

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

KENDALL SIMMONS,
1313 Congress Street SE, Unit 204,
Washington, DC 20032;

MYRON JONES, JR.,
1333 Savannah Street, Apt. #7,
Washington, DC 20033; and

**CARNECIA ROBINSON, individually and
on behalf of the ESTATE OF JAMES
ROBINSON,**
3407 13th Place SE, Apt. 204
Washington, DC 20032

Plaintiffs,

v.

**S.E. WASHINGTON DEVELOPMENT
ASSOCIATES L.P.,**
7735 Old Georgetown Road, Suite 600,
Bethesda, MD 20814;

**S.E. WASHINGTON DEVELOPMENT
ASSOCIATES II, L.P.,**
7735 Old Georgetown Road, Suite 600,
Bethesda, MD 20814;

CONGRESS PARK PARTNER, L.P.,
7735 Old Georgetown Road, Suite 600
Bethesda, MD 20814;

CONGRESS PARK PARTNER II, L.P.,
7735 Old Georgetown Road, Suite 600
Bethesda, MD 20814;

**NEW CONGRESS PARK PARTNER,
LLC,**
7735 Old Georgetown Road, Suite 600,
Bethesda, Maryland 20814;

COMPLAINT AND JURY DEMAND

**NEW CONGRESS PARK PARTNER II,
LLC,**

7735 Old Georgetown Road, Suite 600,
Bethesda, Maryland 20814;

SEWD PARTNERS LLC,

7735 Old Georgetown Road, Suite 600,
Bethesda, Maryland 20814;

NEW SEWD PARTNER II, LLC,

7735 Old Georgetown Road, Suite 600,
Bethesda, Maryland 20814;

MID-CITY CONGRESS, LLC,

7735 Old Georgetown Road, Suite 600,
Bethesda, Maryland 20814;

MID-CITY CONGRESS II, LLC,

7735 Old Georgetown Road, Suite 600,
Bethesda, Maryland 20814;

**URBAN ATLANTIC DEVELOPMENT,
LLC,**

7735 Old Georgetown Road, Suite 600,
Bethesda, Maryland 20814;

**EDGEWOOD MANAGEMENT CORP.
d/b/a PRATUM COMPANIES-
MANAGEMENT AND ADVISORY
SERVICES,**

9711 Washingtonian Boulevard, Ste 200
Gaithersburg, Maryland 20878;

**THE FRANKLIN JOHNSTON GROUP
MANAGEMENT & DEVELOPMENT
LLC,**

300 32nd Street, Suite 310
Virginia Beach, VA 23451;

LOIS S. FRIED,

7735 Old Georgetown Road, Suite 600,
Bethesda, Maryland 20814;

VICTORIA DAVIS,

7735 Old Georgetown Road, Suite 600,
Bethesda, Maryland 20814;

and

**JOHN DOES #1-10,
Defendants.**

COMPLAINT AND DEMAND FOR JURY TRIAL

COMES NOW Plaintiffs Kendall Simmons, Myron Jones, Jr., and Carnecia Robinson, individually and as personal representative of the Estate of James Robinson, by and through undersigned counsel, and file this Complaint against Defendants S.E. Washington Development Associates, L.P.; S.E. Washington Development Associates II, L.P.; Congress Park Partner, L.P.; Congress Park Partner II, L.P.; New Congress Park Partner, LLC; New Congress Park Partner II, LLC; SEWD Partners LLC; New SEWD Partner II, LLC; Mid-City Congress, LLC; Mid-City Congress II, LLC; Urban Atlantic Development, LLC; The Franklin Johnston Group Management & Development, LLC; Edgewood Management Corporation d/b/a Pratum Companies-Management and Advisory Services; Lois S. Fried; Victoria Davis; and John Does #1-10, and in support thereof state as follows:

I. INTRODUCTION

1. Defendants own, operate, and manage Congress Park I & II Apartments (“Congress Park”), a 377-unit federally subsidized housing complex located in Ward 8 of the District of Columbia. Ward 8 is one of the city’s poorest neighborhoods, where over 80% of residents are Black. For decades, Defendants have systematically abandoned their legal obligation to provide safe and habitable housing to the approximately 1,200 residents who call Congress Park home. Instead, they have facilitated the progressive decline of the property, reducing it to squalor and turning it into a killing ground.

2. Congress Park residents frequently encounter violent crime at or near the premises, including homicide, assault, assault with a dangerous weapon, and robbery. According to publicly available Metropolitan Police Department (“MPD”) data, there have been at least eighty (80)

shootings and nearly thirty (30) homicides documented at or within the immediate vicinity of Congress Park between 2013 and 2025.

3. Defendants had actual and constructive notice of this recurring violence alongside chronic security failures and unsafe conditions at Congress Park, including broken or unsecured entry doors, inadequate lighting in common areas, nonfunctioning or absent security cameras, and inadequate security personnel. Defendants received notice through, amongst other manners, prior violent incidents at Congress Park documented by the MPD, tenant complaints, tenant meetings attended by Defendants' principals, code enforcement citations, and prior lawsuits filed by Congress Park residents arising from conditions at the property. Despite that notice, Defendants failed to take reasonable measures to protect residents and lawful visitors. They did not maintain secure building entry points, provide adequate lighting, maintain functioning surveillance equipment, or implement effective security measures sufficient to address the known risks at the property. Instead, Defendants continued to collect rent and federal housing subsidies while allowing dangerous conditions to persist.

4. On May 26, 2025, those failures—once again—culminated in a tragic and foreseeable event. James Robinson, a 31-year-old longtime Congress Park resident, was in his apartment when a gunman gained access to the building and entered the unit. The gunman shot Mr. Robinson, killing him, and shot Plaintiff Kendall Simmons multiple times, causing permanent neurological damage.

5. Plaintiff Myron Jones, Jr., a former Congress Park resident who had returned to visit family, was shot multiple times after learning of the shooting and coming outside, and he suffered severe injuries, including organ loss.

6. Plaintiff Carnecia Robinson, Mr. Robinson's mother, was on the premises at the time of the shooting, heard the gunfire, and suffered severe emotional trauma as a result of her son's killing.

7. Plaintiffs bring this action to recover damages caused by Defendants' negligence and wrongful conduct. Plaintiffs assert claims for negligence and negligence per se.

8. Plaintiff Carnecia Robinson additionally asserts claims for negligent infliction of emotional distress and intentional infliction of emotional distress, individually, and wrongful death and survival claims on behalf of the Estate of James Robinson.

II. PARTIES

A. Plaintiffs

9. Plaintiff Kendall Simmons is domiciled in the District of Columbia and, at all times relevant herein, resided at 1313 Congress Street SE, Unit 204, Washington, DC 20032. On May 26, 2025, Plaintiff Simmons suffered severe injuries at Congress Park when he was shot eight times, including twice in the head.

10. Plaintiff Myron Jones, Jr. is domiciled in the District of Columbia. Prior to September 2023, he resided at Congress Park, and on May 26, 2025, he was visiting family at 1333 Savannah Street SE, Apt. 7, Washington, DC 20032. On that date, Plaintiff Jones suffered severe injuries at Congress Park when he was shot seven times.

11. Plaintiff Carnecia Robinson is domiciled in the District of Columbia and brings this action individually and on behalf of the Estate of James Robinson.

12. At all times relevant herein, Plaintiff Robinson and James Robinson resided at 3416 13th Place SE, Unit 201, Washington, DC 20032. On May 26, 2025, James Robinson was shot

and killed at Congress Park. Plaintiff Robinson was present on the premises and suffered severe emotional distress as a result of her son's killing.

B. The Property Ownership Entity Defendants

13. Defendant S.E. Washington Development Associates, L.P. ("SWDA") (registered with the Department of Licensing and Consumer Protection ("DLCP") under File No. 004899), located at 7735 Old Georgetown Road, Suite 600, Bethesda, Maryland 20814, is a District of Columbia limited partnership formed on May 6, 1999, that owns Congress Park I. This Defendant may be served via its Registered Agent, C T Corporation System, at 1015 15th Street NW, Suite 1000, Washington, DC 20005.

14. Defendant S.E. Washington Development Associates II, L.P. ("SWDA II") (registered with the DLCP under File No. P20109), located at 7735 Old Georgetown Road, Suite 600, Bethesda, Maryland 20814, is a District of Columbia limited partnership formed on November 7, 2000, that owns Congress Park II. This Defendant may be served via its Registered Agent, C T Corporation System, at 1015 15th Street NW, Suite 1000, Washington, DC 20005.

