

Superior Court of the District of Columbia

CIVIL DIVISION- CIVIL ACTIONS BRANCH INFORMATION SHEET

Case Number: _____
Park 7 Tenant Union, Tara Maxwell, Jewell Burgess, & Roxanne Michaels
vs
Date: 7/21/2021

Park 7 Residential LP & 3801 Management LLC, d/b/a, Donatelli Management

One of the defendants is being sued in their official capacity.

Name: <i>(Please Print)</i> Joseph Sellers and Brian Corman	Relationship to Lawsuit
Firm Name: Cohen Milstein Sellers & Toll PLLC	<input checked="" type="checkbox"/> Attorney for Plaintiff
Telephone No.: Six digit Unified Bar No.: 318410 (202)-408-4600	<input type="checkbox"/> Self (Pro Se)
	<input type="checkbox"/> Other: _____

TYPE OF CASE: Non-Jury 6 Person Jury 12 Person Jury
Demand: \$ _____ Other: _____

PENDING CASE(S) RELATED TO THE ACTION BEING FILED

Case No.: _____ Judge: _____ Calendar #: _____

Case No.: _____ Judge: _____ Calendar#: _____

NATURE OF SUIT: *(Check One Box Only)*

A. CONTRACTS

COLLECTION CASES

- | | | |
|---|---|---|
| <input type="checkbox"/> 01 Breach of Contract | <input type="checkbox"/> 14 Under \$25,000 Pltf. Grants Consent | <input type="checkbox"/> 16 Under \$25,000 Consent Denied |
| <input type="checkbox"/> 02 Breach of Warranty | <input type="checkbox"/> 17 OVER \$25,000 Pltf. Grants Consent | <input type="checkbox"/> 18 OVER \$25,000 Consent Denied |
| <input type="checkbox"/> 06 Negotiable Instrument | <input type="checkbox"/> 27 Insurance/Subrogation | <input type="checkbox"/> 26 Insurance/Subrogation |
| <input type="checkbox"/> 07 Personal Property | Over \$25,000 Pltf. Grants Consent | Over \$25,000 Consent Denied |
| <input type="checkbox"/> 13 Employment Discrimination | <input type="checkbox"/> 07 Insurance/Subrogation | <input type="checkbox"/> 34 Insurance/Subrogation |
| <input type="checkbox"/> 15 Special Education Fees | Under \$25,000 Pltf. Grants Consent | Under \$25,000 Consent Denied |
| | <input type="checkbox"/> 28 Motion to Confirm Arbitration Award (Collection Cases Only) | |

B. PROPERTY TORTS

- | | | |
|---|---|--------------------------------------|
| <input type="checkbox"/> 01 Automobile | <input type="checkbox"/> 03 Destruction of Private Property | <input type="checkbox"/> 05 Trespass |
| <input type="checkbox"/> 02 Conversion | <input type="checkbox"/> 04 Property Damage | |
| <input type="checkbox"/> 07 Shoplifting, D.C. Code § 27-102 (a) | | |

C. PERSONAL TORTS

- | | | |
|---|--|--|
| <input type="checkbox"/> 01 Abuse of Process | <input type="checkbox"/> 10 Invasion of Privacy | <input type="checkbox"/> 17 Personal Injury- (Not Automobile, Not Malpractice) |
| <input type="checkbox"/> 02 Alienation of Affection | <input type="checkbox"/> 11 Libel and Slander | <input type="checkbox"/> 18 Wrongful Death (Not Malpractice) |
| <input type="checkbox"/> 03 Assault and Battery | <input type="checkbox"/> 12 Malicious Interference | <input type="checkbox"/> 19 Wrongful Eviction |
| <input type="checkbox"/> 04 Automobile- Personal Injury | <input type="checkbox"/> 13 Malicious Prosecution | <input type="checkbox"/> 20 Friendly Suit |
| <input type="checkbox"/> 05 Deceit (Misrepresentation) | <input type="checkbox"/> 14 Malpractice Legal | <input type="checkbox"/> 21 Asbestos |
| <input type="checkbox"/> 06 False Accusation | <input type="checkbox"/> 15 Malpractice Medical (Including Wrongful Death) | <input type="checkbox"/> 22 Toxic/Mass Torts |
| <input type="checkbox"/> 07 False Arrest | <input type="checkbox"/> 16 Negligence- (Not Automobile, Not Malpractice) | <input type="checkbox"/> 23 Tobacco |
| <input type="checkbox"/> 08 Fraud | | <input type="checkbox"/> 24 Lead Paint |

SEE REVERSE SIDE AND CHECK HERE IF USED

Information Sheet, Continued

C. OTHERS

- | | |
|---|---|
| <input type="checkbox"/> 01 Accounting | <input type="checkbox"/> 17 Merit Personnel Act (OEA) |
| <input type="checkbox"/> 02 Att. Before Judgment | (D.C. Code Title 1, Chapter 6) |
| <input type="checkbox"/> 05 Ejectment | <input type="checkbox"/> 18 Product Liability |
| <input type="checkbox"/> 09 Special Writ/Warrants
(DC Code § 11-941) | <input type="checkbox"/> 24 Application to Confirm, Modify,
Vacate Arbitration Award (DC Code § 16-4401) |
| <input type="checkbox"/> 10 Traffic Adjudication | <input type="checkbox"/> 29 Merit Personnel Act (OHR) |
| <input type="checkbox"/> 11 Writ of Replevin | <input type="checkbox"/> 31 Housing Code Regulations |
| <input type="checkbox"/> 12 Enforce Mechanics Lien | <input type="checkbox"/> 32 Qui Tam |
| <input type="checkbox"/> 16 Declaratory Judgment | <input type="checkbox"/> 33 Whistleblower |

II.

