



HOWARD COUNTY COUNCIL  
AFFIDAVIT OF AUTHORIZATION  
TO TESTIFY ON BEHALF OF AN ORGANIZATION

I, Katie Collins-Thrke, have been duly authorized by  
*(name of individual)*

Accessible Resources for Independence to deliver testimony to the  
*(name of nonprofit organization or government board, commission, or task force)*

County Council regarding CR97-2019 to express the organization's  
*(bill or resolution number)*

support for /  opposition to / request to amend this legislation.  
*(Please circle one.)*

Printed Name: Katie Collins-Thrke

Signature: Katie Collins-Thrke

Date: 10/13/19

Organization: Accessible Resources for Independence

Organization Address: 1406B Crain Highway South, Suite 206  
Glen Burnie, MD 21061

Number of Members: \_\_\_\_\_

Name of Chair/President: Rich Scordo

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and 1 bedroom unit  
- program period is slated to have 8 and 8 units  
through the HUD 81/Member programs.

the HUD in part the cost management to PWD  
at our organization. As such we have an <sup>application assistance +</sup> team w/  
- thing is ~~is~~ one of the top requested needs

support services and training.

assisting PWD in matters such as transportation,  
- our LIL fields thousands of calls each year  
partner with the county office of aging + independence.  
CILS are reduce + advocacy organizations  
by and for PWD and are paid to serve as the disability

for Howard County.  
of PWD, the federally designated CIL  
- have ~~collaboration~~, executive director

- These units are developed for very low income  
PWD and are targeted towards PWD

in NFI, congregate settings, homelessness, those who live  
w/ families

88% of those on waitlist are seeking 1 bedroom  
this will provide 7 1 bedroom units and 2  
2 bedroom units



## Howard County Council Public Hearing: Council Resolution 97-2019

June 17, 2019

### Testimony

Good evening Council Chair Rigby, Co-Chair Jones and Council members. As President of the Association of Community Services and representative of our 168 nonprofit member organizations and community advocates, it is my privilege to offer comments in support of Council Resolution 97-2019.

Our community continues to have a 5,000-unit undersupply of housing that is affordable for people who work in our health care, public service (including County government and nonprofits), retail and other industries. Too many of our young people, our seniors and our neighbors with disabilities are paying rents that are out of line with their incomes.

The Robinson Overlook project won't dramatically decrease the vast need for low-income housing in our County, but even 43 more units (of the 48 to be built) is a major contribution to the supply. These units will serve households with incomes from \$20,000 to \$61,000; and some of these units will be specifically designated for persons with disabilities who may have even lower incomes.

In addition to increasing housing opportunity, approval of CR 97 would be a concrete step toward de-centralizing the location of middle and low-income housing. There are so few options to placing mixed income housing throughout our County; we should be open to taking advantages of opportunities when they are presented.

We understand that implementation of this project was well underway, when only a few months ago the Housing Commission and its development partner learned that a redistricting decision would close the elementary school area to this project. We further understand that there is capacity in neighboring elementary schools to absorb the 25 or so new students that could become Robinson Overlook residents.

Robinson Overlook is precisely the kind of project that merits the Council's approval as a Special Affordable Housing Opportunity. We sincerely hope that there can be a collaborative approach that will enable this project to move forward as well as ensure the academic success of current and any new students.

Thank you for this opportunity to convey our support for the Robinson Overlook project. As always, we are available to respond to Council members' questions.

Respectfully submitted,

*Joan Driessen*

Executive Director



HOWARD COUNTY COUNCIL  
AFFIDAVIT OF AUTHORIZATION  
TO TESTIFY ON BEHALF OF AN ORGANIZATION

I, Joan Driessen, have been duly authorized by  
(name of individual)

Assoc of Community Services to deliver testimony to the  
(name of nonprofit organization or government board, commission, or task force)

County Council regarding CR 96-2019 & CR 97-2019 to express the organization's  
(bill or resolution number)

support for / opposition to / request to amend this legislation.  
(Please circle one.)