15. At all times relevant to this Complaint, SWDA and SWDA II (collectively, the "Ownership Defendants") owned Congress Park and owed duties of care to tenants and lawful visitors with respect to the maintenance, security, and habitability of the premises. By virtue of their ownership of Congress Park and receipt of federal housing subsidies, the Ownership Defendants were obligated to maintain the property in a safe and habitable condition.

C. The Intermediate Holding Entity Defendants

16. Defendant Congress Park Partner, L.P. ("CPP") (registered with the DLCP under File No. 009299), located at 7735 Old Georgetown Road, Suite 600, Bethesda, Maryland 20814, is a District of Columbia limited partnership that serves as the General Partner of SWDA. This

Defendant may be served via its Registered Agent, C T Corporation System, at 1015 15th Street NW, Suite 1000, Washington, DC 20005.

17. Defendant Congress Park Partner II, L.P. (“CPP II”) (registered with the DLCP under File No. P20112), located at 7735 Old Georgetown Road, Suite 600, Bethesda, Maryland 20814, is a District of Columbia limited partnership that, upon information and belief, serves as the General Partner of SWDA II. This Defendant may be served via its Registered Agent, C T Corporation System, at 1015 15th Street NW, Suite 1000, Washington, DC 20005.

18. Defendant New Congress Park Partner, LLC (“New CPP”) (registered with the DLCP under File No. L00005263128), located at 7735 Old Georgetown Road, Suite 600, Bethesda, Maryland 20814, is a District of Columbia limited liability company that serves as the General Partner of SWDA. This Defendant may be served via its Registered Agent, C T Corporation System, at 1015 15th Street NW, Suite 1000, Washington, DC 20005.

19. Defendant New Congress Park Partner II, LLC (“New CPP II”) (registered with the DLCP under File No. L00005263145), located at 7735 Old Georgetown Road, Suite 600, Bethesda, Maryland 20814, is a District of Columbia limited liability company that serves as the General Partner of SWDA II. This Defendant may be served via its Registered Agent, C T Corporation System, at 1015 15th Street NW, Suite 1000, Washington, DC 20005.

20. Defendant SEWD Partners LLC (“SEWD Partners”) (registered with the DLCP under File No. L03805), located at 7735 Old Georgetown Road, Suite 600, Bethesda, Maryland 20814, is a Delaware limited liability company that serves as the General Partner of CPP. This Defendant may be served via its Registered Agent, C T Corporation System, at 1015 15th Street NW, Suite 1000, Washington, DC 20005.

21. Defendant New SEWD Partner II, LLC (“New SEWD II”) (registered with the DLCP under File No. L00005294461), located at 7735 Old Georgetown Road, Suite 600, Bethesda, Maryland 20814, is a District of Columbia limited liability company that serves as the Managing Member of New CPP II. This Defendant may be served via its Registered Agent, C T Corporation System, at 1015 15th Street NW, Suite 1000, Washington, DC 20005.

22. Defendant Mid-City Congress, LLC (“MCC”) (formed in Delaware under File No. 2997461), located at 7735 Old Georgetown Road, Suite 600, Bethesda, Maryland 20814, is a Delaware limited liability company that serves as a Member of SEWD Partners. This Defendant may be served via its Registered Agent, National Registered Agents, Inc., at 1209 Orange Street, Wilmington, DE 19801.

23. Defendant Mid-City Congress II, LLC (“MCC II”) (formed in Delaware under File No. 3314033), located at 7735 Old Georgetown Road, Suite 600, Bethesda, Maryland 20814, is a Delaware limited liability company that serves as a Member of New SEWD II. This Defendant may be served via its Registered Agent, National Registered Agents, Inc., at 1209 Orange Street, Wilmington, DE 19801.

24. At all times relevant to this Complaint, CPP, New CPP, New CPP II, SEWD Partners, New SEWD II, MCC, and MCC II (collectively, the “Intermediate Holding Defendants”) exercised governance and control over the Ownership Defendants through their roles as general partners, managing members, and members in the ownership chain. By virtue of their control over the Ownership Defendants, the Intermediate Holding Defendants participated in and directed decisions concerning the maintenance, security, and habitability of Congress Park.

D. The Controlling Entity Defendants

25. Defendant Urban Atlantic Development, LLC (“Urban Atlantic” or “Controlling Defendant”) (registered with the DLCP under File No. L07168), located at 7735 Old Georgetown Road, Suite 600, Bethesda, Maryland 20814, is a Delaware limited liability company that develops and invests in commercial real estate projects throughout the Washington, D.C. metropolitan area. Urban Atlantic serves as the Manager of MCC and MCC II. DLCP records identify the True Legal Name of this Defendant as Mid-City Urban, LLC. This Defendant may be served via its Registered Agent, C T Corporation System, at 1015 15th Street NW, Suite 1000, Washington, DC 20005.

26. At all times relevant to this Complaint, Urban Atlantic exercised ultimate governance and control over Congress Park through its management of MCC and MCC II, which sit atop the ownership chain. By virtue of this control, Urban Atlantic participated in and directed decisions concerning the maintenance, security, and habitability of Congress Park.

E. Property Management Entity Defendants

27. Defendant The Franklin Johnston Group Management & Development, LLC (“Franklin Johnston”) (registered with the DLCP under File No. L00005787062), located at 300 32nd Street, Suite 310, Virginia Beach, Virginia 23451, is a Virginia limited liability company that has served as the property management company for Congress Park since at least 2021 and operates in the District of Columbia under the trade name “Franklin Group Companies, LLC.” This Defendant may be served via its Registered Agent, Cogency Global Inc., at 1025 Connecticut Avenue NW, Suite 712, Washington, DC 20036.

28. Defendant Edgewood Management Corporation d/b/a Pratum Companies-Management and Advisory Services (“Edgewood”) (registered with the DLCP under File No. 871775), located at 9711 Washingtonian Boulevard, Suite 200, Gaithersburg, Maryland 20878, is

a Maryland corporation that served as the property management company for Congress Park from at least 2000 through approximately 2021. This Defendant may be served via its Registered Agent, C T Corporation System, at 1015 15th Street NW, Suite 1000, Washington, DC 20005.

29. At all times relevant to this Complaint, Edgewood and Franklin Johnston (collectively, the “Management Defendants”) exercised actual control over the premises with respect to maintenance, security, and the day-to-day conditions experienced by tenants and lawful visitors. By virtue of their contractual relationships with the property owners and their actual control over the premises, the Management Defendants owed a duty of reasonable care to Plaintiffs and other persons lawfully on the premises.

F. Individual Defendants

30. Defendant Lois S. Fried, who may be served at 7735 Old Georgetown Road, Suite 600, Bethesda, Maryland 20814, is co-founder and managing partner of Urban Atlantic and beneficial owner of Urban Atlantic, SWDA, SWDA II, CPP, New CPP, and New CPP II. Defendant Fried appears as a party to recorded instruments encumbering Congress Park, including a Trust Subordination Agreement dated September 18, 2023, an Agreement dated July 6, 2023, and a Trust dated April 21, 2016. In these capacities, Defendant Fried exercised governance and decision-making authority over Congress Park.

31. Defendant Victoria Davis, who may be served at 7735 Old Georgetown Road, Suite 600, Bethesda, Maryland 20814, is co-founder and managing partner of Urban Atlantic. DLCP records identify Defendant Davis as a beneficial owner of Urban Atlantic. At all relevant times, Defendant Davis acted on behalf of the Congress Park ownership entities, including by attending meetings concerning the property and responding to concerns raised by Congress Park residents.

In these capacities, Defendant Davis exercised governance and decision-making authority over Congress Park.

32. Defendants John Does #1-10 are fictitious names for individuals and/or entities who owned, operated, governed, controlled, managed, and/or provided security services at Congress Park during times relevant to this action, and whose true identities are not yet known to Plaintiffs. Plaintiffs will seek leave to amend this Complaint to substitute the true names of these Defendants when ascertained.

III. THE DEFENDANT ENTITIES' RELATIONSHIPS AND COMMON CONTROL

33. The Defendant entities share common ownership and control, overlapping management, coordinated decision-making, and common representation regarding Congress Park. This structure enables Defendants to claim ownership when seeking government funding and tax benefits while simultaneously asserting corporate separateness to evade liability for the dangerous conditions they have created.

