



# Review

Spring/Summer 2007

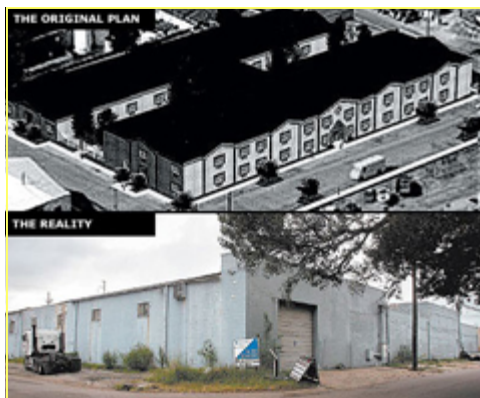
Special points of interest:

- VAHCDO Annual Conference and Scholarship Luncheon May 13-15, Virginia Beach

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## Cities Partner to House Homeless



On Monday, January 16, 2007, the ribbon was cut on Gosnold Apartments, the first regionally supported, permanent supportive housing project for the homeless in the nation. A former bottling plant in Norfolk, located near a bus line and potential employment, has been transformed into 60 efficiency apartments through financial support provided primarily by a partnership of the **Cities of Norfolk, Portsmouth, and Virginia Beach** with additional assistance from **HUD, Enterprise Investment Corporation, Virginia Department of Housing and Community Development, Virginia Housing Development Authority, Norfolk Foundation, and United Way of South Hampton Roads.**

Gosnold Apartments will initiate and promote transition from homelessness to productivity and independence. When fully occupied, the apartments will provide safe, quality, permanent housing and support services to 60 single, formerly homeless, adults—

42 from Norfolk, 12 from Virginia Beach, and 6 from Portsmouth. Each of the 60 efficiency apartments contains a bed, dresser, table, chair, kitchenette, full refrigerator, and full bathroom. The building contains laundry facilities, a front desk, a community room with kitchen, staff offices, a computer room, an exercise room, extensive internal and external security, two gated courtyards, and on-site support services provided by two case managers. **Virginia Supportive Housing**, a non-profit housing corporation that operates two similar complexes in Richmond, will operate the building. HUD will provide funding for the annual operation of the apartments. Each resident will pay 30% of his or her income as rent with a minimum rental payment of \$50 per month. The HUD rental subsidy will pay the balance of the \$543 monthly rent which includes all utilities.

Plans are already in the works for a second 60 efficiency apartments project in Virginia Beach, Portsmouth, or Chesapeake, and the four cities have all said they will help with the funding.



## President's Message



Time flies when you're having fun--and also when you're up to your ears in work. Like many of you, for the past two years my time has been fully, and sometimes overwhelmingly, involved in trying to prepare my local redevelopment and housing authority for the new site-based public housing asset management model, managing with historically low funding for the Public Housing Operating Subsidy, dealing with a shift in Section 8 Housing Choice Voucher Program funding calculation, and struggling to preserve eminent domain as a vital tool in neighborhood revitalization.

VAHCDO has brought you resources and information to help you deal with current issues by:

- Inviting Kurt Creager from the Vancouver Housing Authority (VHA) who described how VHA, which receives more than 50% of its income from non-HUD sources, provides a diverse portfolio of affordable housing opportunities to a broad range of families in need through creative partnerships with other agencies and private market financing techniques.

- Providing conference sessions about asset management, the new operating fund formula, and reinventing assisted housing.

- Presenting information on alternative funding resources (new market tax credits, low-income housing tax credits, energy performance financing), YouthBuild, ROSS, and Workforce Development Grants, and independent workshops on latest program regulations and compliance issues.

- Advocating for all Virginia redevelopment and housing authorities before the Virginia Legislature and in the Governor's Office.

And where are we today?

- HUD's implementation time-

line for the new Operating Fund Formula and Asset Management Model has moved forward. Virginia's 11 "decliner" PHAs have worked feverishly to meet the April 15 Stop Loss deadline, only to be informed by HUD at the last minute that the deadline has been extended to October 15, 2007.

- Despite our best efforts, the past two years have seen an erosion of our legal authority in eminent domain. It is questionable whether redevelopment projects can be effective under the new state regulations that take effect July 1, 2007. VAHCDO's Vice President for Community Development will be offering some "where-do-we-go-from-here" commentary for agency leaders over the next few months.