- | | | |
|--|---|--|
| <input type="checkbox"/> 03 Change of Name | <input type="checkbox"/> 15 Libel of Information | <input type="checkbox"/> 21 Petition for Subpoena
[Rule 28-I (b)] |
| <input type="checkbox"/> 06 Foreign Judgment/Domestic | <input type="checkbox"/> 19 Enter Administrative Order as
Judgment [D.C. Code § | <input type="checkbox"/> 22 Release Mechanics Lien |
| <input type="checkbox"/> 08 Foreign Judgment/International | 2-1802.03 (h) or 32-151 9 (a)] | <input type="checkbox"/> 23 Rule 27(a)(1)
(Perpetuate Testimony) |
| <input type="checkbox"/> 13 Correction of Birth Certificate | <input type="checkbox"/> 20 Master Meter (D.C. Code § | <input type="checkbox"/> 24 Petition for Structured Settlement |
| <input type="checkbox"/> 14 Correction of Marriage
Certificate | 42-3301, et seq.) | <input type="checkbox"/> 25 Petition for Liquidation |
| <input type="checkbox"/> 26 Petition for Civil Asset Forfeiture (Vehicle) | | |
| <input type="checkbox"/> 27 Petition for Civil Asset Forfeiture (Currency) | | |
| <input type="checkbox"/> 28 Petition for Civil Asset Forfeiture (Other) | | |

D. REAL PROPERTY

- | | |
|--|--|
| <input checked="" type="checkbox"/> 09 Real Property-Real Estate | <input type="checkbox"/> 08 Quiet Title |
| <input type="checkbox"/> 12 Specific Performance | <input type="checkbox"/> 25 Liens: Tax / Water Consent Granted |
| <input type="checkbox"/> 04 Condemnation (Eminent Domain) | <input type="checkbox"/> 30 Liens: Tax / Water Consent Denied |
| <input type="checkbox"/> 10 Mortgage Foreclosure/Judicial Sale | <input type="checkbox"/> 31 Tax Lien Bid Off Certificate Consent Granted |
| <input type="checkbox"/> 11 Petition for Civil Asset Forfeiture (RP) | |



Attorney's Signature

7/21/2021

Date



Attorney's Signature

7/21/2021

Date

**SUPERIOR COURT OF THE DISTRICT OF COLUMBIA
CIVIL DIVISION**

Park 7 Tenant Union)
4020 Minnesota Ave, #316)
Washington, DC 20019)

Tara Maxwell)
4020 Minnesota Ave, #316)
Washington, DC 20019)

Jewel Burgess)
4020 Minnesota Ave, #312)
Washington, DC 20019,)

Roxanne Michaels)
4020 Minnesota Ave, #647)
Washington, DC 20019,)

Plaintiffs,)

v.)

Park 7 Residential LP)
4416 E West Hwy, Ste 410)
Bethesda, MD 20814)

3801 Management LLC, d/b/a)
Donatelli Management)
4416 E West Hwy, Ste 410)
Bethesda, MD 20814)

Defendants.)

Docket No: _____

COMPLAINT

Plaintiffs Park 7 Tenant Union, Tara Maxwell, Jewel Burgess, and Roxanne Michaels, by and through their undersigned counsel, allege as follows:

1. In open defiance of District of Columbia law protecting the rights of tenants to form and operate a tenant organization, the landlord and property manager of the Park 7 apartments, an apartment complex with 377 units in Northeast Washington, D.C., have engaged in an ongoing campaign to intimidate, harass, and retaliate against residents who have attempted to organize their fellow tenants to collectively address the many safety and sanitation concerns affecting tenants at that property that persisted in the midst of a global pandemic. The complex is home to low-income and predominately Black residents.

2. Plaintiffs seek to end Defendants' unlawful practices and remove the illegal barriers preventing the Park 7 Tenant Union and its leaders and members from organizing and asserting their rights with a collective voice, as protected under the law.

3. Tenants at the Park 7 apartment complex have attempted to engage in basic organizing activities, such as holding meetings, disseminating informational literature, engaging with non-tenant organizers to assist with organizing tenants, and advocating for each other as a unified group in response to concerns with the landlord and property management. Yet, since 2020, tenants, including the Plaintiff leaders and members of the Park 7 Tenant Union, have been met with consistent obstruction and intimidation. Defendants have summoned the police when tenants attempt to hold meetings or meet with management, denied access to common rooms for meetings and intentionally disrupted those meetings so that they cannot be peacefully held, threatened Park 7 Tenant Union members and leaders with unlawful evictions, and removed educational fliers placed in public spaces by Park 7 Tenant Union members.