Printed Name: Joan Driessen

Signature: [Handwritten Signature]

Date: 6/17/19

Organization: Association of Community Services

Organization Address: 9770 Patuxent Woods Dr. #301  
Columbia, MD 21046

Number of Members: 175 orgs and advocates

Name of Chair/President: Grace Morris

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# Howard County Housing Affordability Coalition

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**Howard County Council Public Hearing  
June 17, 2019**

**Testimony: Council Resolution 97-2019**

Good evening Council Chair Rigby, Co-chair Jones and Council members.

The Housing Affordability Coalition is comprised of 49 organizations and individuals. We are advocates for the preservation of existing affordable housing and expanding Howard County's inventory of affordable housing, particularly for the low and very low-income residents who would benefit from the proposed Robinson Overlook project.

The Coalition, therefore, strongly supports Council Resolution 97-2019. The proposed PILOT will help Robinson Overlook maintain the affordability of its units and, with the passage of the PILOT, enable consideration of the project as a Special Affordable Housing Opportunity.

The Coalition sees this project as important in several ways. It helps de-concentrate affordable housing by extending into an area of the County that currently has no affordable housing, thereby avoiding neighborhoods with existing affordable housing. In addition, the project proposes to serve not only low-income residents in a mixed income development, but specifically nine households comprised of people with disabilities whose incomes are well below \$20,000—helping to address a critical housing need in our County.

It is our understanding that there are few, if any, other projects seeking this Special Affordable Housing Opportunity authorized by the APFO legislation. The requirements for a Special Affordable Housing Opportunity seem to be satisfied and reports indicate that the adjacent schools have underutilized capacity that could absorb the projected pupil yield from the Robinson Overlook project. We suggest therefore that the critical need for low-income housing and the project's overall public benefits should be viewed as an offset to school capacity concerns.

Thank you for this opportunity to offer these comments. Coalition members welcome the opportunity to discuss our concerns about housing affordability and accessibility and our support for CR 97-2019.

Respectfully,

*Members, Howard County Housing Affordability Coalition*  
(Listed on back)

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Howard County Affordable Housing Coalition  
9770 Patuxent Woods Drive, Suite 310  
[jleng1747@gmail.com](mailto:jleng1747@gmail.com)

# Howard County Housing Affordability Coalition

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## Members

Association of Community Services	Grace Kubofcik
Harriet Bachman	JustLiving Advocacy, Inc.
David Bazell	League of Women Voters of Howard County
Liz Bobo	Jean West Lewis
Joshua Bombino	Making Change LLC
Rebecca Bowman	Kelly McLaughlin
Bridges to Housing Stability	Phyllis Madachy
Paul Casey	Maryland Multi-Housing Association
Tom Coale	Tim May
Stephanie Coakley	Peter Morgan
CCCSMD	Oxford Planning Group LLC
Columbia Downtown Housing Corporation	PATH
Community Action Council	Paul Revelle
Jacqueline Eng	Bill Salganik
Grassroots Crisis Intervention Center	Laura Salganik
Rev. Sue Lowcock Harris	Jean Sedlacko
Heritage Housing Partners Corporation	Nette Stokes
HopeWorks of Howard County	Pat Sylvester
Housing to End Homelessness	The Arc of Howard County
Howard County Autism Society	TheCaseMade, Incorporated
Howard County Housing Commission	Town Center Community Association
Humanim, Inc.	Unitarian Universalist Congregation of Columbia
iHomes, Humanim	Joe Willmott
Humphrey Management	Phyllis Zolotorow
Ian Kennedy	



HOWARD COUNTY COUNCIL  
AFFIDAVIT OF AUTHORIZATION  
TO TESTIFY ON BEHALF OF AN ORGANIZATION

I, Jackie Eng, have been duly authorized by  
(name of individual)  
Housing Affordability Coalition to deliver testimony to the  
(name of nonprofit organization or government board, commission, or task force)  
County Council regarding ~~CR 96~~ CR 97 to express the organization's  
(bill or resolution number)  
support for / opposition to / request to amend this legislation.  
(Please circle one.)