We are in the midst of a paradigm shift in our industry – we're "moving." We are no longer tinkering with policies and procedures to make them fit new regulations. We don't need to "think outside the box." We need to move from the box that we've been in for over 50 years and into a brand new one! As your agency moves --from a centralized operation to a site-based one, from one operating income level to another, from a 100% federal income base to a more diversified portfolio--your VAHCDO friends and family are here to try to assist in your transition.

Thank you all for the opportunity to represent you. I have been proud to represent Virginia, and it has been an honor and a pleasure working with the exceptional housing and community development professionals in our state. Please continue to support VAHCDO, and let us know how we can help you and your agency in our common mission to serve the communities of Virginia.

Dave Baldwin

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## Student Awarded Gates Millennium Scholarship

“Grateful” is how Barbaratta Whitaker felt when finding out she was a recipient of The Gates Millennium Scholarship. Established in 1999, the Gates Millennium Scholars program was initially funded by a \$1 billion grant from the **Bill & Melinda Gates Foundation**. Its goal is to promote academic excellence and to provide an opportunity for outstanding minority students with significant financial need to reach their highest potential. Ms. Whitaker wants to become either a pediatrician or a general practitioner and is ecstatic to have received the scholarship that will pay for her entire undergraduate and graduate studies. She is trying to decide between attending Spelman College or Howard University and plans to attend Johns Hopkins School of Medi-

cine upon completion of her undergraduate studies.

Whitaker, who enjoys writing and creating artwork, is a resident of the Fairfield Court public housing community and is graduating from Armstrong High School this year. She has been active in **Richmond Redevelopment and Housing Authority’s (RRHA)** youth programs. “What I like about the program is that they give underserved youth the opportunity to explore other environments outside of their own community. The Youth Sports and Fine Arts Academy enables youth to participate in unique sporting opportunities and the Tomorrow’s Promise Scholarship Program gives youth a chance to extend their educational career on a collegiate level.”



*“What I like about RRHA youth programs is that they give underserved youth the opportunity to explore other environments outside of their own community.”*

## Local Youth Prepare for the Dive of a Lifetime

In March, The Youth Sports and Fine Arts Academy of the **Richmond Redevelopment and Housing Authority (RRHA)** announced a partnership with the **Black Dolphin Dive Club of Richmond (BDD)** to send young scuba diving participants to the Youth Summit hosted by the Tennessee Association of Black Scuba Divers June 22 through July 1, 2007, in Curacao.

Participants in the RRHA Youth Sports and Fine Arts program have gone on to excel in college and securing jobs with Fortune 100 companies. The Youth Sports and Fine Arts Academy not only allows youth to learn a non-traditional sport, such as scuba diving, or a fine art, but its goal of exposing children to these sports and educational experiences will ultimately open doors by giving them the skills to obtain athletic and academic scholarships to attend college.

Clifton Hicks, President of the BDD, said, “[We are] very pleased to partner with RRHA to sponsor these youth to participate in the Youth Summit. Our national and local club philosophy places special emphasis on empowering and building the quality of life of the youth in our communities.”

Joan Seldon, Director of the RRHA Youth Sports and Fine Arts Academy adds, “In order for the Youth Sports and Fine Arts Academy to continue to make a difference in the lives of our youth, we need the financial assistance of individuals, as well as local and national organizations. It is only through the help of our sponsors that we are able to see that our children are afforded the opportunity to receive the exposure they need to open the door of possibilities that await them.”



## 2005-2007

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## 2007 Legislative Session

**IMPACT OF LEGISLATIVE  
CHANGES TO TITLE 1:**

By James E. Gehman, AIA  
Assistant Executive Director  
Norfolk Redevelopment & Housing  
Authority

The 2007 Virginia legislative session significantly changed the laws governing the use of eminent domain. The following is an analysis of the impact of those changes.

The new law does not become applicable to existing (as of December 31, 2006) conservation and redevelopment plans until July 1, 2010. Thus, eminent domain may still be used according to existing plans and existing law for three years. Following the expiration of this period, the new law will control.

**REDEVELOPMENT**

The 2007 changes to Title 1 of the Code of Virginia eliminate the practice of using eminent domain to acquire non-blighted property contained in a redevelopment area. The new statutory language allows for the taking of property “for the elimination of blight, provided that the property itself is a blighted property.” Additionally, non-blighted properties may also be taken in a conservation or redevelopment area if they are abandoned, if the acquisition is needed to clear title to the property or where all owners of the property agree to the acquisition. It is not clear what constitutes “abandoned” property.