34. The Defendant entities share common infrastructure, operations, and administration, including:

- a. The same principal business address: 7735 Old Georgetown Road, Suite 600, Bethesda, Maryland 20814;
- b. The same communications systems, with the Ownership Defendants listing (301) 280-6603 as their contact telephone number, which is a line within the Controlling Defendant's telephone block, whose main number is (301) 280-6600;
- c. The same registered agent for service of process in the District of Columbia: C T Corporation System; and

- d. The same legal counsel for representation in litigation arising from conditions at Congress Park, with the Ownership Defendants, Franklin Johnston, and related entities consistently being represented by attorneys from Offit Kurman, P.A..¹
35. The Defendant entities have held themselves out as sharing common ownership and control over Congress Park, as evidenced by:
- a. Communications with D.C. Councilmember Trayon White that led the Councilmember to publicly identify the Controlling Defendant as the “Owner” of Congress Park in a May 2023 Instagram post;²
 - b. Communications with the District of Columbia Board of Zoning Adjustment, including a December 12, 2022 letter signed by Defendant Fried on Urban Atlantic letterhead authorizing legal counsel to act on behalf of SWDA II, with a signature block expressly identifying the chain of control (SWDA II, by New CPP II as its General Partner, by New SEWD II as its Managing Member, by MCC II as its Member, by the Controlling Defendant as its Manager)³ and a December 12, 2022 affidavit from Defendant Lederman stating that SWDA II and Urban Atlantic are “related” entities.⁴
 - c. Corporate entity filings identifying common beneficial ownership across multiple entities in the ownership chain, including DLCP records identifying Defendants

¹ See, e.g., *Stacey Williams v. SE Washington Development Associates*, No. 2024-CAB-002077 (D.C. Super. Ct. filed Apr. 4, 2024); *Chakeatia Jackson v. SE Washington Development Associates II LP*, No. 2020-CAB-001234 (D.C. Super. Ct. filed Feb. 18, 2020).

² Trayon White (@trayonwhite), Instagram available at https://www.instagram.com/p/Cr5och2A2G2/?img_index=1 (May 6, 2023).

³ Authorization Letter, Application for Two-Year Time Extension of BZA Order No. 20158A, Case No. 20158B, Ex. 2 (D.C. Bd. of Zoning Adjustment Dec. 12, 2022), available at <https://app.dcoz.dc.gov/CaseReport/ViewExhibit.aspx?exhibitId=296018>.

⁴ Affidavit in Support of BZA Extension Request BZA Order Nos. 20158 and 20158A, Case No. 2015B, Ex. 6 (D.C. Bd. of Zoning Adjustment Dec. 12, 2022), available at <https://app.dcoz.dc.gov/CaseReport/ViewExhibit.aspx?exhibitId=296022>.

Fried and Page as beneficial owners and governors of CPP, New CPP, and New CPP II, and DLCP records identifying Defendants Fried and Davis as beneficial owners of the Controlling Defendant; and

- d. Recorded instruments encumbering Congress Park that name the entity Defendants and Individual Defendants as parties, including a Deed of Trust, Assignment of Rents, Security Agreement and Fixture Filing recorded July 6, 2023 (containing signatures for SWDA II, CPP II, SEWD II; and Defendant Page); a Multifamily Deed of Trust, Assignment of Rents and Security Agreement recorded February 7, 2020 (containing signatures for SWDA, CPP, SEWD, MCC, Urban Atlantic, and Defendants Page and Fried); a Deed of Trust, Assignment of Rents and Security Agreement recorded April 21, 2016 (containing signatures for SWDA II, CPP II, MCC II, Urban Atlantic, and Defendants Page and Fried); a Trust Subordination Agreement recorded April 21, 2016 (containing signatures for SWDA II, CPP II, MCC II, Urban Atlantic, and Defendants Page and Fried); a Deed of Trust, Assignment of Rents and Security Agreement recorded December 28, 2015 (containing signatures for SWDA, CPP, SEWD, MCC, Urban Atlantic, and Defendants Page and Fried); a Modification recorded April 8, 2009; and a Trust dated February 13, 2004 (containing signatures for SWDA II, CPP II, SEWD II, and Defendant Page); and
- e. Other recorded instruments regarding parties' operations and property agreements including a Lease Assignment recorded July 6, 2023 (including signatures for SWDA II, CPP II, SEWD II, and Defendant Page); a Use Agreement recorded July 6, 2023 (containing signatures for SWDA II, CPP II, SEWD II, MCC II, Urban

Atlantic, and Defendants Page and Fried); a Subordination Agreement recorded September 18, 2023 (containing signatures for SWDA II, CPP II, SEWD II, MCC II, Urban Atlantic, and Defendants Page and Fried; an Easement recorded December 28, 2015 (containing signatures for SWDA II, CPP II, SEWD II, MCC II, Urban Atlantic, and Defendants Page and Fried; a Use Agreement recorded February 13, 2004 (containing signatures for SWDA II, CPP II, SEWD II, and Defendant Page); and a Use Agreement recorded March 30, 2000 (containing signatures for SWDA, CPP, SEWD, MCC, Mid-City Urban, and Defendants Page and Davis).

36. Despite publicly claiming ownership for purposes of obtaining federal subsidies, tax credits, and housing finance agency support, Defendants have attempted to avoid liability by asserting that the various defendant entities are separate and distinct. This conduct demonstrates a pattern of use of the corporate form to perpetrate a fraud on the public and on the residents of Congress Park.

37. At all times relevant to this Complaint, the Defendant entities operated as a single enterprise with unity of interest and ownership such that the separate personalities of the entities did not meaningfully exist with respect to the ownership, governance, management, and operation of Congress Park. Adherence to the fiction of separate corporate existence would sanction fraud and promote injustice.

IV. JURISDICTION AND VENUE

38. This Court has subject matter jurisdiction over this action pursuant to D.C. Code § 11-921, which grants the Superior Court jurisdiction over any civil action at law or in equity.

39. This Court has personal jurisdiction over Defendants pursuant to D.C. Code § 13-423, as Defendants transact business in the District of Columbia, contracted to supply services in the District of Columbia, and caused tortious injury in the District of Columbia by acts or omissions occurring within the District.

40. Venue is proper in this Court pursuant to D.C. Code § 11-501 because the events and omissions giving rise to Plaintiffs' claims occurred in the District of Columbia, and the property at issue is located in the District of Columbia.

V. FACTUAL ALLEGATIONS

A. Defendants Own, Operate, and Manage Congress Park, a Federally Subsidized Housing Complex Serving Low-Income Families

41. Congress Park is a 377-unit federally subsidized housing complex in the District of Columbia. SWDA owns Congress Park I, and SWDA II owns Congress Park II. The Intermediate Holding Defendants and the Controlling Defendant sit above them in the ownership chain and exercise governance and control over both. Franklin Johnston has managed the property since at least 2021, and Edgewood managed it before that.

42. Congress Park I is located at 1370, 1389-1397 Congress Street SE, 1325-1335, 1369, and 1374 Savannah Street SE, and 1407, 1409, 1411 Alabama Ave. SE, Washington D.C.

43. Congress Park II is located at 1313-1385 Congress Street SE, 3401-3418 13th Place SE, 3301-3332 14th Place SE, and 1374-1383 Savannah Place SE, in the District of Columbia.

44. Together, Congress Park I & Congress Park II comprise twenty-seven two- and three-story brick, garden-style, walk-up apartment buildings spread across multiple city blocks, which include ten one-bedroom units, 184 two-bedroom units, 133 three-bedroom units, forty-seven four-bedroom units, and three five-bedroom units, for a total of 377 units.⁵

⁵ *Id.*

45. Congress Park is approximately one-quarter mile from the Congress Heights Metro Station and within walking distance of neighborhood schools and other community amenities, such as Baird High School Early College DC and St. Elizabeth’s Hospital.

46. The Congress Heights neighborhood is part of Ward 8, where 81% of residents are Black, 26.8% live below the poverty line, and the median household income is \$50,931—less than half the District-wide median of \$108,210.⁶

47. The vast majority of Congress Park residents are low-income families who depend on federal Section 8 rental subsidies for housing.