4. These actions taken by Defendants, described in greater detail below, are in clear violation of the District of Columbia’s Right of Tenants to Organize Act of 2006 (“Tenants’ Right to Organize Law” or “Right to Organize law”), D.C. Code § 42-3505.06. Under the Right to Organize Law, tenants are explicitly granted the right to engage in self-organization activities in order to assist each other, advocate to address tenants’ concerns, and improve the living conditions they face. Defendants’ actions taken to prevent Plaintiffs from engaging in these protected activities violate the statutorily protected rights of Plaintiffs Maxwell, Burgess, and Michaels, as well as other affected members of Plaintiff Park 7 Tenant Union.

5. These actions by Defendants were taken with the purpose, and have had the effect, of preventing the Park 7 Tenant Union and its members from continuing to engage in protected activities to advocate for better treatment and living conditions, as those who organize have been put in such jeopardy that they have halted their organizing activities, thwarting the Tenant Union’s mission of serving its members. This situation will continue unabated unless Defendants are enjoined from taking further unlawful actions against Plaintiffs. Plaintiffs therefore seek injunctive and declaratory relief to prevent the continuation of these unlawful practices, as well as damages for the harm already inflicted upon Plaintiffs.

Parties

6. Defendant Park 7 Residential LP (the “Landlord”) owns and operates the Park 7 apartments (“Park 7”), a 377-unit building at 4020 Minnesota Avenue NE, Washington, D.C.

7. Defendant 3801 Management LLC, d/b/a Donatelli Management (the “Property Manager” or “Property Management”) is the management company Park 7 Residential LP contracted to provide property management services at Park 7.

8. Plaintiff Park 7 Tenant Union is an incorporated association under D.C. Code § 29-402, representing the interests of the tenants of Park 7. As part of its regular activities,

Plaintiff Park 7 Tenant Union holds meetings to discuss tenant-related issues, attempts to advocate on behalf of the tenants collectively with the Landlord and Property Management, and disseminates information to tenants regarding the Park 7 Tenant Union's activities and other information about the rights of Park 7 tenants to organize and advocate for themselves.

9. Plaintiff Tara Maxwell is the President of the Park 7 Tenant Union and a resident of Park 7. As discussed below, Defendants prevented Ms. Maxwell from engaging in activities as President of the Tenant Union in violation of the Tenants' Right to Organize Law.

10. Plaintiff Jewel Burgess is a representative of the Park 7 Tenant Union and a resident of Park 7. As discussed below, Defendants prevented Ms. Burgess from engaging in activities as a representative of the Tenant Union in violation of the Tenants' Right to Organize Law.

11. Plaintiff Roxanne Michaels is a representative of the Park 7 Tenant Union and a resident of Park 7. As discussed below, Defendants prevented Ms. Michaels from engaging in activities as a representative of the Tenant Union in violation of the Tenants' Right to Organize Law.

Jurisdiction and Venue

12. This Court has jurisdiction over this case pursuant to D.C. Code §§ 11-921 and 13-423, as the claims are made under District of Columbia law and arose from actions taken by the Defendants in the District of Columbia.

13. Venue in this Court is proper as the causes of action alleged herein arise from the operation of a facility within the District of Columbia that is subject to the laws and regulations of the District that govern the use of real property and rental housing.

Nature of the Action and Allegations

I. D.C.'s Tenants' Right to Organize Law

14. The Right to Organize Law, D.C. Code § 42-3505.06, establishes the broad right of tenants to organize and create tenant unions in the District of Columbia. To protect this right, the Right to Organize Law: (i) *prohibits landlord interference and or retaliation* with tenant organizing activities, and (ii) allows for civil penalties, injunctive orders, suspension of the owner's or agent's business registration, and liability for damages to tenants and tenant organizations, including reasonable attorneys' fees.

15. Under the Right to Organize Law, tenants have the right to: (i) self-organization; (ii) form, join, meet, or assist one another within and without tenant organizations; (iii) meet and confer with the property owner through representatives of their own choosing; (iv) engage in other concerted activities for the purpose of mutual aid and protection; (v) bring in outside organizers to help with outreach by canvassing and passing out literature, (vi) distribute literature or information in common areas such as lobbies, at or under tenants' doors, or on bulletin boards; (vii) assist tenants to participate in tenant organization activities; (viii) convene and hold tenant and tenant organization meetings, (ix) engage with the property owner to address issues relevant to the tenants; and (x) engage in any other activity reasonably related to the establishment or operation of a tenant organization. D.C. Code § 42-3505.06 (b)-(d).

II. Defendants' Interference with Tenant Organizing and Retaliation Against Tenant Organizers

a. Historic Tenant Efforts to Organize and Defendants' Prior Interference

16. Since opening in 2014, Park 7 has allowed the condition of its interior facilities to deteriorate. There are widespread water leaks, causing damage and enabling the growth of mold; various appliances in tenant apartments are inoperable; common areas are insufficiently cleaned,

allowing garbage to accumulate; there are widespread pest infestations; and insufficient maintenance of security has created safety concerns.

17. Therefore, beginning in 2017, the tenants residing at Park 7 were compelled to commence an organizing campaign to call to the Park 7 management's attention the urgent need to address the myriad safety and sanitation problems at the building.

18. Prior tenants, such as Lotus Muladhara, led initial organizing efforts at Park 7 by attempting to pass out fliers, host meetings with other aggrieved tenants, gather information from tenants about problems with the facility, and enlist assistance conducting these activities from organizers from an outside tenant organizing group to request needed repairs at Park 7. A subsequent tenant organization, Park 7 Tenants Take Action, also attempted to organize around similar issues.