The changes do not eliminate the concept of a redevelopment “area”, however. A redevelopment “area” can still be designated subject to the changes in the law. Within that area designated properties can be acquired, conduit bonds can be sold for new construction, and a new neighborhood plan can be developed. Non-blighted properties may also be affected by the development of a new neighborhood plan and the installation of new infrastructure. The new law does not prohibit use of eminent domain to acquire property for construction of public facilities.

In devising new redevelopment plans, redevelopment authorities should

consider ways to incorporate existing non-blighted properties into the proposed re-use. Non-blighted properties may remain and become an integral part of redevelopment. Limiting the powers of redevelopment agencies and their localities was clearly the intent of the legislature. The changes will require that the government be more creative and deliberate in its approach to the process.

**CONSERVATION**

Conservation continues to be an effective tool in the preservation of neighborhoods. The creation of a conservation area creates the opportunity for special programs like rehabilitation loans, tax credits and grants. It also is an area where the redevelopment authority and the local government can work together to remove blight.

Redevelopment authorities may use eminent domain to acquire properties that are blighted and then re-sell the property to someone who will build a new structure and, in the process, help to revitalize the neighborhood.

The elimination of the use of eminent domain to acquire non-blighted properties will affect the power that redevelopment authorities have to acquire properties that do not comply with neighborhood standards. Properties that remain non-compliant with neighborhood standards following a one-year notice of non-compliance must also constitute blighted property before eminent domain may be used to acquire these properties.

**BLIGHT**

The most significant change made by the legislation is the redefinition of “blight.” The new definition is:

*“Blighted Property” means any property that endangers the public health or safety in its condition at the timing of a petition for condemnation and is (i) a public nuisance or (ii) an individual commercial, industrial or residential structure or improvement that is beyond repair or unfit for human occupancy or use.*

Some of the terms used in the new

## 2007 Legislative Session Continued

statute appear and are defined in other parts of the Code. For example “*endangers the public health or safety*” and, “*a public nuisance*” is very similar to language that appears in the Code definition of nuisance:

*The term “nuisance” includes, but is not limited to, dangerous or unhealthy substances which have escaped, spilled, been released or which have been allowed to accumulate in or on any place and all unsafe, dangerous, or unsanitary public or private buildings, walls, or structures which constitute a menace to the health and safety of the occupants thereof or the public. The term “responsible party” includes, but is not limited to, the owner, occupier, or possessor of the premises where the nuisance is located, the owner or agent of the owner of the material which escaped, spilled, or was released and the owner or agent of the owner who was transporting or otherwise responsible for such material and whose acts or negligence caused such public nuisance.*

This would seem to indicate that blighted property is a nuisance and, by definition, is unsafe and dangerous.

The term “*beyond repair*” is not a well defined term and is subject to interpretation. There are examples, especially in historic restoration, where very little of the building was remaining yet was repaired. An argument could also be made that any building that would cost more to repair than it would ultimately be worth is beyond *economic* repair. That may be a reasonable interpretation of that term. Unfortunately, it may take litigation to get to a definition.

By contrast, the term, “*unfit for human occupancy*” is defined. It appears in the Virginia Uniform Statewide Building Code, including the International Property Maintenance Code, 2003:

*A structure is unfit for human occupancy whenever the code official finds that such structure is unsafe, unlawful or, because of the degree to which the structure is in*

*disrepair or lacks maintenance, is insanitary, vermin or rat infested, contains filth and contamination, or lacks ventilation, illumination, sanitary or heating facilities or other essential equipment required by this code, or because the location of the structure constitutes a hazard to the occupants of the structure or to the public.*



This code section indicates that the determination whether a property is “unfit for human occupancy” is made by the Code Official. This suggests that blight studies or determinations should include the jurisdiction’s code enforcement officials in the process or in the review of the field data.

The determination of unfit also includes the term “unsafe” which is also in the nuisance definition. It, further, includes terms like “disrepair” and “lacks maintenance” which are traditional indicators of blight. The term “insanitary” is similar to the term “unsanitary”, which also appears in the nuisance definition.