48. Congress Park’s Section 8 assistance is provided through a project-based Housing Assistance Payment (“HAP”) contract administered by the U.S. Department of Housing and Urban Development (“HUD”), which commenced in 1982 and was renewed in 2014 for a twenty-year period.⁷ Under the HAP contract, Defendants receive federal rental subsidies for 376 of the property’s 377 units.⁸ Upon information and belief, these subsidies generate millions of dollars annually for Defendants.

49. Unlike tenant-based vouchers, which follow an individual household to any qualifying unit, a project-based HAP contract attaches the subsidy to the property itself.

50. Due to the project-based nature of the subsidy, residents who leave Congress Park cannot take their existing rental assistance with them and face substantial barriers to obtaining replacement subsidized housing, including years-long waits for tenant-based vouchers and limited availability at other project-based properties. These constraints make relocation unrealistic within

⁶ U.S. Census Bureau, American Community Survey 2023 5-Year Estimates, Ward 8, DC, <https://censusreporter.org/profiles/61000US11008-ward-8-dc/>; District of Columbia, <https://censusreporter.org/profiles/16000US1150000-washington-dc/>.

⁷ *Id.*

⁸ *Id.*

a reasonable timeframe and effectively prevent many residents from leaving Congress Park without jeopardizing their housing assistance.

B. Defendants Have Facilitated Dangerous Conditions to Persist

51. Defendants have deferred maintenance at Congress Park and failed to keep the property in a safe and habitable condition.

52. Defendants' maintenance failures affected basic security features, means of egress, electrical systems, structural integrity, plumbing systems, and other essential building conditions, exposing residents and lawful visitors to serious safety risks and health hazards.

53. These failures included, among other things:

- a. security failures, including broken locks, damaged doors, nonfunctioning or absent security cameras, inadequate lighting in hallways, stairwells, parking areas, and other common areas, and inadequate security personnel;
- b. egress deficiencies, including obstructed or inoperable emergency exits and non-compliant fire escapes; and
- c. fire and life-safety issues, including inoperable or faulty smoke alarms and carbon monoxide systems and missing or inoperable fire extinguishers.

54. These failures created a visibly deteriorated and poorly secured environment marked by neglected security features, unsafe common areas, and other unaddressed hazards. Those conditions reflected Defendants' lack of control over the property, made unauthorized access easier, and increased the likelihood of criminal activity and serious harm to residents and lawful visitors.

C. Defendants Received Repeated Notice of Dangerous Conditions and Violence

1. Documented shootings and other violent crime placed Defendants on notice that serious violence was foreseeable at Congress Park

55. Between 2013 and 2025, the MPD responded to more than eighty (80) shootings and nearly thirty (30) homicides on or in the immediate vicinity of Congress Park. The incidents included homicides, non-fatal shootings, assaults with dangerous weapons, and armed robberies.

56. MPD documented each of the incidents detailed below through incident reports, press releases, homicide investigations, public requests for information, and reward notices. Defendants knew, or in the exercise of reasonable care should have known, of each incident. Collectively, these incidents placed Defendants on notice that serious violent crime at Congress Park was foreseeable.

57. On August 31, 2013, officers responded to the 1300 block of Savannah Street SE for a reported shooting.⁹ Officers found 30-year-old Jason Murphy suffering from multiple gunshot wounds.¹⁰ He was pronounced dead at the hospital.¹¹

58. MPD reports a stabbing on April 13, 2019, at the 1300 block of Savannah Street SE. The victim was transported to a local hospital.¹²

59. On June 30, 2019, officers responded to the 3400 block of 13th Place SE for a reported shooting.¹³ Officers found 18-year-old Ja’Vontay Brown suffering from multiple gunshot wounds.¹⁴ He was pronounced dead at the hospital.¹⁵

⁹ Jason Murphy shot to death in Congress Heights, ABC 7 NEWS (Aug. 31, 2013).

¹⁰ *Id.*

¹¹ *Id.*

¹² Arrest Made in an Assault with a Dangerous Weapon (Knife) Offense: 1300 Block of Congress Street, Southeast. MPDC (Apr 15, 2019).

¹³ D.C. Witness Staff, Homicide on 13th Place, SE, DC WITNESS available at <https://dcwitness.org/document-homicide-on-13th-street-se/> (July 1, 2019).

¹⁴ *Id.*

¹⁵ *Id.*

60. Less than one month later, on July 21, 2019, officers responded to the 1300 block of Congress Street SE for the sounds of gunshots.¹⁶ Officers found 27-year-old Jamal Bandy suffering from multiple gunshot wounds; he was transported to a local hospital and was later pronounced dead.¹⁷

61. On July 25, 2019, officers responded to an altercation resulting in an assault with a dangerous weapon at the 1300 block of Congress Street SE.¹⁸

62. On July 30, 2019, officers responded to the 1300 block of Savannah Street SE for a report of gunshots.¹⁹ Officers found 26-year-old Anthony Hooks suffering from multiple gunshot wounds; he was pronounced dead on the scene.²⁰

63. On January 27, 2020, officers were dispatched to the 1300 block of Congress Street SE for reports of a shooting.²¹ Officers located 44-year-old Angus Houston suffering from a gunshot wound.²² He was pronounced dead at the hospital.²³

64. On June 14, 2020, officers responded to a shooting on the 1300 block of Congress Street SE.²⁴ Officers found two male victims, suffering from gunshot wounds.²⁵ One of the victims, 21-year-old Albert Smith, was pronounced dead at the hospital.²⁶ The other victim was treated for non-life-threatening injuries.²⁷

¹⁶ Homicide: 1300 Block of Congress Street, Southeast, MPDC (July 22, 2019).

¹⁷ v

¹⁸ Arrest Made in an Assault with a Dangerous Weapon (Knife) Offense: 1300 Block of Congress Street, Southeast. MPDC (July 26, 2019).

¹⁹ D.C. Witness Staff, Homicide on Savannah Street, SE, DC WITNESS (July 31, 2019).

²⁰ *Id.*

²¹ Michael O’Connell, DC Police Investigate Fatal Shooting in Southeast, PATCH (Jan. 28, 2020).

²² *Id.*

²³ *Id.*

²⁴ D.C. Witness Staff, Homicide in Congress Heights, DC WITNESS (June 15, 2020).

²⁵ *Id.*

²⁶ *Id.*

²⁷ *Id.*

65. On August 21, 2020, officers responded to a shooting at the 1300 block of Congress Street SE.²⁸ Officers located a 5-year-old child suffering from a gunshot wound who was transported to a local hospital with non-life-threatening injuries.²⁹

66. MPD reports a robbery involving force and violence on February 24, 2021, at the 3300 block of 14th Place SE.³⁰

67. On March 31, 2021, five people were shot, and two were killed, in the 1300 block of Congress Street SE.³¹ Officers responded shortly after 1:20 p.m. and located the victims, two of whom were pronounced dead on the scene and later identified as 25-year-old George Evans III and 28-year-old Keosha Ferguson.³² The other three victims were treated for non-life-threatening injuries.³³ Ward 8 Councilmember Trayon White, speaking at the Metropolitan Police Department's press conference that afternoon, said he knew most of the victims, expressed his concern about the violence, and called on the community to address the ongoing harm.³⁴

68. On September 15, 2021, officers responded to the 1300 block of Congress Street SE for a reported shooting.³⁵ Officers found a 37-year-old Tarshaqua Chappel suffering from gunshot wounds.³⁶ She was pronounced dead at the hospital.³⁷

²⁸ Arrest Made in Assault with a Dangerous Weapon (Gun) Offense: 1300 Block of Congress Street, Southeast. MPDC (Sept. 11, 2020).

²⁹ *Id.*

³⁰ Arrest Made in Robbery (Force and Violence) Offense: 3300 Block of 14th Place, Southeast. MPDC (Feb. 25, 2021).

³¹ Dominique Marie Bonessi, Five People Shot, Two Dead After Shooting in Congress Heights, DCIST (Apr. 2, 2021).

³² *Id.*

³³ *Id.*

³⁴ *Id.*

³⁵ D.C. Witness Staff, Homicide in the 1300 block of Congress Street, SE, DC WITNESS (Sept. 16, 2021).