Printed Name: JACQUELINE ENG

Signature: J Eng

Date: 17 June 2019

Organization: Housing Affordability Coalition

Organization Address: Praxent Woods Dr  
Columbia

Number of Members: 49

Name of Chair/President: NONE — Jackie Eng Coordinator

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**Testimony of the Howard County Housing Commission  
Peter Engel, Executive Director  
In Support of CR97-2019 – PILOT and APFO Waiver for Robinson Overlook**

**June 17, 2019**

Good evening and thank you for the opportunity to testify regarding the need for workforce housing within Howard County, how Robinson Overlook helps fill that need, and how Council Resolution 97-2019 is needed for Robinson Overlook. My name is Peter Engel and I am the Executive Director of the Howard County Housing Commission, which is the public housing authority for the County and a partner in Robinson Overlook.

The need for affordable housing in the County can't be fully expressed in numbers, although I will provide a few. According to the rental housing survey that was recently completed for us and the Department of Housing and Community Development, there are about 5,000 households living in Howard County earning less than \$50,000 annually, which is less than half of our median household income, who are paying more than they can afford in rent, are doubled up in apartments, are homeless, or who otherwise can't afford a home. There are thousands more in the same situation if you move up the income ladder just a few thousand dollars. The Howard County Public School System reported hundreds of children in the schools who were homeless over the course of the last school year. This doesn't account for the thousands of low wage earners who commute to the County every day because they can't afford to live near their place of employment.

In addition, the less expensive rental housing that does exist in the County is located, along with all rental housing, in relatively small areas, mostly in parts of Columbia, off of Route 40, and along the Route 1 corridor. The workforce component is a subset of these units, generally excluded from much of the newer, high-end construction that has dominated the market over the last 10 years.

This crisis in the supply of workforce housing and the lack of workforce housing in much of the County harms all of us, not just the lower-income wage earners who are directly impacted. Workers who can't live here commute, which generally means driving, adding to overcrowded roads, pollution, and climate change. Families without a stable home cannot provide the support necessary for students to thrive, adding to the burden in our schools. The stress of housing insecurity has been tied to poor health outcomes, resulting in more emergency room visits and higher health care costs.

These conditions are only worsening. As the Country, along with national trends, continues to become more economically polarized, more of us will be struggling to find that stable home. And more of our children, when they are ready to be on their own, will find nowhere affordable to live in their home County.

It is clear that the market in Howard County is not taking care of the need for workforce housing by itself. Government action is imperative to assist with the creation of homes that the workforce can afford.

Robinson Overlook is one small effort to level the playing field. It helps address the County's shortage of affordable homes. It creates rental housing in an area that has none today. And it will accomplish this with high-quality homes that have curb appeal and blend-in well with their surroundings. Robinson Overlook has received a very competitive funding award from the state government. Before making this award, the state closely scrutinized the development on several fronts, including its design and construction standards, its environmental friendliness, the capacity of the property manager, and planned recreational space and self-improvement services for tenants.

Robinson Overlook is the type of project that the APFO exception was created for. It clearly meets the criteria for both the exception and the underlying PILOT. The impact on the schools are only at the elementary level and will be small. The current elementary district, Pointers Run, was open when this project was planned, and only closed recently due to redistricting. All of the plans for this area recently released by the School System would eliminate the overcrowding in part by redistricting Robinson Overlook to Clarksville Elementary.

With all of the benefits to our community in-mind, the Housing Commission is very confident that Robinson Overlook will be a success story for Howard County. Millions of dollars, both public and private, from outside the County will flow-in to help us create the workforce housing we so badly need. Thank you again for the opportunity to testify, and we hope that you will support this resolution and help us make Robinson Overlook a home for Howard County families for many years to come.