19. In response to these tenant organizing efforts, the Property Manager harassed and retaliated against tenant organizers by disrupting scheduled tenant meetings, intimidating attendees at those meetings, bringing baseless lawsuits against tenant leaders, calling on private security to harass tenants and organizers, and preventing tenants from disseminating literature regarding the tenants' rights under the D.C. Tenant Bill of Rights.

20. Despite Property Manager's actions to thwart tenant organizing, the tenants were able to get the DC Office of the Attorney General ("OAG") to initiate a limited investigation into Park 7's water billing practices through a public awareness campaign. As a result of that limited investigation, which did not address any of the other safety and sanitation issues at the property, on November 21, 2019, D.C. Attorney General Karl Racine announced that the Landlord would refund approximately \$500,000 to 470 current and former tenants of Park 7 who were improperly charged for water use, which had falsely been marketed as included in the rent.

Tenant organizing played a critical role in raising awareness of the issues at the heart of the OAG's investigation.

b. Recent Efforts by Tenants to Prevent Tenant Organizing Activities

21. As the safety and sanitation problems at Park 7 remained unabated, new tenant leaders commenced a new campaign to organize the tenants in early 2020 and formed the Park 7 Tenant Union (the "Tenant Union"). Rather than permitting the tenants to organize their efforts to prompt remediation of these deficient conditions, the Property Manager renewed its campaign of threats against, and interference with, the tenant organizers and the Tenant Union.

i. Obstruction of Tenant Meetings

22. In January 2020, tenants attempted to hold a Park 7 Tenant Union meeting in Park 7's community room that was available for use by Park 7 tenants. Before the meeting could begin, Property Management staff directed those assembled to disperse and threatened to call the police if they failed to do so. Shortly after the meeting commenced, a Metropolitan Police Department ("MPD") officer arrived and threatened the tenants with arrest if they did not end the meeting. Eventually the meeting resumed, and the officer departed after being informed that the tenants were legally permitted to conduct their meeting.

23. In February 2020, the tenants tried to hold another Tenant Union meeting in the community room. This time, a Property Management staff member interrupted the meeting by shouting over the tenant facilitators. The staff person coopted the meeting by continuing to talk, insisting that tenants abandon their efforts to organize, until the meeting time was over. As a result, the tenants were not able to complete any business during this meeting.

ii. Plaintiff Tara Maxwell

24. Plaintiff Tara Maxwell has been a tenant of Park 7 since August 2019 and has regularly participated in Park 7 Tenant Union organizing efforts to protest and raise awareness of

the building's dilapidated condition. Defendants have interfered with these organizing efforts and retaliated against Ms. Maxwell for engaging in these activities.

25. On August 20, 2020, Ms. Maxwell participated in a protest outside of Park 7 and Property Management owner Christopher Donatelli's D.C. residence with both tenants from Park 7 and non-tenant community organizers. The purpose of the protest was to raise awareness of persistent sanitation and safety concerns at Park 7, and to condemn the Property Manager's practice of harassing tenants and tenant organizers and refusal to engage with tenants about their concerns. A Washington City Paper reporter covering the protest interviewed and quoted Ms. Maxwell in a newspaper article regarding the conditions of Park 7 and Ms. Maxwell's efforts as a leader in tenant organizing efforts.¹

26. Shortly thereafter and with no prior warning, Ms. Maxwell received a baseless "Notice to Correct or Vacate" dated August 28, 2020, sent by counsel for the Property Manager. The Notice asserted that Ms. Maxwell had been "verbally abusive to management staff on August 13, 2020, and on several other occasions," used "inappropriate language and slurs," and demanded that Ms. Maxwell "cease and desist all objectionable and abusive language." None of these assertions had any basis in fact.

27. In a second incident, on September 1, 2020, Ms. Maxwell was passing out fliers in community areas of Park 7 to notify tenants of an upcoming tenant organization meeting.

28. The Right to Organize Law protects the dissemination of material related to tenant organizing in common areas within Park 7, and therefore the removal of such material is a violation of the Right to Organize Law.

¹ See <https://washingtoncitypaper.com/article/304571/the-same-property-management-companies-and-building-owners-pressuring-tenants-to-pay-rent-are-benefitting-from-pandemic-relief-funding/>.

29. While participating in this protected activity, Ms. Maxwell asked Property Manager staff member Cheryl Blackburn to grant Ms. Maxwell access to a fifth-floor common area so that Ms. Maxwell could disseminate the fliers. However, the staff member demanded to see the flier and, after reviewing it, refused to provide Ms. Maxwell access.

30. After being refused access, Ms. Maxwell continued to hand out fliers and post fliers on the walls of designated areas of the Park 7 common areas such as the elevator, bulletin boards, and mail room. Soon thereafter, the fliers were removed.

31. In a third incident on February 8, 2021, Ms. Maxwell gathered outside of the Park 7 management office with eight to ten other residents, along with non-resident community organizers whose presence was permitted by the Right to Organize Law. The group organized the gathering in order to obtain more information from Park 7 staff about its administration of the newly initiated rent-forgiveness program in the District of Columbia, the “STAY DC” program, that has become a critical lifeline enabling tenants to stay in their homes at a time when many have lost their jobs and all or a portion of their incomes.² The meeting was prompted over a concern that some tenants had received information from Property Management about how to apply for rental assistance while Property Management had not provided the same information to residents who had participated in tenant organizing activities over the last year.