³⁶ *Id.*

³⁷ *Id.*

69. On October 3, 2021, officers responded to the 3400 block of 13th Place SE for sounds of gunshots.³⁸ Officers found two adult male victims suffering from gunshot wounds.³⁹ One of the victims, 31-year-old Antonio McAllister, succumbed to his injuries and later died.⁴⁰

70. On March 23, 2022, officers responded to the 1300 block of Congress Street SE for reports of a shooting.⁴¹ Offices located an adult male who was transported to a local hospital for non-life-threatening injuries.⁴² Shortly thereafter, a second adult male victim walked into a local hospital with non-life-threatening injuries.⁴³

71. On June 12, 2022, officers responded to the 1300 block of Savannah Street SE for sounds of gunshots.⁴⁴ Officers found two adults males suffering from gunshot wounds.⁴⁵ 34-year-old Alphonzo Jones was pronounced dead at the scene.⁴⁶ The second victim was transported to a local hospital for treatment.⁴⁷

72. On August 4, 2022, officers responded to the 3300 block of 14th Place SE for sounds of gunshots.⁴⁸ Officers found an adult male suffering from gunshot wounds who later died on the scene.⁴⁹ John Precia was pronounced dead at the scene.⁵⁰

³⁸ D.C. Witness Staff, October 3 Homicide, DC WITNESS (Oct. 18, 2021).

³⁹ *Id.*

⁴⁰ *Id.*

⁴¹ Vehicle Sought in an Assault with a Dangerous Weapon (Gun): 1300 Block of Congress Street, Southeast. MPDC (March 28, 2023).

⁴² *Id.*

⁴³ *Id.*

⁴⁴ Homicide: 1300 Block of Savannah Street, Southeast. MPDC (June 13, 2022).

⁴⁵ *Id.*

⁴⁶ *Id.*

⁴⁷ *Id.*

⁴⁸ D.C. Witness Staff, Homicide on 14th Place, SE, DC WITNESS (Aug. 4, 2022).

⁴⁹ *Id.*

⁵⁰ Homicide Victim: John Precia. MPDC (Aug. 5, 2022).

73. On September 10, 2022, a shooting was reported at the 1300 block of Congress Street SE.⁵¹ Two adult males sought treatment at an area hospital for gunshot wounds.⁵² 18-year-old Lonzo Malcolm was later pronounced dead.⁵³

74. Less than one month later, on November 9, 2022, officers responded to the 1300 block of Savannah Street SE for reports of a shooting.⁵⁴ Officers located 38-year-old Darnell Shaw Jr. suffering from apparent gunshot wounds; he was pronounced dead at a local hospital.⁵⁵

75. On January 18, 2023, responded to a trouble call for service for an accident resulting from a non-contact shooting at the 1300 block of Congress Street SE.⁵⁶ The individuals in the vehicles at the time of the shooting were transported to a local hospital for treatment.⁵⁷

76. On March 23, 2023, officers responded to reports of a shooting in the 1300 block of Congress Street SE.⁵⁸ Officers found an adult male victim who was transported to a local hospital for treatment.⁵⁹ A second victim later arrived at an area hospital with a gunshot wound.⁶⁰

77. MPD reports a robbery on June 9, 2023, involving a suspect who brandished a handgun at the 3300 block of 14th Place SE.⁶¹

⁵¹ D.C. Witness Staff, Police Investigating Homicide in Southeast, DC WITNESS (Sept. 12, 2022).

⁵² *Id.*

⁵³ *Id.*

⁵⁴ D.C. Witness Staff, Homicide in Southeast, DC WITNESS (Nov. 14, 2022).

⁵⁵ *Id.*

⁵⁶ Suspects Sought in an Assault with a Dangerous Weapon (Gun) Offense: 1300 Block of Congress Street, Southeast. MPDC (January 19, 2023).

⁵⁷ *Id.*

⁵⁸ Vehicle Sought in an Assault with a Dangerous Weapon (Gun): 1300 Block of Congress Street, Southeast. MPDC (March 28, 2023).

⁵⁹ *Id.*

⁶⁰ *Id.*

⁶¹ Information Sought in Armed Robbery (Gun)/Stolen Dog Offense: 3300 Block of 14th Place, Southeast. MPDC (June 12, 2023).

78. On July 27, 2023, officers responded to the 1300 block of Congress Street SE for reports of a shooting.⁶² Officers located an adult male shooting victim.⁶³ The victim was transported to the hospital for non-life-threatening injuries.⁶⁴

79. On September 26, 2023, Kamal Jones was shot and killed at Congress Park.⁶⁵ Mr. Jones was the brother of Plaintiff Myron Jones, Jr., who had lived at Congress Park with his family until his brother's murder. Despite this killing of a resident's family member, Defendants continued to fail to implement adequate security measures.

80. On November 3, 2023, officers responded to the 3400 block of 13th Place SE for reports of shots fired.⁶⁶ While investigating, a suspect began shooting at the officers; after trading fire with the officers, the suspect retreated into a nearby building.⁶⁷

81. On February 17, 2024, officers responded to the 3400 block of 13th Place SE for a report of shots fired.⁶⁸ Officers discovered that a 10-year-old child had been shot and transported the child to the hospital.⁶⁹

82. On May 25, 2024, officers responded to the 1300 block of Congress Street SE due to a report of gunshots.⁷⁰ Officers found a victim suffering from multiple gunshot wounds.⁷¹ 19-year-old Naheem Worley was pronounced dead on the scene.⁷²

⁶² Arrest Made in an Assault with a Dangerous Weapon (Gun) Offense: 1300 Block of Congress Street, Southeast. MPDC (Aug. 1, 2023).

⁶³ *Id.*

⁶⁴ *Id.*

⁶⁵ Homicide Victim: Kamal Jones. MPDC (October 10, 2023).

⁶⁶ Ciara Wells, DC Police Investigation of Southeast Shooting Causes Road Closures, WTOP NEWS (Nov. 4, 2023).

⁶⁷ *Id.*

⁶⁸ MPD Seeks a Suspect and Vehicle in Southeast Shooting. MPDC (February 18, 2024).

⁶⁹ *Id.*

⁷⁰ Sylvia Mphofe, 19-Year-Old Shot, Killed in Southeast DC, FOX5 DC (May 25, 2024).

⁷¹ *Id.*

⁷² *Id.*

83. On August 30, 2024, officers responded to the 3400 block of 13th Place SE for a report of a vehicle struck by a bullet.⁷³ The gunshot victim later arrived at a local hospital for treatment for non-life-threatening injuries.⁷⁴

84. On January 18, 2025, officers were called to the 1300 block of Congress Street for a reported shooting.⁷⁵ Officers found a victim inside an apartment with gunshot wounds.⁷⁶ 21-year-old Raymont Owens was pronounced dead on the scene.⁷⁷

85. On February 4, 2025, officers were called to the 1300 block of Congress Street for a report of an unconscious person.⁷⁸ Officers discovered a man that had been shot.⁷⁹ 19-year-old Khamani Hicks was pronounced dead at the scene.⁸⁰

86. On April 18, 2025, officers responded to the 1300 block of Savannah Place SE for a reported shooting.⁸¹ Officers found three victims.⁸² Two victims were self-transported to local hospitals for treatment for non-life-threatening injuries.⁸³ 18-year-old Christopher Daniels was pronounced dead at the scene.⁸⁴

87. On November 5, 2025, an individual delivering food to a residence in the 3400 block of 13th Place SE was robbed at gunpoint.⁸⁵

⁷³ MPD Searching for Suspect in Southeast Shooting. MPDC (Sept. 3, 2024).

⁷⁴ *Id.*

⁷⁵ Odyssey Fields, 21-Year-Old Shot, Killed in Apartment in Congress Heights Identified, DC NEWS NOW (Jan. 21, 2025).

⁷⁶ *Id.*

⁷⁷ *Id.*

⁷⁸ Jenny Gable, 19-Year-Old Found Dead After Shooting in Congress Heights, Police Investigating, YAHOO! NEWS (Feb. 4, 2025).

⁷⁹ *Id.*

⁸⁰ *Id.*

⁸¹ MPD Investigating Congress Heights Homicide. MPDC (Apr. 20, 2025).

⁸² *Id.*

⁸³ *Id.*

⁸⁴ *Id.*

⁸⁵ Arrest Made in Southeast Armed Robbery. MPDC (November 20, 2025).

