

**TESTIMONY OF ELLEN L GOLDSTEIN
TO THE COMMITTEE OF THE WHOLE
COUNCIL OF THE DISTRICT OF COLUMBIA
CHAIRMAN PHIL MENDELSON**

Re: Bill 22-465 "Foreign Government Owned Vacant and Blighted Building Amendment Act of 2017"

Wednesday, September 26, 2018- 10:30AM Hearing Room 412
Washington DC 20004

Mr. Chairman and Members of the Council: My name is Ellen Goldstein. I currently serve as ANC Commissioner in Sheridan-Kalorama (2D02) where I have lived since 1980. Sheridan-Kalorama, an historic district, is characterized by its distinguished late 19th and early 20th Century architecture, and includes over 600 historic buildings. Our two-member commission represents this stately and elegant residential neighborhood that includes such neighbors as President and Mrs. Obama, First Daughter Ivanka Trump and her family, and soon, Amazon founder and publisher of the Washington Post Jeff Bezos.

An estimated 15-20% of our residential housing stock is foreign-owned missions—we have more than any other neighborhood in DC. While this gives our neighborhood perhaps some additional caché – and let me say that most embassies are good neighbors (and many in recent years have tried hard to be part of the community by opening their doors for public tours and cultural events and lending their elegant space for nonprofit fundraisers)—there are lots of problems associated with such a strong presence of foreign mission property in our neighborhood. They contribute more traffic, trash, parking issues, congestion, building code and aesthetic violations, etc.

And embassies do not have to follow, for the most part, the same rules as their neighbors when it comes to their property. The City government oftentimes has its hands tied in efforts to get embassies to comply with established rules and requirements. We are here today to discuss one specific problem embassies sometimes present and that is abandoned, derelict buildings.

Abandoned foreign mission property poses many threats to the City and especially in a predominantly residential neighborhood like ours. These eyesores pose safety and security issues – rats chewing electrical wires, dark corners where people of ill will can gather, trash, overgrown weeds, and so on. They lower the value of neighbors' properties—and who would want to live next to one of these buildings for 20 days --let alone 20 years? And the longer they remain vacant, the greater the damage, and the more costly it is therefore to fix them up—this becomes after awhile a vicious cycle for many countries that own them.

When I first became commissioner in 2015 we had long-empty and derelict properties owned by Egypt, Pakistan, Albania, Serbia, Senegal, Colombia, Argentina, Cameroon, Sri Lanka, etc. (By the way, there is no accurate census maintained by the City that we know of that identifies each and every foreign-owned property in DC.)

I am pleased to say that almost all of these properties have been renovated --or have firm plans to renovate their derelict properties -- to some level of acceptability. Just recently Serbia announced approval of a \$3 million + budget to repair their two S-K properties, empty since the beginnings of the Cold War, and a blighted Argentine property on R St., empty over 20 years—is now for sale.

One glaring exception is Pakistan (they own 4 properties in S-K) whose formerly spectacular classical building at R and 22nd St NW continues to degrade. This property – vacant over 20 years – provides a good example of just how far the District can go to protect residents and property in DC. Last year the State Department finally became convinced to remove its diplomatic protection and the City was thus able to

levy property taxes on it. Not surprisingly, the taxes went unpaid and DC was able to put it up for a tax sale. But there is a provision in law that permitted the Government of Pakistan to pay off the tax bill and buy it back. Which it did. And the property, with a fraying Pakistani flag flying from a rusted, flaking flag pole, still sits, empty, crumbling and rotting and a close neighbor to multi-million dollar properties. (But it is still subject to tax.)

The “success stories” (and not all renovations go well as those who live or travel by the renovation of the Cameroon Embassy at 24th and Mass. Ave. can attest) are no accident and the result of years of persistent pressure, cajoling, soft coercion, lobbying, shaming, and so on by neighbors and commissioners, and sometimes with an assist by State.

Another welcome development is that after years of discussion, an informal coalition of DC agencies and offices – “The Embassy-Neighborhood Relations Task Force”—which includes MPD, the S-K Commissioners, and the leadership of the State Department Office of Foreign Missions, was formed and has met twice so far this year. We have a good relationship with State and have been working together to identify and address lots of issues that involve safety and security, DC public schools, trash disposal, parking, and so on. And while State has been a helpful and sincere team player, they have dual and sometimes conflicting objectives of working with us on improving embassy conduct and compliance, but not pressing too hard for fear of possible retaliation by some governments against our property overseas. We continue to address clarifying jurisdictional ambiguities like – is it OK for the MPD to enter the grounds of an abandoned foreign property if neighbors have reason to believe there are vagrants or drug dealers or trespassers hanging out there? Can DCRA force the Embassy of Myanmar to comply with electrical code requirements on external wiring? Can we get Moldova and Albania to dispose of their trash properly – and not use DC street bins? And so on....

Mr. Chairman—we welcome your leadership on how we can improve such situations and the nagging problems posed by foreign-owned derelict property—buildings that Rep. Norton has called a “public embarrassment.” Bill 22-465 would require that DCRA classify such property as “vacant” or “blighted,” and to prepare a report on these properties for the Mayor, Council and the State Department.

This is a good start, but without appropriate pressure and enforcement, I fear little will change.

Here are some things I would ask the Chairman Mendelson and Council to also consider:

1. As I stated earlier, there is no accurate and dynamic census of foreign-owned properties across the District (perhaps exceeding 500?) that also assesses their condition and whether they deserve historic status. Let’s get that done. This includes counting not just the formal embassies, but the military and cultural offices, chanceries, ambassadorial residences, and more obscure properties like the Colombian Mission to the OAS.
2. I’ve walked extensively around major capitals like Paris, Ottawa, London, and Amsterdam, including their embassy areas, and I never see such derelict properties or such massive violations of neighborhood protocols and norms like we see here. I recently walked our neighborhood with a reporter from Amsterdam and he was stunned by some of the properties I showed him. I think we should find out how other world capitals manage to get better compliance from embassies.
3. Let’s codify and institutionalize the new Task Force I mentioned earlier, that includes or should include ANCs, MPD, DCPS, DCRA, DPW, DDOT, State, and reps from Council and Cong. Norton’s office. The Task Force should be required to meet at least 4 times a year and possibly be convened and organized by DCRA or the Office of Planning. The Task Force should prepare a report every so often and submit to the Mayor and to Council.
4. Finally, let’s get the City to stiffen its resolve to address these issues in a determined manner and not shrug its collective shoulders and say there’s not much we can do. There is! Even the State Department would like to see DCRA take a stronger stand against serious building and property

violations. Maybe your proposed bill to create a new Department of Buildings can improve this kind of needed resolve.

What attracted me to DC back when I moved here in 1970 was its beauty—the French style avenues and Georgian, Federal Revival, Victorian and Beaux-Arts architecture. And while there is no such crime as an architectural crime (unless you ask Prince Charles) I think to let these buildings crumble is a real shame and a blow to our cultural heritage.

[n.b. A thorough review of the issues facing Sheridan-Kalorama because of the preponderance of foreign mission property in our neighborhood can be found in the briefing document: "Foreign Missions and the Threat They Pose to Sheridan-Kalorama's Historic, Residential Character," prepared in May, 2003 for the Mayor's Office of Planning, the National Capital Planning Commission (NCPC), the D.C. City Council, the U.S. Congress]

9-24-18