32. When Ms. Maxwell and the group approached management staff about the rental assistance program, a management staff member, Cheryl Blackburn, refused to respond, stating

² The D.C. Council initiated the STAY DC program in April 2021. It is a financial assistance program for D.C. renters and housing providers who seek support to cover housing and utility expenses to offset the loss of income resulting from the Covid-19 Pandemic. Within the first month of the program, the STAY DC program received over 20,000 applications from D.C. residents; the program has issued 34 million dollars in rental assistance. More information may be found at <https://stay.dc.gov/>.

that they would only speak about rent forgiveness with individual tenants and not with the tenants as a unified group.

33. When members of the tenant group attempted to record the conversation with Ms. Blackburn, she ceased any further conversation with them and departed. Later that same day, the Park 7 Building Manager, Vita Thomas, confirmed that the management staff would refuse to speak with the tenants if the conversation was recorded.

34. Immediately after speaking with Building Manager Vita Thomas, an MPD officer who had been summoned to Park 7 informed Ms. Maxwell and the other residents that the Property Manager wanted the group to disperse and that the non-tenant community organizers in the group were forbidden on the property, unless they confined their activities to a resident's apartment.

35. Ms. Maxwell and several other residents explained to the MPD officer that the community organizers were registered as guests of the tenants and that the District of Columbia Tenant Bill of Rights³ permitted them to organize on the Park 7 property. Eventually, the MPD officer departed without requiring the group to disperse. Nonetheless, Park 7's management staff refused to engage with the group further as required by the Tenants' Right to Organize Law.⁴

³ Available here:

<https://ota.dc.gov/sites/default/files/dc/sites/ota/publication/attachments/2015%2007%2003%20OTA%20DC%20Tenant%20Bill%20of%20Rights%20ODAI-OTA%20FINAL.pdf>.

⁴ The Right to Organize Law, D.C. Code § 42-3505.06 b(3), states that tenants have the right to "meet and confer through representatives of their own choosing with an owner" and subsection d(7) prohibits an owner or property manager from interfering with tenants "[p]roposing that the owner or management modify the housing accommodation's facilities and services." By refusing to meet with the Tenant Union when approached and failing to offer an alternative meeting time, the Property Manager interfered with the tenants' right to meet and confer with an owner or property manager to propose modifications to the buildings facilities and services, in particular the administration of the STAY DC program.

36. In a fourth incident, the same general pattern of events occurred again in May 2021. On May 17, 2021, Park 7 Management shut down the building's concierge and package services without notice to the tenants. On May 20, 2021, Ms. Maxwell, non-tenant community organizer Stephanie Bastek, and two other tenants gathered outside of Park 7 management's office in order to gather more information about disrupted tenant package services.

37. When Ms. Maxwell and the rest of the tenant group approached Jason Sadlek, a Property Management staff member, Mr. Sadlek abruptly took a phone call and walked away from the tenant group into the courtyard of the building. At the same time, multiple MPD officers arrived at the leasing office.

38. As the tenant group followed Mr. Sadlek into the courtyard, they continued their attempts to communicate their concerns to him. Mr. Sadlek refused to engage and took another phone call. He then retreated into the Park 7 parking garage. Park 7 management has made no additional attempts to communicate with the Tenant Union on this subject.

iii. Plaintiff Roxanne Michaels

39. Plaintiff Roxanne Michaels has been a tenant of Park 7 since August 2015 and has participated in tenant organizing efforts to protest the building's dilapidated condition and the Property Manager's retaliation towards tenant organizers.

40. The Property Manager has similarly harassed and threatened Ms. Michaels for her tenant organizing efforts. In September 2020, Ms. Michaels was canvassing and handing out tenant organizing literature in a common area of Park 7 with other tenants and non-tenant organizers.

41. The Right to Organize law protects tenants' dissemination of material related to tenant organizing in common areas within Park 7.

42. A Property Management staff member, Cheryl Blackburn, accosted Ms. Michaels several times over the course of an hour, questioning whether Ms. Michaels was a resident in the building, and falsely telling Ms. Michaels that she could not pass out fliers in the common area, despite Ms. Michaels informing Ms. Blackburn that she was a Park 7 resident.

43. Soon thereafter, Ms. Blackburn summoned an MPD officer down from the lobby.

44. Upon entering the common area, and at the behest of the Landlord and Property Manager, the MPD officer demanded to see a copy of Ms. Michaels' lease to confirm she was a lawful resident. When Ms. Michaels declined to provide that information, as she was not in possession of her lease and was afraid of disclosing to the officer the number of her apartment, she was forced to discontinue her organizing activity.

iv. Plaintiff Jewel Burgess

45. Plaintiff Jewel Burgess has been a tenant of Park 7 since the Fall of 2018 and has regularly participated in tenant organizing efforts to protest the building's dilapidated condition and the Property Manager's interference with tenant organizing efforts.

46. Around June 15, 2020, Ms. Burgess displayed a banner outside of her apartment unit's window calling for Park 7 and the Property Manager to "cancel rent" (*i.e.*, have a moratorium on the collection of rent) for Park 7 tenants due to the building's poor safety and sanitation conditions.