88. On November 8, 2025, officers responded to the 3300 block of 14th Place SE for sounds of gunshots.⁸⁶ Officers found a n adult female suffering from gunshot wounds.⁸⁷ 22-year-old Jayla Vaden was pronounced dead on the scene.⁸⁸

89. On December 23, 2025, officers were called to the 1300 block of Congress Street SE.⁸⁹ Officers found 30-year-old Devonta Williams who had been shot.⁹⁰ He was transported to a local hospital and later died from his injuries.⁹¹

90. In addition to the on-property shootings and violent crime documented above, multiple homicides and non-fatal shootings occurred on blocks and at intersections immediately adjacent to Congress Park addresses. These incidents, occurring within yards of property Defendants owned and controlled, were documented by MPD and reported in contemporaneous media coverage. They placed Defendants on further notice of the concentration of gun violence in the immediate area of the property and of the heightened risk to Congress Park residents and lawful visitors.⁹²

2. DOB Records Provided Notice of Security, Egress, and Other Dangerous Conditions

91. Since at least 2019, DOB has repeatedly cited Defendants for housing code violations at Congress Park, issued more than 1,100 violations, and imposed more than \$1.1 million in fines.⁹³ These citations and fines placed Defendants on repeated notice of dangerous and uninhabitable conditions across the property.

⁸⁶ MPD Investigating 14th Place Fatal Shooting, MPDC (Nov. 10, 2025).

⁸⁷ *Id.*

⁸⁸ *Id.*

⁸⁹ 30-year-old Dies in Hospital days after Southeast DC Shooting, ABC 7 NEWS (December 30, 2025).

⁹⁰ *Id.*

⁹¹ *Id.*

⁹² *See, e.g.*, Juan Herrera, 1 Dead, 2 Injured in Triple Shooting in Congress Heights, WTOP NEWS (Oct. 17, 2022).

⁹³ D.C. Dep't of Buildings, Public Dashboard: Violations and Abatement (LVT Tool), <https://dataviz1.dc.gov/t/OCTO/views/DOBPUBLICDashboard/ViolationsAbatementLVT?%3AshowAppBanner=false>

92. Recurring violations involved security and means of egress, structural maintenance, heating, and fire safety. The violations detailed below are representative examples of the dangerous conditions that persisted throughout Congress Park despite repeated citations and fines.

a. Security and Means of Egress Violations

93. DOB records document 109 security and egress violations at Congress Park between 2019 and 2026, resulting in \$74,884 in fines across 37 separate addresses.⁹⁴ The violations span nine code provisions: failure to maintain exterior doors, assemblies, and hardware (IPMC § 304.15); failure to maintain windows, doors, and frames in sound condition (IPMC § 304.13); failure to maintain operable windows (IPMC § 304.13.2); failure to provide security devices for dwelling units (IPMC § 304.18); failure to equip entry doors with deadbolt locks (IPMC § 304.18.1); failure to maintain fire escapes and stairways (12-G DCMR § 702.4); failure to provide unobstructed egress paths (IPMC § 702.1); and failure to make egress doors openable without keys or special knowledge (IPMC § 702.3). Representative examples include:

- a. September 12, 2019: 1329 Savannah Street SE, Unit 4 — failure to maintain windows and doors in sound condition (IPMC § 304.13). Fine: \$519.
- b. February 2, 2023: 1331 Savannah Street SE, Unit 5 — failure to maintain windows and doors in sound condition (IPMC § 304.13). Fine: \$590.
- c. January 16, 2024: 1330 Congress Street SE, Unit 4 — failure to maintain windows and doors in sound condition (IPMC § 304.13). Fine: \$590.
- d. January 8, 2025: 3324 14th Place SE, Unit 201 — failure to maintain windows and doors in sound condition (IPMC § 304.13). Fine: \$625.

[%3Adisplay_count=n%3AshowVizHome=n%3Aorigin=viz_share_link%3Aembed=yes%3Atoolbar=no](#)
(last visited Mar. 2, 2026).

⁹⁴ *Id.*

- e. August 13, 2025: 1348 13th Place SE, Common Area — failure to maintain exterior doors in good condition (IPMC § 304.15). Fine: \$625.
- f. January 6, 2026: 1331 Savannah Street SE, Unit 1 — failure to maintain windows and doors in sound condition (IPMC § 304.13). Fine: \$625.
- g. January 14, 2026: 1313 Savannah Street SE, Common Area — failure to maintain exterior doors in good condition (IPMC § 304.15). Fine: \$625.
- h. February 25, 2026: 1381 Savannah Street SE, Common Area — failure to maintain windows and doors in sound condition (IPMC § 304.13). Fine: \$638.

94. Broken locks, defective entry hardware, and damaged doors and windows directly compromise resident security by creating opportunities for unauthorized entry and criminal activity. Given the documented pattern of violent crime at and around Congress Park, Defendants' failures were particularly dangerous and made serious harm foreseeable.

95. The following photographs, taken at Congress Park, depict conditions consistent with the violations documented above that pose unreasonable safety risks.



b. Electrical, Mechanical, and HVAC Violations

96. DOB records document 107 electrical, mechanical, and HVAC violations at Congress Park between 2019 and 2026, resulting in \$102,760 in fines across 29 separate addresses. The violations span nine code provisions: failure to provide or maintain required mechanical and electrical facilities (IPMC § 601.2); failure to install electrical equipment, wiring, or appliances in a safe manner (IPMC § 605.1); failure to properly install and maintain mechanical appliances, including heating, cooking, and water heating equipment (IPMC § 603.1); failure to provide heating facilities capable of maintaining habitable temperatures (12-G DCMR § 602.2); failure to maintain air conditioning in safe working condition (12-G DCMR § 608.1); failure to provide lighting in public halls and stairways (IPMC § 605.3); failure to maintain receptacle outlet faceplates (IPMC § 605.2); failure to correct hazardous electrical systems (IPMC § 604.3); and failure to replace defective electrical distribution equipment (IPMC § 604.3.1). Representative examples include:

- a. July 25, 2019: 1362 Congress Street SE — failure to maintain electrical facilities (IPMC § 601.2). Fine: \$1,037.
- b. April 27, 2022: 1324 Congress Street SE — failure to maintain mechanical appliances (IPMC § 603.1). Fine: \$1,107.
- c. November 3, 2023: 1325 Savannah Street SE, Unit 5 — failure to maintain mechanical appliances (IPMC § 603.1). Fine: \$1,179.
- d. January 16, 2024: 1330 Congress Street SE, Unit 4 — failure to maintain receptacle outlet faceplates (IPMC § 605.2). Fine: \$590.
- e. February 26, 2025: 1383 Savannah Place SE, Unit 201 — failure to provide adequate heating (12-G DCMR § 602.2). Fine: \$2,499.

f. January 14, 2026: 1313 Congress Street SE, Unit 203 — failure to maintain electrical facilities (IPMC § 601.2). Fine: \$1,249.

97. Defendants’ failure to maintain electrical and mechanical systems results in inadequate lighting in hallways, stairwells, and common areas which contributes to criminal activity by reducing visibility and natural surveillance.

2. Defendants Received Additional Notice from Tenants, Advocates, Public Safety Meetings, and Prior Litigation

98. The violations and fines documented above represent only what DOB inspectors observed during periodic inspections. They do not capture the full scope of conditions that Congress Park residents endure daily. Verified complaints filed in D.C. Superior Court and correspondence from tenant advocates reveal additional safety hazards and uninhabitable living conditions:

- a. Bullet holes: Kenya Kelly alleged bullet holes in her interior walls.⁹⁵
- b. Unsecured entry points: Kenya Kelly also alleged that “Door to the building does not lock,” that “Plaintiff’s doors are not secured when locked,” and that interior doors have broken knobs.⁹⁶
- c. Unsafe common areas: Darah Barbour also alleged that basement doors are “not sufficiently sealed,” creating “easy entry points” for unauthorized individuals and rodents.⁹⁷

⁹⁵ See Verified Complaint at Housing Code Violation Addendum, *Kenya Kelly v. SE Washington Development Associates II LP*, No. 2023-CAB-005501 (D.C. Super. Ct. filed Sept. 6, 2023).

⁹⁶ *Id.*

⁹⁷ *Id.*

D. Despite Notice, Defendants Failed to Take Reasonable Measures to Protect Residents

99. Despite repeated notice of dangerous and insecure conditions at Congress Park, Defendants failed to implement reasonable security measures to protect residents and lawful visitors.