HOWARD COUNTY COUNCIL  
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TO TESTIFY ON BEHALF OF AN ORGANIZATION

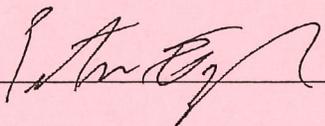
I, Peter Engel, have been duly authorized by  
*(name of individual)*

Howard County Housing Commission to deliver testimony to the  
*(name of nonprofit organization or government board, commission, or task force)*

County Council regarding CR97-2019 to express the organization's  
*(bill or resolution number)*

support for / opposition to / request to amend this legislation.  
*(Please circle one.)*

Printed Name: Peter Engel

Signature: 

Date: 6/14/2019

Organization: Howard County Housing Commission

Organization Address: \_\_\_\_\_

Number of Members: Seven

Name of Chair/President: Regina D. Stone-Mitchell

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Testimony on Behalf of Howard County Board of Housing & Community Development  
Howard County Council  
June 17, 2019

Good Evening,

As Chair of the Howard County Board of Housing and Community Development, I am testifying in support of Council Resolution 97-2019.

According to the most recent rental market study conducted in 2018, there are 9,545 rental households within the County with annual incomes that fall below \$50,000 per year. Unfortunately, only 4,070 affordable units are currently available for low-income families in Howard County.

While the bulk of affordable and market-rate housing units are concentrated in Columbia Villages located along the Route 1 Corridor and Route 40 in Ellicott City, Robinson Overlook will be the first affordable rental housing development in the Grace Drive area.

The Board is in support of this community as it contributes to the following key areas: (1) reduces the gap in affordable housing availability; (2) promotes deconcentration of low-income families; (3) encourages distribution of affordable homes throughout the County; and (4) increases socio-economic diversity in the surrounding schools.

This project has received Low-Income Housing Tax Credit (LIHTC) approval from the Maryland Department of Housing and Community Development. As a result of the competitive nature of the LIHTC program, only 2 projects in Howard County were awarded funding. As you know, developing and building affordable housing projects is an expensive undertaking so receiving LIHTC funding is critical to the successful completion of this project.

When the Adequate Public Facilities Ordinance (APFO) legislation was passed in 2018, the Board was concerned about the detrimental effect the legislation would have on the construction of new, affordable housing units. We appreciated the fact that there is an exception provision for consideration of projects that meet the established criteria. As Chair, I support the approval of the APFO exception for the Robinson Overlook project so that 43 new families can rent an affordable unit to call home in Howard County.

Sincerely,

Caroline Harper, Ph.D.

Chair

Howard County Board of Housing & Community Development



**HOWARD COUNTY COUNCIL  
AFFIDAVIT OF AUTHORIZATION  
TO TESTIFY ON BEHALF OF AN ORGANIZATION**

I, Caroline Harper, have been duly authorized by  
(name of individual)

Howard County Board of Housing + Community Development to deliver testimony to the  
(name of nonprofit organization or government board, commission, or task force)

County Council regarding CP97-2019 to express the organization's  
(bill or resolution number)

support for / opposition to / request to amend this legislation.  
(Please circle one.)

Printed Name: Caroline Harper, PhD

Signature: [Handwritten Signature]

Date: 6/12/19

Organization: Howard County Board of Housing + Community Development

Organization Address: 9820 Broken Land Parkway, Columbia, MD 21046

Number of Members: 6

Name of Chair/President: Caroline Harper, PhD

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# HOWARD COUNTY AUTISM SOCIETY

**Howard County Council  
CR97-2019  
Payment in Lieu of Taxes – Robinson Overlook Ltd. Partnership  
Public Hearing  
June 17, 2019**

## **TESTIMONY**

**Theresa Ballinger, Immediate Past President  
Howard County Autism Society**

My name is Theresa Ballinger and I am the immediate past president of the Howard County Autism Society. I am here this evening to express the support of the Autism Society for CR97-2019, which would allow the Robinson Overlook project to advance with a PILOT or “payment in lieu of taxes.” We are particularly supportive of this project because it will provide nine Section 811 affordable, accessible housing units for individuals with disabilities in Howard County.

In January of last year, HCAS was actively involved in crafting and supporting passage of provisions of the County’s new Adequate Public Facilities Ordinance (APFO) that would allow affordable housing initiatives such as Robinson Overlook to proceed with development. We believed then that it was essential that a viable pathway for development be established for such projects.

