords, and themselves. However, the political and legal pressure to get something done ensured that each party would maintain the balance until something was accomplished.

Gaining ownership of the building was a major step, but the development process will be a long, hard road. "I felt very happy and satisfied with what happened because this apartment will be ours, and it will serve as a future home for our daughters," said resident Blanca Alvarez. "The most difficult thing is we don't know where we will get the loan to renovate the building, how long it will take and how long we'll have to be out. We won the first battle, but now we need to start the fight." It took (and continues to take) substantial efforts to maintain the cohesion necessary in the association to move forward with development of the building. "To take on the role of a co-owner is very difficult," said Anabel Avalos, a homemaker who is treasurer of the 1418 W Street Tenants' Association. "There are disagreements in our discussions-the expenses, what will we do, what will it cost.

Some development capacity exists in the community and the 1418 W Street experience is further building that capacity. As the tenants explore the options of developing the building as a low-income rental, a limited equity cooperative, or a condominium, the significant resources necessary to develop and manage the building are apparent. The tenants received monies, though insufficient for the redevelopment. The community organizations will have to turn outside the community to find experience and skills the community has not yet developed.

Just Beginning
"We won the first battle, but now we need to start the fight."
Blanca Alvarez 1418 resident

Future Plans

Code enforcement will continue to be a central part of the fight to preserve affordable housing in the District's predominantly Latino neighborhoods. The District continues to close buildings under the guise of code enforcement and the tenants and community must work to ensure that buildings return to responsible owners who will preserve affordable housing.

Resources

Organizations

Washington Lawyers' Committee, based in Washington, D.C., has provided significant legal and technical expertise in the cases described in the Tool In Action.

HUD has been interested in building codes in general, and building rehabilitation codes in particular. For a sample of this work, please visit the HUDUSER webpage or call the toll-free number, 800-245-2691. samples of available documents include:

Guideline on Fire Ratings of Archaic Materials and Assemblies, February 2000

Innovative Rehabilitation Technologies: State of the Art Overview, February 1996

Nationally Applicable Recommended Rehabilitation Provisions (NARRP), May 1997

The Status of Regulations for Housing Rehabilitation, February 1996

Readings

Smart Codes For Your Community , prepared for the Department of Housing and Urban Development, Building Technology, Inc., August 2001

Streamlining Building Rehabilitation Codes to Encourage Revitalization, Matt Syal, Chris Shay, and Faron Supanich-Goldner, for Fannie Mae Housing Facts and Findings, Volume 3, No. 2, 2001.