100. Defendants failed to maintain functional security cameras. Upon information and belief, security cameras installed around the property were inoperable, including at key access points. After multiple shootings on the property, no video surveillance was available to assist law enforcement in identifying suspects. The absence of functioning surveillance reduced deterrence and made criminal activity more difficult to detect.

101. Defendants failed to maintain secure access points. Tenants documented that building doors had nonfunctioning locks or knobs, leaving residents vulnerable to unauthorized entry.

102. Defendants failed to maintain adequate lighting in common areas. Hallways, stairwells, walkways, and other shared spaces were poorly lit, reducing visibility and increasing opportunities for criminal activity.

103. Defendants failed to provide adequate security personnel. Security personnel were rarely visible on the premises and were typically stationed only at the leasing office during business hours. They did not conduct regular patrols or safety rounds. Defendants also failed to increase the visibility or presence of security personnel after shootings or to engage off-duty police officers during periods of heightened violence.

104. Upon information and belief, security personnel at Congress Park were present primarily for the benefit of leasing office staff, not for the protection of residents.

105. Despite continuous notice of foreseeable violence and criminal activity, Defendants have failed to maintain safety equipment, provide adequate security personnel, or implement other reasonable measures that would have prevented harm to Plaintiffs and other Congress Park residents.

E. The Plaintiffs

1. James “Jim Bob” Robinson

106. James “Jim Bob” Robinson was known as a peacemaker in his community. He worked for an organization dedicated to ending violence in and around Anacostia, including in Congress Park. He deeply loved his community and wanted to make a difference. His love for his community was contagious, and he was admired by younger residents of Congress Park.

107. On May 26, 2025, Mr. Robinson was in his apartment at 3416 13th Place SE, Unit 201, with his friend Plaintiff Simmons.

108. At approximately 1:00 p.m., Plaintiff Robinson was attending a community cookout on the property.

109. At approximately the same time, a gunman who was not a resident of the building entered through the front door. Upon information and belief, the gunman gained access to the building because the locks on the entry door were broken.

110. James Robinson was pronounced dead at the hospital. He was 31 years old.

111. Since the day of her son’s murder, Plaintiff Robinson has suffered profound grief and trauma.

112. Mr. Robinson was shot and killed because Defendants failed to secure Congress Park against facilitated and foreseeable violence.

2. Kendall Simmons

113. Plaintiff Simmons resided at 1313 Congress Street SE on May 26, 2025.

114. That day began as a normal day for Plaintiff Simmons. Around midday, he walked to 3416 13th Place SE, Unit 201, to visit his friend, James Robinson.

115. While visiting with Mr. Robinson, a gunman entered the building through the unsecured front entry door, gained access to Unit 201, and opened fire. Plaintiff Simmons was shot eight times in his chest, stomach, ribs, abdomen, and wrist. He was also shot twice in the head.

116. Upon information and belief, the gunman gained access to the building because the locks on the entry door were broken. Defendants were on notice that the lock was broken and failed to repair it.

117. As a result of his injuries, Plaintiff Simmons—who was an athlete and loved to participate in sports—suffers from lasting nerve damage and paralysis on the right side of his body.

118. Bullet fragments are permanently lodged in his brain, posing a lifelong risk of future injury or deteriorating complications such as fragment migration, lead toxicity, hydrocephalus, infection, abscesses, seizures, neurological defect, psychological impacts, and pain.

119. Plaintiff Simmons also experiences, and will continue to experience, emotional trauma from this act of violence.

120. Plaintiff Simmons was shot and severely injured because Defendants failed to secure Congress Park against facilitated and foreseeable violence.

3. Myron Jones, Jr.

121. In May 2025, Plaintiff Jones traveled from California to visit his family, and visited his mother's house, which is located at 1333 Savannah Street SE in Congress Park.

122. After being informed that his friend, Plaintiff Simmons, had been shot, he exited his mother's home to provide support.

123. Within moments of exiting the front door—no more than six feet from the entrance—Plaintiff Jones was shot seven times, and suffered injuries to his legs, kidneys and spleen.

124. Plaintiff Jones suffers lasting impacts from his injuries, including loss of his kidneys, his spleen and permanent nerve damage.

125. Plaintiff Jones continues to undergo physical therapy, which requires him to travel from California to Washington, D.C. for treatment.

126. Plaintiff Jones also experiences, and will continue to experience, emotional trauma from this act of violence.

127. Plaintiff Jones was shot and severely injured because Defendants failed to secure Congress Park against facilitated and foreseeable violence.

CAUSES OF ACTION

COUNT I **NEGLIGENCE (PREMISES LIABILITY)** **Against All Defendants**

128. Plaintiffs adopt and incorporate by reference all allegations contained in paragraphs 1 to 127 above.

129. At all times relevant to this action, Defendants owned, operated, managed, maintained, and/or controlled Congress Park. Defendants SWDA and SWDA II owned the property. Defendants Edgewood and Franklin Johnston managed the property and exercised day-to-day control over its maintenance, security, and operations.

130. Under District of Columbia law, a property owner owes a duty of reasonable care to tenants and to all persons lawfully on the premises. *See Kline v. 1500 Massachusetts Ave. Apartment Corp.*, 439 F.2d 477, 480-81 (D.C. Cir. 1970) (duty arises from “ability to exercise

greater control over the common areas”); *Ramsay v. Morrisette*, 252 A.2d 509, 512 (D.C. 1969); *Spar v. Obwoya*, 369 A.2d 173, 178 (D.C. 1977); Restatement (Second) of Torts § 328E (defining “possessor of land” to include those in control of the premises). A property management company that exercises control over the premises owes the same duty.

131. The duty of reasonable care includes: (a) maintaining the premises in a reasonably safe condition; (b) keeping common areas under the landlord’s control safe for use by tenants and their guests; and (c) protecting tenants and lawful visitors from foreseeable criminal acts by third parties. *See Kline*, 439 F.2d at 481.

132. The duty to protect against third-party criminal acts arises when criminal activity is foreseeable. *See id.* at 483. Foreseeability may be established by evidence of prior similar incidents on or near the premises. *See Novak v. Capital Mgmt. & Dev. Corp.*, 452 F.3d 902, 908 (D.C. Cir. 2006).

133. As set forth in the factual allegations above, Defendants had actual and constructive knowledge that Congress Park had become a site of repeated violent crime, including at least eighty shootings and nearly thirty homicides between 2013 and 2025. This pattern of violence made future violent crime at Congress Park foreseeable.

134. Defendants breached their duty of reasonable care by, among other things:

- a. Failing to maintain functioning locks on building entry doors, thereby permitting unauthorized persons to enter the buildings;
- b. Failing to maintain adequate lighting in common areas, hallways, stairwells, and walkways;
- c. Failing to install, maintain, or monitor functional security cameras;
- d. Failing to provide adequate security personnel to patrol the premises;

- e. Failing to implement reasonable security measures despite years of notice of violent crime on the property;
- f. Failing to maintain the premises in compliance with the D.C. Housing Code the International Property Maintenance Code; and
- g. Failing to warn residents and lawful visitors of the dangerous conditions on the premises, including the high risk of violent crime.

135. At all times relevant, Defendants acted with willful disregard for Plaintiffs' rights and their conduct.

136. Defendants' breaches of their duty of care were a direct and proximate cause of the shooting on May 26, 2025, and the injuries suffered by Plaintiffs as a result thereof.

137. As a direct and proximate result of Defendants' negligence, Plaintiff Simmons was shot multiple times and suffers from paralysis; Plaintiff Jones was shot multiple times and suffered organ loss; James Robinson was shot multiple times and endured severe physical pain, suffering, and mental anguish until his death; and Plaintiff Robinson continues to suffer profound grief and trauma as a result of James Robinson's death.

COUNT II
NEGLIGENCE PER SE
Against All Defendants

138. Plaintiffs adopt and incorporate by reference all allegations contained in paragraphs 1 to 127 above.

139. The D.C. Housing Code (14 DCMR), the D.C. Fire Prevention Code (12-G DCMR), and the International Property Maintenance Code (IPMC), as adopted by the District of Columbia, impose mandatory duties on owners to maintain residential rental properties in safe and habitable condition.