Now, a year and a half after this provision was adopted, we are even more convinced of the need for this provision and for critical housing initiatives such as Robinson Overlook to move forward. During this time, many more young adults with disabilities have transitioned out of Howard County schools. They have joined hundreds more people with disabilities from throughout Maryland seeking affordable, accessible housing in Howard County who have remained, most for years, on a waiting list for Section 811 units.

The Autism Society has been actively exploring strategies to address the growing housing shortage facing adults with disabilities for several years, beginning with the establishment of Housing Subcommittee in 2014. In early 2018, determined to act, we created a Task Force made up a diverse group of community leaders, charged with driving development of an innovative housing project we have named Patuxent Commons. Patuxent Commons will provide three primary resident groups – adults with disabilities, older adults, and families – with a new kind of place to live where they can thrive alongside neighbors of different ages and abilities. I chair the Task Force, which recently selected Mission First Housing Group, a highly regarded and experienced affordable housing developer, to bring the vision for Patuxent Commons to fruition here in Howard County.

## Howard County Autism Society

Working together, we envision a mostly affordable, mixed income community where people live independent lives while also keeping an eye out for their neighbor. The spirit of Jim Rouse is very much embodied in the Patuxent Commons project, which will adapt an award-winning housing model in which individuals and families of all ages, capabilities and strengths live alongside one another and commit to being "good neighbors."

As a single project, Patuxent Commons represents a relatively modest solution to the much larger housing crisis facing adults with disabilities. That is why we need Robinson Overlook and many, many more housing options like it to be developed. Robinson Overlook will leverage both the federal Section 811 program and the Weinberg Apartment program administered by the State. Without the PILOT and the application of the special affordable housing opportunity provisions, the nine apartments for people with disabilities at Robinson Overlook will not be built and nine people with disabilities will be denied an affordable, accessible apartment that provides with them with housing stability.

Our sons and daughters deserve better. With the housing stock for individuals with disabilities in Howard County so inadequate to the rapidly growing need, it is essential that initiatives like Robinson Overlook be supported and allowed to advance. Please pass CR 97 and ensure that more people with disabilities are provided with the accessible, affordable housing they desperately need to live full, rewarding lives.

Thank you.

Theresa Ballinger

Immediate Past President

Howard County Autism Society

Email: [tballinger@howard-autism.org](mailto:tballinger@howard-autism.org)



HOWARD COUNTY COUNCIL  
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I, Theresa Ballinger, have been duly authorized by  
*(name of individual)*

Howard County Autism Society to deliver testimony to the  
*(name of nonprofit organization or government board, commission, or task force)*

County Council regarding CR97-2019 to express the organization's  
*(bill or resolution number)*

support for / opposition to / request to amend this legislation.  
*(Please circle one.)*

Printed Name: Theresa Ballinger

Signature: Theresa M Ballinger

Date: June 17, 2019

Organization: \_\_\_\_\_

Organization Address: 9970 Patuxent Woods Drive  
Suite 300 Columbia, MD 21046

Number of Members: 200

Name of Chair/President: Executive Director, Melissa Rosenberg

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# HCCA

**Howard County Citizens Association**

*Since 1961...*

*The Voice Of The People of Howard County*

Date: 17 June 2019

Subject: HCCA Testimony -- CR97-2019 regarding Affordable Housing – Robinson Overlook Limited Partnership

One of the hallmarks of our broken political system is how it asymmetrically benefits wealthy developers and political influencers while leaving the crumbs for the rest of the voters. The county gives \$100s of millions in tax increment financing to one wealthy developer, while the school system attempts to scrounge \$8 million to prevent class size increases that would hurt many families. It would provide 100s of units in density bonuses to developers in exchange for 10s of units of affordable housing that have yet to materialize in Downtown Columbia.

CR97 is a case study of Howard County's dysfunction.

First- it is dubbed as a "mixed-income" affordable housing project. Yet, of the 48 units proposed, 43 are low-income housing. This is not a mixed-income housing project. Instead of concentrating all the low-income housing in one project, why not require them in all projects without exemptions?