Additionally, a property must be blighted at the time a condemnation petition is filed. Thus, redevelopment authorities should be prepared to re-review a property shortly before filing a condemnation petition to ensure that the property still meets the criteria for blight under the new law.

In summary, it appears that the building code, the nuisance abatement law and the blight definition in Title 1 use similar language. Redevelopment authorities should be able to rely on these definitions in the designation of blighted properties to be acquired under the use or threat of eminent domain.

### SUMMARY

As with any new legislation, some of the above approaches, assumptions and interpretations will be tested in future condemnation cases. Some citizen groups may become frustrated at their government’s inability to help them improve their neighborhoods. The work of localities and redevelopment authorities seems to have gotten more complicated and likely more expensive.

## Flood-Prone Homes Elevated

In January 2006, the **James City County Office of Housing and Community Development (OHCD)** responded to recurring incidents of flooding in the Chickahominy Haven community. Many of the homes in Chickahominy Haven were built as vacation homes in the 1960's, but most are now occupied by permanent residents. Located in the

northwest corner of the County and bordered on two sides by the Chickahominy River, the community has been flooded periodically by devastating storm surges brought on by unpredictable hurricanes and nor'easters.

As a result of the flooding, residents of Chickahominy Haven called on the County for help. Public meetings were held to inform owners of their options and to gain their input. Although acquisition/relocation was an option, it was not particularly attractive to the residents, many of whom are original builders/owners. By combining funds from a CDBG Disaster Recovery Grant from **Virginia Department of Housing and Community Development** and the **Virginia Department of Emergency Management's (VDEM)** Hazard Mitigation Grant Program with local funds, the combined commitments provided \$623,910 for the elevation of

11 homes devastated by Hurricane Isabel in 2003.

Since the approval of the grants, the project has been managed by OHCD. OHCD, in coordination with the County's Environmental, Zoning, and Codes Compliance departments, local contractors, engineers,

and surveyors, developed an implementation plan which not only provided well designed, aesthetically pleasing, and professionally constructed foundations but also incorporated measures to ensure protection of the waterways.

Due to the cost of construction and the nature of the work, more money was needed. True to James City County's Mission Statement, County staff and citizens came together ". . . to work in partnership to achieve a quality community." When bids were received that exceeded available grant funds and local matching dollars, residents willingly participated in the financial burden of funding the project. A supplemental funding plan was established that provided zero interest and deferred payment loans to residents in order to make up the funding shortfall and allow the project to move forward.

As the County prepares to receive bids for the final two houses in the project, staff is gearing up for the possibility of a second round of elevations. OHCD has submitted an application to VDEM in response to recent flooding resulting from Tropical Depression Ernesto. The application, submitted in March 2007, requests over \$1 million from the Hazard Mitigation Grant Program for the elevation of 17 additional homes.



*As a result of the flooding, residents of Chickahominy Haven called on the County for help.*



## Partners Collaborate To Develop Special Needs Housing

On October 31, 2006, **Virginia Beach Community Development Corporation (VBCDC)** and its partners, the **City of Virginia Beach** and **Biznet, Inc.**, held a groundbreaking ceremony to commemorate the construction of Biznet Village, which will consist of 2 Intermediate Care Facilities for persons with profound mental retardation (ICF/MR). The 2 buildings will house 24 adults, and the **City of Virginia Beach Department of Human Services** will provide 24-hour care for the residents. The design for the homes was based on an existing home built by Biznet, Inc. on Kentucky Avenue in Virginia Beach. Because of the success of the Kentucky Avenue project, VBCDC's architect used the same building concept and added additional items to the design based on input from Biznet, Inc. and DHS staff..

The groundbreaking was the culmination of several years of hard work on the part of all 3 organizations in bringing the project to fruition. VBCDC signed a contract for the project's construction in July 2006, and secured construction financing through **Bank of**

**America.** The contractor began site work in August, and construction is expected to be completed in July 2007. VBCDC is to be the project developer, owner, and property manager once the construction is complete and will also secure all of the construction and permanent financing and grant funding for the project. Funding consists of grants provided by the **City of Virginia Beach Department of Human Services** and **Department of Housing and Neighborhood Preservation**, the **Virginia Department of Housing and Community Development**, the **Federal Home Loan Bank of Atlanta**, and loans from the **Virginia Housing Development Authority**. In addition to these grants and loans, the City of Virginia Beach donated the land for the project. Biznet, Inc. will raise money through its fundraising efforts and is providing funding for some of the special equipment and furnishings in the buildings.



