

---

**IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF MARYLAND**

**COLATTA DEAN et al.,** :

*Plaintiffs,* :

**v.** : **Civil No. CCB-03-1381**

**MEL MARTINEZ, et al.,** :

*Defendants.* :

:

:

...000...

---

**TABLE OF CONTENTS**

I.	Federal Defendants Entitled to Dismissal / Summary Judgment on Claims Regarding the Multifamily Property Disposition Reform Act.....	1
A.	Preserving Certain Housing So That It Can Remain Available To And Affordable By Low-Income Persons.....	2
B.	Preserving And Revitalizing Residential Neighborhoods.....	14
C.	Maintaining Certain Housing Stock In A Decent, Safe, And Sanitary Condition.....	18
D.	Minimizing The Involuntary Displacement Of Tenants.....	19
E.	Maintaining Housing For The Purpose Of Providing Rental Housing, Cooperative Housing, And Home-Ownership Opportunities For Low-Income Persons.....	21
F.	Minimizing The Need To Demolish Multifamily Housing Projects.....	23
G.	Supporting Fair Housing Strategies.....	24
H.	Disposing Of Such Projects In A Manner Consistent With Local Housing Market Conditions.....	28
II.	Federal Defendants Are Entitled To The Dismissal of Plaintiffs' Claims Regarding The Disposition Act Pursuant To Federal Rule Of Civil Procedure 12(b)(1).....	30

III.	Federal Defendants Are Entitled To Summary Judgment On Plaintiffs' Claims Regarding Allegations Of Violations Of The Fair Housing Act.....	33
IV.	Conclusion.....	44

## INDEX OF EXHIBITS

- Exhibit A William Mays v. Andrew Cuomo, Case No. 1-96-929 (S.D. Ohio May 21, 1998)
- Exhibit 1 Affidavit of Robert Iber
- Exhibit 2 Repair Surveys
- Exhibit 3 Security Reports from ARCO Management Of Washington, D.C.
- Exhibit 4 Letter dated November 29, 2001
- Exhibit 5 Letter dated August 7, 2002
- Exhibit 6 Letter dated November 26, 2002
- Exhibit 7 HUD Form 9650
- Exhibit 8 February 8, 2002 Memorandum from Atlanta Multifamily Property Disposition Center
- Exhibit 9 Affidavit of Joseph Baum
- Exhibit 10 Affidavit of William Melvin
- Exhibit 11 Rental Market Survey
- Exhibit 12 Baltimore Sun Article dated February 10, 2003
- Exhibit 13 Attachment C to Contract of Sale, Uplands B
- Exhibit 14 Attachment C to Contract of Sale, Uplands A
- Exhibit 15 Contract of Sale
- Exhibit 16 Letter dated July 25, 2003 from UATA
- Exhibit 17 Letter dated September 27, 2003 from UATA
- Exhibit 18 Initial Disposition Plan (“IDP”)
- Exhibit 19 Letter dated June 5, 2002 from NHS
- Exhibit 20 Letter dated January 15, 2002 from Uplands Homeowners Improvement Assn.

- Exhibit 21 E:mail dated march 6, 2003 from Christopher Schisler
- Exhibit 22 Letter dated March 6, 2003 from Hunting Ridge Community Assembly
- Exhibit 23 Letter dated April 30, 2003 from Southwest Development Committee
- Exhibit 24 Letter dated July 18, 2003 from Uplands Community Association
- Exhibit 25 Letter dated August 28, 2003 from eight State of Maryland Representatives
- Exhibit 26 Package of letters received in response to IDP and summary of those responses
- Exhibit 27 Letter dated February 3, 2003 from Baltimore City
- Exhibit 28 Letter dated March 19, 2003 from Baltimore City
- Exhibit 29 Baltimore Sun Article dated May 29, 2003.
- Exhibit 30 Meeting memorandum dated October 18, 2002
- Exhibit 31 Listing of forwarding addresses of Uplands residents, summarized by zip code and census data by zip code
- Exhibit 32 Chart and map with census data