To date, none of the affordable housing homes in the models that would work- such as Downtown Columbia plan have come on line. Howard Hughes was given not only additional density, but nearly \$100 million in tax increment financing, and a very expensive DRRA, with zero affordable housing to show for it to date.

Second- Many may remember the wedge issue during the APFO legislation where language was added to exempt certain projects if they meet four conditions: at least 40% of the project should serve those with 60% of area median income, the project is seeking or has received low income housing tax credits, the project has received the county executive's support, and a hearing by the county council.

Well we are now at that hearing and this project asks for an APFO waiver.

The HCCA is not taking a position on this project. We know the county is in dire need of more affordable housing not just for young families but also for retirees. But the county will not solve this problem 43 houses at a time in a housing project that doesn't employ a model that is truly mixed income.

In addition, families who benefit from such projects deserve better. Exempting projects from APFO does not help the children who would attend overcrowded schools. Children from low-income families are disproportionately impacted because of poor school infrastructure.

What is the goal here? To cram disadvantaged children into inequitable situations and use that inequity as political rhetoric for the next election?

The HCCA suggests the following:

First- remove the term “Mixed-Income” from this resolution. Unless the goal is to redefine the term this is not a mixed-income project.

Second- we ask that you use this opportunity to start a real conversation about affordable housing. Instead of being part of a system that uses the topic as a wedge issue to shape inequitable programs, we ask you to stop the exemptions, change the MIHU fee-in-lieu structure to market-rate, to hold Howard Hughes accountable and provide affordable housing in its projects.

We need a comprehensive solution to this pressing problem and we urge you to act expeditiously.

Thank you.

Hiruy Hadgu

HCCA Board of Directors



HOWARD COUNTY COUNCIL  
AFFIDAVIT OF AUTHORIZATION  
TO TESTIFY ON BEHALF OF AN ORGANIZATION

I, HIRSHY HADGHI, have been duly authorized by  
(name of individual)

~~HIRSHY HADGHI~~ ~~FOR~~ Howard County Citizens Association  
(name of nonprofit organization or government board, commission, or task force) to deliver testimony to the

County Council regarding CR 97-2019 to express the organization's  
(bill or resolution number)

request to amend this legislation.  
(Please circle one.)

Printed Name: HIRSHY HADGHI

Signature: 

Date: 06/17/19.

Organization: HCCA

Organization Address: P.O. Box 89, Ellizott City, MD 21041

Number of Members: 500

Name of Chair/President: Stuart Kohn

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HOWARD COUNTY COUNCIL  
AFFIDAVIT OF AUTHORIZATION  
TO TESTIFY ON BEHALF OF AN ORGANIZATION

I, Jonathan Edelson, have been duly authorized by  
*(name of individual)*

Oakland Mills Community Association to deliver testimony to the  
*(name of nonprofit organization or government board, commission, or task force)*

County Council regarding CR97-2019 to express the organization's  
*(bill or resolution number)*

support for / opposition to / request to amend this legislation.  
*(Please circle one.)*

Printed Name: Jonathan L. Edelson

Signature: [Handwritten Signature]

Date: June 16, 2019

Organization: Oakland Mills Community Association

Organization Address: 5851 Robert Oliver Place Columbia, MD

21045

Number of Members: 10,000

Name of Chair/President: Jonathan L. Edelson

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# HCCA

**Howard County Citizens Association**

*Since 1961...*

*The Voice Of The People of Howard County*

Date: 17 June 2019

Subject: HCCA Testimony -- CR96-2019 Affordable Housing – Enterprise Development.  
HCCA strongly supports affordable housing, but vigorously objects to CR 96-2019.

My name is Alan Schneider. I am a Board member and officer of Howard County Citizens Association. I am authorized to testify for HCCA.

Proposed CR 96 is defective. Required information is missing. It authorizes a reduction of county revenues without a complete fiscal analysis; which is crucial when county revenues are declining and expenses are increasing. Approval would endorse a policy which benefits LLC's and unknown owners; a violation of transparency. Approval makes the real problem worse; it lacks any provisions to protect abuse and injustice to renters. Amendments would not be enough to support and protect those needing affordable housing, as well as to protect Howard County citizens and its elected officials.