140. These mandatory duties apply to property owners and to property management companies that have assumed responsibility for maintaining the premises in compliance with applicable codes. These statutes and regulations were enacted to protect the health, safety, and welfare of residential tenants in the District of Columbia. Plaintiffs, as tenants and lawful visitors at Congress Park, are within the class of persons these regulations were designed to protect. These regulations impose specific, mandatory safety commands upon Defendants that are distinct from the general common law duty of care.

141. Under District of Columbia law, violation of a safety statute or regulation enacted for the protection of a particular class of persons constitutes negligence per se when the plaintiff is within the protected class and suffers the type of harm the regulation was designed to prevent. *See Ceco Corp. v. Coleman*, 441 A.2d 940, 945 (D.C. 1982).

142. As set forth in the factual allegations above, Defendants violated multiple provisions of these housing regulations, including but not limited to:

- a. IPMC § 304.13 (failure to maintain windows and doors);
- b. IPMC § 304.15 (failure to maintain door locks);
- c. IPMC § 305.1 (failure to maintain interior in good repair and sanitary condition);
- d. IPMC §§ 501.2, 502.1, and 505.4 (plumbing and hot water deficiencies); and
- e. IPMC §§ 601.2, 603.1, and 605.3 (electrical and mechanical deficiencies).

143. Defendants' violations of these regulations are documented in District of Columbia DOB records, which reflect 1100 violations at Congress Park resulting in over \$1.1 million in assessed fines.

144. The injuries suffered by Plaintiffs, including personal injuries resulting from inadequate and ineffective security on the premises, are the types of harm that the D.C. Housing Code and IPMC were enacted to prevent.

145. Defendants' violations of these regulations constitute negligence *per se*, establishing Defendants' breach of duty as a matter of law.

146. Defendants' violations were a proximate cause of the injuries sustained by Plaintiffs.

147. As a direct and proximate result of Defendants' negligence *per se*, Plaintiff Simmons was shot multiple times and suffers from paralysis; Plaintiff Jones was shot multiple times and suffered organ loss; James Robinson was shot multiple times and endured severe physical pain, suffering, and mental anguish until his death; and Plaintiff Robinson continues to suffer profound grief and trauma as a result of James Robinson's death.

COUNT III
NEGLIGENT INFLICTION OF EMOTIONAL DISTRESS
Against All Defendants
(On Behalf of Plaintiff Carnecia Robinson)

148. Plaintiffs adopt and incorporate by reference all allegations contained in paragraphs 1 to 127 above.

149. A plaintiff may recover for negligent infliction of emotional distress ("NIED") where the plaintiff: (a) was in the zone of physical danger created by the defendant's negligence; or (b) witnessed a closely related person being injured by the defendant's negligence and suffered serious emotional distress as a result.

150. Plaintiff Robinson is the mother of James Robinson, who was shot and killed at Congress Park on May 26, 2025.

151. At the time of the shooting, Plaintiff Robinson was present on the Congress Park premises.

152. Plaintiff Robinson heard the gunshots that killed her son and was informed shortly thereafter that her son had been shot and was likely dead.

153. Defendants owed Plaintiff Robinson a duty of reasonable care to maintain the premises in a safe condition and to protect persons lawfully on the premises from foreseeable harm.

154. At all times relevant, Defendants acted with malice, displaying a reckless disregard for Plaintiffs' safety.

155. By their affirmative wrongful conduct and omissions as described above, Defendants breached that duty and proximately caused Plaintiff Robinson to suffer serious and verifiable emotional distress, including but not limited to grief, anguish, and psychological trauma.

COUNT IV
INTENTIONAL INFLECTION OF EMOTIONAL DISTRESS
Against All Defendants
(On Behalf of Plaintiff Carnecia Robinson)

156. Plaintiffs adopt and incorporate by reference all allegations contained in paragraphs 1 to 127 above.

157. A plaintiff may recover for intentional infliction of emotional distress ("IIED") where there was: (a) extreme and outrageous conduct by the defendant; (b) that was intentional or reckless; and (c) caused the plaintiff severe emotional distress.

158. Plaintiff Robinson's son, James Robinson, was shot and killed by an intruder at Congress Park on May 26, 2025.

159. At the time of the shooting, Plaintiff Robinson was present on the Congress Park premises.

160. Plaintiff Robinson heard the gunshots that killed her son and was informed shortly thereafter that her son had been shot and was likely dead.

161. The intruder could gain access to the premises to shoot and kill James Robisnon because of Defendants' intentional and reckless disregard for the safety and protection of persons lawfully on the Congress Park premises.

162. By their affirmative wrongful conduct and omission described above, Defendants' choice to ignore inadequate and ineffective safety measures on the Congress Park property, allowing persistent violence and criminal activity to ensue.

163. Defendants' conduct is outrageous in character, and so extreme in degree, as to go beyond all possible bounds of decency, and must be regarded as atrocious, and utterly intolerable in a civilized society.

164. Defendants intentionally and recklessly failed to maintain the Congress Park premises in a safe condition and to protect persons lawfully on the premises from foreseeable harm.

165. At all times relevant, Defendants acted with malice, displaying a reckless disregard for Plaintiffs' safety.

166. As a direct and proximate result of Defendants intentional and reckless conduct, Plaintiff Robinson has suffered severe emotional distress, including but not limited to grief, anguish, and psychological trauma.

COUNT V
WRONGFUL DEATH
Against All Defendants
**(On Behalf of Plaintiff Carnecia Robinson, Individually and as Personal Representative of
the Estate of James Robinson)**

167. Plaintiffs adopt and incorporate by reference all allegations contained in paragraphs 1 to 127 above.

168. Plaintiff Carnecia Robinson, individually, and on behalf of the Estate of James Robinson, brings this cause of action pursuant to the District of Columbia Wrongful Death Act, D.C. Code § 16-2701, *et seq.*

169. As a direct and proximate result of the negligence and wrongful acts of Defendants as set forth above, James Robinson was shot and killed on May 26, 2025.

170. An intruder was able to access the premises at Congress Park and murder James Robinson because of Defendants' failure to exercise reasonable care in maintaining Congress Park in a safe condition and protecting residents and lawful visitors from foreseeable violent crime.

171. At all relevant times, Defendants acted with malice, displaying a reckless disregard for the safety of residents and lawful visitors at Congress Park.

172. As a result of James Robinson's death, Plaintiff Carnecia Robinson and the statutory beneficiaries have suffered damages including, but not limited to:

- a. Funeral and burial expenses;
- b. Loss of support and services;
- c. Loss of companionship, comfort, society, and consortium;
- d. Mental anguish and emotional suffering; and
- e. Such other damages as are recoverable under the Wrongful Death Act.

COUNT VI
SURVIVAL ACTION
Against All Defendants
(On Behalf of Plaintiff Carnecia Robinson as Personal Representative of the Estate of James Robinson)

173. Plaintiffs adopt and incorporate by reference all allegations contained in paragraphs 1 to 127 above.

174. Plaintiff Carnecia Robinson, as Personal Representative of the Estate of James Robinson, brings this cause of action pursuant to the District of Columbia Survival Statute, D.C. Code § 12-101, *et seq.*

175. At all relevant times, Defendants acted with malice, displaying a reckless disregard for the safety of residents and lawful visitors at Congress Park.

176. As a direct and proximate result of Defendants' negligence and wrongful conduct, James Robinson endured severe physical pain, suffering, and mental anguish from the time he was shot until his death.

177. James Robinson's estate is entitled to recover all damages that James Robinson could have recovered had he survived, including but not limited to:

- a. Conscious pain and suffering;
- b. Mental anguish and emotional distress; and
- c. Such other damages as are recoverable under the Survival Statute.

PRAYER FOR RELIEF

WHEREFORE, Plaintiffs respectfully request that this Court enter judgment in their favor and against Defendants, jointly and severally, and award the following relief:

- A. Compensatory damages in an amount to be determined at trial;
- B. Punitive damages in an amount sufficient to punish Defendants and deter similar conduct;
- C. Reasonable attorneys' fees and costs;
- D. Pre-judgment and post-judgment interest as permitted by law;
- E. Such other and further relief as the Court deems just and proper.

DEMAND FOR JURY TRIAL

Plaintiffs demand a trial by jury on all issues so triable.

Dated: July 15, 2026

Respectfully submitted,

/s/ Diandra Debrosse

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**Pro hac vice* motion forthcoming