

# RESOLUTION 19-25

To Authorize the Execution of Documents to Enable a Closing of Financing for Redevelopment  
of the First Phase of Kenilworth Courts

## **Summary**

The purpose of this resolution is to authorize District of Columbia Housing Authority (“DCHA”) to submit documents to the U.S. Department of Housing and Urban Development (“HUD”) to enable a closing of financing for the first phase for the Kenilworth Courts Redevelopment Project (the “Project”).

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### TO AUTHORIZE THE EXECUTION OF DOCUMENTS TO ENABLE A CLOSING OF FINANCING FOR REDEVELOPMENT OF THE FIRST PHASE OF KENILWORTH COURTS

WHEREAS, the District of Columbia Housing Authority (“DCHA”) seeks to create public housing replacement units under the Kenilworth Courts Redevelopment Plan and increase the supply of affordable housing in the District of Columbia;

WHEREAS, In January, 2012, DCHA received an award of \$300,000 in Choice Planning Grant funding from the United States Department of Housing and Urban Development (“HUD”) for the Kenilworth-Parkside Choice Neighborhood Initiative (“Choice Neighborhood”). DCHA convened several community meetings where residents, stakeholders and the community at large participated and provided input in the development of the master plan. The plan provides for a proposed multi-phased redevelopment of Kenilworth Courts which will produce approximately 532 rental and for-sale residential units;

WHEREAS, DCHA issued a Request for Proposals (RFP) through Solicitation 0001-2012 adopted Resolution 12-10 to select the Michaels Development Company and The Warrenton Group as the lead developer; DCHA will act as a co-developer in the joint venture entity;

WHEREAS, On December 12, 2016, the Zoning Commission approved the master plan and a consolidated Planned Unit Development PUD for the first phase of development;

WHEREAS, On July 12, 2017, the DCHA Board of Commissioners adopted Resolution 17-08 to allow DCHA to submit a phased demolition and disposition application to HUD for the existing 290 units at the site in which HUD only authorized demolition of Phase 1 units;

WHEREAS, Kenilworth Courts will be redeveloped in phases. The proposed Phase 1 will consist of 167 total units, of which, approximately 101 units will be ACC replacement units with a priority for Kenilworth residents, 17 will be subsidized with Local Rent Supplement Program (LRSP) subsidy for referrals from the District’s Permanent Supportive Housing Program, and 48 will be tax credit only units;

WHEREAS, On March 19, 2019, the District of Columbia Department of Housing & Community Development (DHCD) awarded approximately \$17.6 million in Housing Production Trust Fund gap financing for the Phase 1 Kenilworth Courts redevelopment. The award also included 17 LRSP vouchers that will be used to subsidize units for referrals from the District’s Permanent Supportive Housing Program;

**RESOLUTION 19-25  
To Authorize the Execution of Documents  
to Enable a Closing of Financing for  
Redevelopment of the First Phase of  
Kenilworth Courts**

WHEREAS, DCHA seeks authorization to submit the following to HUD: 1) a development proposal for the development of 101 ACC units to be funded under DCHA's Local Blended Subsidy (LBS) initiative; 2) a disposition authority to convey the Phase I real property to the joint venture entity at financial closing, such conveyance will be subject to a recorded HUD Declaration of Restrictive Covenants, a recorded Regulatory and Operating Agreement and other recorded affordability covenants, including those required by the DHCD funding and the tax credit financing; and 3) a near elderly designation for the 42 unit building which will serve residents 55 and older; and

WHEREAS, The Office of the Deputy Mayor for Planning and Economic Development (DMPED) has committed an additional \$4 million to fund the demolition of the site and support infrastructure costs;

NOW THEREFORE BE IT RESOLVED that the Board of Commissioners of DCHA hereby adopts Resolution 19-25 to authorize the Executive Director of the District of Columbia Housing Authority ("DCHA") to undertake the following enable closing of financing for Phase I of the Kenilworth Courts Redevelopment Project:

1. Authorize the Executive Director of DCHA to take all such action, to make any required submissions and to execute all such required documents, for approximately \$17.6 million HPTF Funding award;
2. Authorize the creation of an entity to serve as co-developer in the joint venture developer with Michaels Development Company and the Warrenton Group;
3. Authorize the Executive Director of DCHA to take all such action, to execute a Memorandum of Understanding ("MOU") for \$4 million of funding for demolition and infrastructure cost. Terms of the MOU to be presented to the Board of Commissioners before execution;
4. DCHA to submit a request to HUD for a 55 and older (near elderly) designation for the new proposed 42 unit building;
5. DCHA to submit to HUD a development proposal/mixed-finance application and a rental term sheet to provide for the development of approximately 101 ACC replacement units and to use Moving to Work (MTW) block grant subsidy

**RESOLUTION 19-25  
To Authorize the Execution of Documents  
to Enable a Closing of Financing for  
Redevelopment of the First Phase of  
Kenilworth Courts**

- under the Local Blended Subsidy (LBS) program initiative to provide long term stability for the units;
6. Amend Resolution 17-32 to provide the allocation of PBV from MTW block grant funding for Kenilworth to be provided as MTW block grant funding under the LBS initiative for the Kenilworth redevelopment;
  7. DCHA to submit to HUD a disposition request for Phase 1 redevelopment at Kenilworth Courts and to dispose of the property to DCHE or affiliate of DCHE to ground lease the land to the Kenilworth Joint Venture entity;
  8. Authorize the Executive Director to ground lease the Phase I parcel to the Kenilworth JV entity for a nominal amount and other good and valuable consideration; and
  9. Authorize the Executive Director of DCHA to take all such action, to execute all such required documents, to make any required submissions and notices, and to obtain any approvals or waivers in connection with a closing of financing.

ADOPTED, by the Board of Commissioners and signed in authentication of its passage the 11th day of September, 2019.

ATTEST:

APPROVAL:

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Tyrone Garrett  
Executive Director/Secretary

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Neil Albert  
Chairman

APPROVED AS TO FORM AND LEGAL SUFFICIENCY:

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Kenneth S. Slaughter  
General Counsel