47. On June 17, 2020, the Property Manager sent Ms. Burgess a "Notice of Lease Violation" referencing the banner and asserting that Ms. Burgess was not in compliance with the lease because this banner was being displayed outside her apartment. Ms. Burgess did not remove the banner.

48. On July 13, 2020, the Property Manager placed a "Notice to Correct or Vacate" on Ms. Burgess' door alleging that the banner violated the terms of the lease. Additionally, the

Notice listed several additional alleged lease violations, including having unauthorized pets and guests in Ms. Burgess' apartment, none of which had any basis in fact. Instead of sliding this Notice under Ms. Burgess' door, the Property Manager taped the Notice to her front door so that any tenant passing by could see it.

49. In yet another form of harassment, the Property Manager initiated eviction proceedings against Ms. Burgess in the Landlord and Tenant Division of Superior Court, notwithstanding that a moratorium on evictions was in place. The eviction action, moreover, falsely accused Ms. Burgess of reneging on a settlement reached with the Landlord several months earlier. Then, months later, Park 7 moved without explanation to dismiss the eviction proceeding that it had initiated, revealing its frivolous basis.

50. On August 20, 2020, Ms. Burgess (along with Plaintiff Tara Maxwell) participated in a protest outside Park 7 owner Christopher Donatelli's D.C. residence with other tenants and non-tenant community organizers to call attention to, and prompt remediation of, the persistent safety and sanitation problems plaguing Park 7 and to condemn the continuing harassment and retaliation targeted at tenants engaged in organizing activities.

51. On August 28, 2020, the Property Manager posted on Ms. Burgess' apartment door a "Notice to Correct or Vacate," stating that Ms. Burgess was in violation of her lease for being allegedly "verbally abusive to management staff" on August 13, 2020, and on several other occasions. The letter instructed Ms. Burgess to "cease and desist all objectionable and abusive language toward all management staff" or be forced to vacate. None of these assertions had any basis in fact.

52. On January 8, 2021, Ms. Burgess hung a Park 7 Tenant Union flier on her apartment door.

53. The Right to Organize Law protects the posting of material promoting concerns of tenant organizers on apartment doors and other common areas.

54. Notwithstanding its protected status, the flier posted by Ms. Burgess was ripped from her door immediately after a maintenance worker arrived at the door to repair a leak.

55. On January 11, 2021, Ms. Burgess posted another Park 7 Tenant Union flier on her apartment door.

56. The next day, upon the return of the maintenance worker to continue work on Ms. Burgess' apartment leak, Ms. Burgess opened the door and found the second Park 7 Tenant Union flier had also been removed.

57. This series of events has deterred Ms. Burgess from resuming exercise of her rights to organize the tenants of Park 7.

v. Additional Interference and Retaliation

58. The Park 7 Landlord and Property Manager have made other attempts to prevent tenants from engaging in organizing activities by removing fliers posted on building bulletin boards, in violation of the Tenants' Right to Organize Law. For example, Stephanie Bastek, a non-tenant volunteer organizer who has been organizing with tenants at Park 7 since 2017, has regularly posted fliers in common areas of Park 7, in elevators and on stairwells and doors, all of which are spaces on which Park 7 Management and others routinely post other materials unrelated to tenant organizing. The fliers pertaining to tenant organizing have been consistently removed. On at least one occasion, Park 7 Management has demanded to see Ms. Bastek's fliers before she posted them.

59. Similarly, in April through July 2020, Park 7 Tenant Union representative and tenant of the Park 7 apartments, Derrick Palmer, posted fliers about tenant organizing matters on

bulletin boards and other common spaces throughout the Park 7 apartment building. Shortly after each posting, the fliers were removed.

60. The actions taken by Defendants Landlord and Property Manager have harmed Plaintiff Park 7 Tenant Union by impeding and continuing to impede the Tenant Union's ability to advocate on behalf of its members and the tenants of Park 7, generally, to improve the living conditions at Park 7.

Cause of Action:

Violation of D.C. Code § 42-3505.06

61. Based on the foregoing allegations, the Landlord and the Property Manager have knowingly and repeatedly violated D.C.'s Tenants' Right to Organize Law and its prohibition on interfering with tenants who seek to organize to advocate to a landlord, as well as the Right to Organize Law's prohibition on retaliation for such organizing activities.

62. The tenants who sought to organize fellow tenants of Park 7 have been hindered from organizing by the Landlord and the Property Manager through the use of intimidation, harassment and threats directed at tenants and tenant organizers during tenant meetings. In addition, the Landlord and Property Manager have refused to interact with tenants as a group, removed fliers providing information about the Park 7 Tenant Union and tenant meetings, refused to grant tenant organizers access to common areas of the building in order to share fliers with other tenants, and summoned the MPD to interfere with protected organizing activity, relying on allegations lacking any basis in fact.