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## Petersburg RHA Employee Honored

June C. Twyman was named Property Manager of 2007 at the Virginia Community Development Corporation's Tax-Credit Conference on March 29, 2007. Ms. Twyman has been employed with the **Petersburg Redevelopment and Housing Authority** for the past 22 years. Although she retired July 1, 2001, she has agreed to stay on and manage Washington Columns, a 26-unit development renovated to house the elderly, on a part-time basis, and devotes many additional hours to make sure her residents are happy. Ms. Twyman also manages 12 townhouses at Wythe Rowe a tax credit financed development which

houses families for qualified Project-Based, Section 8 Assistance.

Ms. Twyman coordinates community activities such as health fairs, Thanksgiving and Christmas dinners, bus trips, cookouts, Black History programs, Easter egg hunts, and quarterly newsletters for her residents and has been instrumental in welcoming them and making them feel at home. "I enjoy being with the residents since I am a resident of Washington Columns myself," said Ms. Twyman. "The sense of community here is wonderful. We are a family. We look out for one another."



## Conference Connects Customers with Community Resources



*The entire day was focused on the CRHA customers and showing them the power they possess as individuals in control of their own destinies*

With the promise of change on the horizon, the theme, “Empowering and Breaking the Cycle, Reach Toward the Sun” was appropriate for the **Chesapeake Redevelopment and Housing Authority’s (CRHA) 6<sup>th</sup> Annual Resident Empowerment Conference** held at the Chesapeake Conference Center, April 18, 2007. Public Housing and Housing Choice Voucher customers of CRHA were treated to a day-long event designed to inform and empower them through knowledge.

CRHA’s goal was to find a way to connect its customers with community resources, not just assisting them with basic needs, but also allowing them to take the next step of daring to dream and make those dreams come true. The entire day was focused on the CRHA customers and showing them the power they possess as individuals in control of their own destinies. It was also a vehicle to inform and help prepare clients for the changes expected with the transition to Asset Management. The opening family session presented by

**Opportunity, Inc.** focused on employment and employment resources. Following lunch and exhibit viewing, the concurrent session titles included, “Understanding Homeownership and Open Market Rent,” “Get Your Credit Straight,” “Facing Your Fears (GED),” and “Asset Building.”

An exhibit area was open throughout the day with information and giveaways from the conference sponsors: CRHA, **Anthem Health Keepers Plus, SunTrust Bank, Virginia Housing Development Authority, Optima Family Care, Tidewater Tech, Senators Louise Lucas and Yvonne Miller**, and exhibitors **BB & T, City of Chesapeake, Opportunity, Inc., Church of the Philippians, Community Mediation Center, Housing Opportunity Made Equal (HOME), Norfolk State University, Old Dominion University, Our House Families, Southeastern Training Opportunity Project (STOP)-Head Start Program, The Planning Council, Tidewater Builder’s Association, Virginia Cooperative Extension**, and other local colleges, training and employment agencies.

### VAHCDO Training Schedule

<b>September, 2007</b>	Section 8 HCV Housing Quality Standards
<b>October, 2007</b>	Project Based Management Essentials for Site Managers
<b>November, 2007</b>	Family Self-Sufficiency
<b>December, 2007</b>	VA Residential Landlord Tenant Act and Fair Housing Seminar

## The Future of Public Housing Capital Projects

Finding adequate funds to complete major repairs on public housing properties is becoming an increasing problem. In March 2007 the **Bristol Redevelopment and Housing Authority (BRHA)** wrapped up renovations on 31 apartments in the Rice Terrace and Johnson Court developments which have been long-term vacant units. All 31 units were leased during the final 30 days of the construction contract to families on the BRHA's Waiting List. The project began more than a year ago after adequate funds were finally available through HUD's Capital Fund Program. Due to reductions in HUD funding, the BRHA needed to save a significant portion of funds over a 4-year period to finance these upgrades.