Defective. Supporting documentation is missing. The Administration Testimony attached to CR 96 is testimony for CR 97. What's going on? Without supporting analysis clearly pertaining to CR 96, the legislative session on CR 96 should be restarted, if reintroduced, to establish a good public record evidencing that affected parties and the public had adequate time for review and input. "Start over".

Incomplete information. Even if the Administration Testimony for CR 97 is applicable to CR 96, the data provided is incomplete, even if there was a complete fiscal and policy analysis. Data supporting the required criteria is missing. See the Administrative Testimony. Jeff Bronow's May 31, 2019 memo to Carl Delorenzo stated that 4 criteria are **required**. However, information, without analysis, was provided on **only two** of the four criteria. (See paragraph 3 of his memo.) Forwarding Jeff Bronow's memo to Council Chairperson Christiana Rigby, the administration states that data for criteria # 4 is provided from an excerpt from a 2018 Howard County Housing Study. Only two pages of the study are provided.

What was the purpose of the study? It was to assist in "monitoring trends". It was NOT a study to evaluate alternative solutions with more favorable outcomes, including options successful in other jurisdictions. Incomplete information can be highlighted by a few technical issues including:

- a) Captions are missing. Mr. Bronow's memo captions in bold type "Criterion 1" and "Criterion 2". Missing are any pages with captions for Criterion 3 and Criterion 4.
- b) Relevant discussion is missing. The excerpt begins on the page after the chart showing page number 105, after that begins the next page, Survey page 82 marked as "RP/RG" in the upper right hand corner: "estimated 1,692 senior households

aged 62+ with incomes below 30 percent of area median income, representing a penetration rate of just 9.2 percent.....”

No Public Funding Analysis and Oversight. The proponents expect public financing in the amount of \$12,934,467, and \$1,875,000. (See page 1 of the Carl Delorenzo memo.) If Howard County provides financing, its oversight and enforcement responsibilities are not in the Agreement submitted for approval. Safeguards are lacking. Follow up oversight is missing. Who benefits? Getting a number of low rent units is not enough.

**Following are additional, substantial problems:**

No Howard County Authorized Protection of low income renters. The Agreement does not provide Howard County administrators with any authority to require information from the LLC, nor does the Agreement provide Howard County with any rights to add or modify provisions to rental agreements protecting the health and safety of renters. Landlords and their legal experts are income and profit driven. The County Council can embrace transparency by requiring anyone getting financial assistance, such as Payment in Lieu of Taxes, to provide financial information about the individual owners. The requirement for transparency needs to include the same information from the owners and affiliates of LLP's, LLC parent, the owners of the parent and each affiliate, and all such information from any successor or transferee. Embrace and require transparency. It is customary and reasonable, as banks do, to require verifiable financial assurances, and guarantees, from the owners of the limited liability corporations.

No Rental Agreement Protection for low income renters. Low income renters need help. In return for the requested financial support, the Agreements provide no authority for Howard County to add, modify, or enforce rental agreements. Generally, renters are given no ability to negotiate rental agreements created for maximum benefit to landlords. In exchange for its financial assistance, Howard County should include strong provisions in the Agreements giving Howard County over rental agreements for all of the units in the proposal.

No provision in the Agreement requiring low income housing for at least 40 years. The Agreement submitted for your approval has no provision for a 40 year commitment. However, on page 2 of Mr. Delorenzo's memo it states that there is a 40 year commitment. However, the 40 year requirement is not found in the submitted Agreement. Note that the PILOT Covenants in section 3 (c) of the proposed Agreement state that HUD agreements are binding only until 2025. CR 96 should contain a provision that the low income housing requirement is perpetual, that the 80% formula is a minimum, and that "affordability" shall be further defined by affordability professionals.