63. Specifically, Defendants have violated the Tenants' Right to Organize Law in the following ways:

- a. Preventing tenants from forming a tenant organization or assisting their fellow tenants within and without a tenant organization, in violation of D.C. Code § 42-3505.06(b)(1)-(2);
- b. Refusing to meet and confer with representatives of the Tenant Union, in violation of D.C. Code § 42-3505.06(b)(3);
- c. Refusing to permit non-tenant organizers to canvass at Park 7, even when these organizers are invited to the property by Park 7 tenants, in violation of D.C. Code § 42-3505.06(c);
- d. Preventing tenants from distributing literature in common areas of the Park 7 building, or at or under tenants' doors, or on building bulletin boards, in violation of D.C. Code § 42-3505.06(d)(1)-(3);
- e. Preventing tenants from assisting each other to participate in tenant organization activities, in violation of D.C. Code § 42-3505.06(d)(4);
- f. Preventing tenants from holding tenant organization meetings, and harassing tenants during those meetings, in violation of D.C. Code § 42-3505.06(d)(5);
- g. Refusing to engage with the Park 7 Tenant Union or its representatives regarding issues associated with Defendants' actions that affect Park 7 tenants, in violation of D.C. Code § 42-3505.06(d)(6)-(7); and
- h. Preventing tenants from taking any other actions reasonably related to the establishment or operation of a tenant union, in violation of D.C. Code § 42-3505.06(d)(8).

64. Plaintiffs Maxwell, Burgess, and Michaels, and Plaintiff Park 7 Tenant Union have been, and continue to be, harmed by the Landlord's and the Property Manager's efforts to thwart the organization and activities of an effective tenant union.

65. Absent injunctive relief, Defendants will continue to engage in the same conduct that has been undertaken with the purpose, and having the effect, of interfering with Plaintiffs' ability to organize tenants at Park 7 to address safety and sanitation problems at the building and other tenant concerns, as protected under the Right to Organize Law.

66. Defendants' unlawful conduct, as alleged above, has additionally caused each individual Plaintiff emotional distress and other harm for which each seeks an award of compensatory damages.

67. The conduct in which Defendants engaged, as alleged above, willfully and purposefully infringed on, or was undertaken in reckless disregard of, Plaintiffs' rights protected by the Right to Organize Law, for which each Plaintiff seeks an award of punitive damages.

PRAYER FOR RELIEF

68. Plaintiff requests the following relief:

- i. Declare that the Defendants conduct, alleged above, violated the Tenants' Right to Organize Law;
- j. Enjoin the Landlord and the Property Manager from continuing to intimidate, harass, and otherwise prevent tenants residing at Park 7 apartments from exercising rights protected by the Tenants' Right to Organize Law, as set forth in D.C. Code § 42-3505.06(e)(2);
- k. Impose civil penalties for each violation of the Tenants' Right to Organize Law, as set forth in § 42-3505.06(e)(1);

- l. Award compensatory and punitive damages to Plaintiffs in amounts appropriate to the proof at trial, as set forth in § 42-3505.06(e)(1) and (3);
- m. Award reasonable attorneys' fees and costs, as set forth in § 42-3505.06(e)(5); and
- n. Award such other relief as is just and appropriate.

Dated: July 21, 2021

Respectfully submitted,

/s/ Joseph M. Sellers
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Suite 500
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Facsimile 202-408-4699

/s/ Brook Hill
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(catherine_cone@washlaw.org)
Washington Lawyers' Committee for Civil
Rights and Urban Affairs
700 14th Street NW, Suite 400
Washington, DC 20005
Telephone: 202-319-1000
Facsimile: 202-319-1010
**Motion to appear pro hac vice forthcoming*



Superior Court of the District of Columbia
CIVIL DIVISION
Civil Actions Branch
500 Indiana Avenue, N.W., Suite 5000 Washington, D.C. 20001
Telephone: (202) 879-1133 Website: www.dccourts.gov

Park 7 Tenant Union, Tara Maxwell, Jewell Burgess, & Roxanne Michaels
 Plaintiff

vs.

Case Number _____

Park 7 Residential LP & 3801 Management LLC, d/b/a, Donatelli Management
 Defendant

SUMMONS

To the above named Defendant:

You are hereby summoned and required to serve an Answer to the attached Complaint, either personally or through an attorney, within twenty one (21) days after service of this summons upon you, exclusive of the day of service. If you are being sued as an officer or agency of the United States Government or the District of Columbia Government, you have sixty (60) days after service of this summons to serve your Answer. A copy of the Answer must be mailed to the attorney for the plaintiff who is suing you. The attorney's name and address appear below. If plaintiff has no attorney, a copy of the Answer must be mailed to the plaintiff at the address stated on this Summons.

You are also required to file the original Answer with the Court in Suite 5000 at 500 Indiana Avenue, N.W., between 8:30 a.m. and 5:00 p.m., Mondays through Fridays or between 9:00 a.m. and 12:00 noon on Saturdays. You may file the original Answer with the Court either before you serve a copy of the Answer on the plaintiff or within seven (7) days after you have served the plaintiff. If you fail to file an Answer, judgment by default may be entered against you for the relief demanded in the complaint.