Recognizing the need to be competitive and wanting all residents to feel at home and develop a sense of pride in the property, BRHA is making plans to perform substantial renovations

and add a variety of modern conveniences to all of its residential units. To help determine which properties need to be targeted first, BRHA hired an architectural firm to conduct a needs assessment/marketability study on all of its facilities. Anticipating that capital funding from HUD will continue to be inadequate, BRHA is exploring alternative sources of financial support for this major initiative. Sources include HUD's Capital Fund Financing Program (CFFP), the use of low-income housing tax credits (LIHTC), state housing finance programs, and other government grants to mix with current capital funds. BRHA is about to close its first Mixed Finance deal involving new construction of 26 units of LIHTC/Public Housing units. This is one of the few methods of completing major repairs to apartment complexes and remaining viable and competitive in the local market.

## A Blend of Business and Community In Downtown Petersburg

"High Street Lofts, located only a few blocks from downtown Petersburg, provides **VHDA** with an excellent opportunity to finance a great homeownership project that will help local revitalization efforts," said Community Housing Officer Costa Canavos who represents VHDA's outreach to local governments. The three-phase project involves turning the old Seward Luggage building, located in one of the city's historic districts, into one- and two-bedroom condominiums as well as street-level commercial spaces. The property had been owned by the **City of Petersburg**, and the developer, **Miller and Associates of Richmond**, worked

with the City and the neighborhood association to produce a development which enhanced ongoing revitalization efforts.

Combining programs such as VHDA's Conventional 103 and FHA Plus mortgages with Round 6 SPARC (Sponsoring Partnerships and Revitalizing Communities) funding, enabled the developer to offer VHDA financing for the affordable units. In addition, VHDA's Flexible Alternative loans will provide affordable options for repeat homebuyers or for those households whose incomes exceed VHDA first-time homebuyer limits.



Articles which spotlight innovative projects and programs undertaken by VAHCDO member agencies and their partners are wanted for future VAHCDO Review issues. E-mail articles, photographs, and illustrations to Rick Hanson, VAHCDO VP for Public Affairs, [rhanson@james-city.va.us](mailto:rhanson@james-city.va.us). Please send photographs and other images separately as JPEG files, if possible. Please submit materials for the Fall/Winter 2007 issue by September 30, 2007.

## Williamsburg Redevelopment and Housing Authority Executive Director Retires

Jim Gurganus, executive director of the **Williamsburg Redevelopment and Housing Authority** since 1996, will retire in May.

Jim is known for his innovative ideas to bring affordable homeownership opportunities to a city where real estate prices have soared. Through two CDBG grants, one in Strawberry Plains and one in Braxton Court, Jim has brought online 56 new homes and rehabilitated 12 older homes. In addition, he has overseen the construction of numerous homes on infill lots throughout the city.

Jim has been proactive in job training and empowerment programs for public housing residents and has garnered a number of grants to assist in

rehab for elderly residents in the city.

When asked about his career with the WRHA, Jim said, "I am thankful to have had the opportunity to express myself by making opportunities available to low/mod income residents to participate in home ownership. The demographics of the Strawberry Plains neighborhood after build out are phenomenal. I never could have foreseen the true success of that project. Working with this authority has been a privilege and has been the best 10 ½ years of my life".

Jim and his wife Iris, will be moving to Georgia to be closer to their children and grandchildren.



## Richmond Redevelopment and Housing Authority's Board of Commissioners names a new Executive Director

In February, Anthony Scott was named new executive director of the **Richmond Redevelopment Housing Authority (RRHA)**.

According to Brian K. Jackson, Esq., chairman of RRHA's board of commissioners, "Anthony Scott is a visionary whose appointment offers continuity and stability to the authority. He was undoubtedly the best candidate for the position. [He] not only offers a great deal of experience, but more importantly, has proven leadership skills and a good working relationship with the Mayor and members of City Council."

After joining the organization in November 2005, Anthony Scott served as RRHA's Interim Executive Director and Deputy Executive Director of Community Revitalization. He worked to develop various partnerships to create innovative mixed-finance projects and economic development

and housing opportunities and reactivated and led the agency's Community Development Corporation and oversaw RRHA's neighborhood revitalization initiatives. Moreover, Mr. Scott has been an executive with the Virginia Department of Housing and Community Development, and brings 16 years of experience in comprehensive community revitalization and housing initiatives. He earned a Bachelor of Architecture Degree from Howard University in Washington, D.C, and a Master of Urban Planning Degree from the University of California, Los Angeles, California.

Mr. Scott says he is honored to assume the lead position at RRHA, and looks forward to the challenges that lie ahead. "I will work with all to make sure that RRHA will continue to seek excellence and add value to the city of Richmond."