No provision to resolve changes in affordable housing over the next 40 years. A forty year view (Delorenzo memo p.2) is before the Council for evaluation. Note that many changes have occurred over the past 40 years. Known and unforeseen changes are occurring more rapidly. The Agreement must include authority for the Council to amend the agreement to resolve changing public needs. Citizens hold elected officials responsible for problems which should have been avoided. Problems exist and contract provisions must be included to protect against liability for damages, a few of which are dilapidated housing, renters who do not have

money or incentive for repairs, increased crime in low income areas, the problems arising from the ability of commercial landlords to take advantage of renters. The Agreement does not protect renters or Howard County officials.

No Plan is Proposed for Resolving the Affordable Housing Problem in Howard County.

Affordable housing in Howard County is a priority and an important objective. What is the goal? Options exist but were not discussed, reviewed or evaluated in Administrative Testimony for CR 96: it the Council's job to evaluate policies. Encouraging *home ownership* has been favored as more beneficial than renting. Prioritizing home ownership has been successful in other jurisdictions. Home ownership has been connected with greater economic benefits to businesses, hospitals, and the community. Howard County's resources are limited. What if payments in lieu of taxes were opened up to all first time home buyers who hold jobs, or offered jobs, in Howard County? Such plans would be supported by corporations seeking to attract workers to Howard County. Such plans benefit individuals, businesses and the County, instead of favoring profit driven landlords driven to maximize income and profits. CR 96 misses the goal. Long range planning requires articulating the entire vision which would focus on the pros and cons to individuals, the public and the economy. Proposals to approve Payment in Lieu of Property Taxes could achieve the vision of affordable housing in Howard County. More information and evaluation is needed.

Discrimination Problem. If the Council approves Payment in Lieu of Taxes for landlords accepting HUD vouchers, then Howard County would be guilty of discrimination if it did not grant similar Agreements to all corporations accepting housing vouchers, or receiving HUD financing. There is no Fiscal Analysis of this problem. A thorough, complete fiscal analysis is essential. All proposed state legislation requires a comprehensive, thorough financial impact report. CR 96 requires a more comprehensive financial impact report by an independent third party, costs can be borne by the LLC proponent.

Problem with Defining Payments to Howard County. Section 5 (b) provides for payments to the County from "Surplus Cash". The Agreement does not adequately define "surplus cash" nor does it enable Howard County to audit expenses for "reasonableness". There is currently no definition of "reasonableness" that would provide limitations on "reasonable" payments for management fees, payments for asset management fees, payments to the corporate owner of the LLC, payments to individual owners of the LLC or its parent, or payments to service providers who may be affiliated with the LLC or its parent company. Compliance and enforcement is omitted from the proposed Agreement.

Ethics requirements. Disclosures of campaign contributions is required in other contexts. Even if it is not a code requirement here, it would be part of the need for transparency and campaign financing reform. Note that Delegate Warren Miller introduced an ethics bill in the last legislature regarding campaign contributions by project developers and affiliates. Approval of Agreements for Payment in Lieu to facilitate affordable housing should require identification of all campaign contributions in the last 4 years.

Thank you,  
Alan Schneider  
HCCA Board of Directors



HOWARD COUNTY COUNCIL  
AFFIDAVIT OF AUTHORIZATION  
TO TESTIFY ON BEHALF OF AN ORGANIZATION

I, ALAN SCHNEIDER, have been duly authorized by  
*(name of individual)*

HOWARD COUNTY CITIZENS ASSOCIATION to deliver testimony to the  
*(name of nonprofit organization or government board, commission, or task force)*

County Council regarding CR 95-2018 to express the organization's  
*(bill or resolution number)*

support for / opposition to / request to amend this legislation.  
*(Please circle one.)*

Printed Name: ALAN SCHNEIDER

Signature: *Alan Schneider*

Date: 17 Jan 2018

Organization: HCCA

Organization Address: ELLENOR CITY MD

Number of Members: 500

Name of Chair/President: SH KERV

*This form can be submitted electronically via email to [councilmail@howardcountymd.gov](mailto:councilmail@howardcountymd.gov) no later than 5pm the day of the Public Hearing or delivered in person the night of the Public Hearing before testifying.*