Joseph Sellers and Brian Corman
 Name of Plaintiff's Attorney

Clerk of the Court

Cohen Milstein Sellers & Toll PLLC
 Address
1100 New York Ave NW Fifth Floor

By _____
 Deputy Clerk

Washington, DC 20005
 Telephone

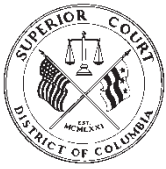
Date _____

如需翻译,请打电话 (202) 879-4828 Veuillez appeler au (202) 879-4828 pour une traduction Để có một bản dịch, hãy gọi (202) 879-4828
 번역을 원하시면, (202) 879-4828로 전화하십시오. የአማርኛ ትርጉም ለማግኘት (202) 879-4828 ይደውሉ

IMPORTANT: IF YOU FAIL TO FILE AN ANSWER WITHIN THE TIME STATED ABOVE, OR IF, AFTER YOU ANSWER, YOU FAIL TO APPEAR AT ANY TIME THE COURT NOTIFIES YOU TO DO SO, A JUDGMENT BY DEFAULT MAY BE ENTERED AGAINST YOU FOR THE MONEY DAMAGES OR OTHER RELIEF DEMANDED IN THE COMPLAINT. IF THIS OCCURS, YOUR WAGES MAY BE ATTACHED OR WITHHELD OR PERSONAL PROPERTY OR REAL ESTATE YOU OWN MAY BE TAKEN AND SOLD TO PAY THE JUDGMENT. IF YOU INTEND TO OPPOSE THIS ACTION, DO NOT FAIL TO ANSWER WITHIN THE REQUIRED TIME.

If you wish to talk to a lawyer and feel that you cannot afford to pay a fee to a lawyer, promptly contact one of the offices of the Legal Aid Society (202-628-1161) or the Neighborhood Legal Services (202-279-5100) for help or come to Suite 5000 at 500 Indiana Avenue, N.W., for more information concerning places where you may ask for such help.

See reverse side for Spanish translation
 Veá al dorso la traducción al español



TRIBUNAL SUPERIOR DEL DISTRITO DE COLUMBIA
DIVISIÓN CIVIL
Sección de Acciones Civiles
500 Indiana Avenue, N.W., Suite 5000, Washington, D.C. 20001
Teléfono: (202) 879-1133 Sitio web: www.dccourts.gov

_____ Demandante
 contra

Número de Caso: _____

_____ Demandado

CITATORIO

Al susodicho Demandado:

Por la presente se le cita a comparecer y se le requiere entregar una Contestación a la Demanda adjunta, sea en persona o por medio de un abogado, en el plazo de veintiún (21) días contados después que usted haya recibido este citatorio, excluyendo el día mismo de la entrega del citatorio. Si usted está siendo demandado en calidad de oficial o agente del Gobierno de los Estados Unidos de Norteamérica o del Gobierno del Distrito de Columbia, tiene usted sesenta (60) días, contados después que usted haya recibido este citatorio, para entregar su Contestación. Tiene que enviarle por correo una copia de su Contestación al abogado de la parte demandante. El nombre y dirección del abogado aparecen al final de este documento. Si el demandado no tiene abogado, tiene que enviarle al demandante una copia de la Contestación por correo a la dirección que aparece en este Citatorio.

A usted también se le requiere presentar la Contestación original al Tribunal en la Oficina 5000, sito en 500 Indiana Avenue, N.W., entre las 8:30 a.m. y 5:00 p.m., de lunes a viernes o entre las 9:00 a.m. y las 12:00 del mediodía los sábados. Usted puede presentar la Contestación original ante el Juez ya sea antes que usted le entregue al demandante una copia de la Contestación o en el plazo de siete (7) días de haberle hecho la entrega al demandante. Si usted incumple con presentar una Contestación, podría dictarse un fallo en rebeldía contra usted para que se haga efectivo el desagravio que se busca en la demanda.

SECRETARIO DEL TRIBUNAL

 Nombre del abogado del Demandante

Por: _____
 Subsecretario

 Dirección

Fecha _____

 Teléfono

如需翻译,请打电话 (202) 879-4828 Veuillez appeler au (202) 879-4828 pour une traduction Để có một bản dịch, hãy gọi (202) 879-4828
 번역을 원하시면 (202) 879-4828 로 전화하십시오 የአማርኛ ትርጉም ለማግኘት (202) 879-4828 ይደውሉ

IMPORTANTE: SI USTED INCUMPLE CON PRESENTAR UNA CONTESTACIÓN EN EL PLAZO ANTES MENCIONADO O, SI LUEGO DE CONTESTAR, USTED NO COMPARECE CUANDO LE AVISE EL JUZGADO, PODRÍA DICTARSE UN FALLO EN REBELDÍA CONTRA USTED PARA QUE SE LE COBRE LOS DAÑOS Y PERJUICIOS U OTRO DESAGRAVIO QUE SE BUSQUE EN LA DEMANDA. SI ESTO OCURRE, PODRÍA RETENÉRSELE SUS INGRESOS, O PODRÍA TOMÁRSELE SUS BIENES PERSONALES O BIENES RAÍCES Y SER VENDIDOS PARA PAGAR EL FALLO. SI USTED PRETENDE OPONERSE A ESTA ACCIÓN, NO DEJE DE CONTESTAR LA DEMANDA DENTRO DEL PLAZO EXIGIDO.

Si desea conversar con un abogado y le parece que no puede pagarle a uno, llame pronto a una de nuestras oficinas del Legal Aid Society (202-628-1161) o el Neighborhood Legal Services (202-279-5100) para pedir ayuda o venga a la Oficina 5000 del 500 Indiana Avenue, N.W., para informarse sobre otros lugares donde puede pedirayuda al respecto.

Vea al dorso el original en inglés
 See reverse side for English original