

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

DISTRICT OF COLUMBIA
441 4th Street, N.W.
Washington, D.C. 20001

Plaintiff,

v.

**STANTON GLENN LIMITED
PARTNERSHIP**

3040 Stanton Road, S.E.
Apartment #101
Washington, D.C. 20020

SERVE ON: REGISTERED AGENT

Incorp Services, Inc.
1090 Vermont Avenue, N.W.
Suite 910
Washington, D.C. 20005

and

**CASTLE MANAGEMENT
CORPORATION**

3040 Stanton Road, S.E.
Apartment #101
Washington, D.C. 20020

SERVE ON: REGISTERED AGENT

Incorp Services, Inc.
1090 Vermont Avenue, N.W.
Suite 910
Washington, D.C. 20005

JOSEPH KISHA

1844 Kalorama Road, N.W.
Washington, D.C. 20009

Defendants.

Civ. No.:

COMPLAINT

The District of Columbia (the “District”), by and through the Office of the Attorney General for the District of Columbia (“OAG”), files this complaint against Stanton Glenn Limited Partnership, Castle Management Corporation, and Joseph Kisha (collectively “Defendants”) for violations of the Drug-, Firearm-, or Prostitution-Related Nuisance Abatement Act, D.C. Code §§ 42-3101 to -3114 (“Nuisance Abatement Act”). Defendant Stanton Glenn Limited Partnership (“Stanton Glenn LP”) owns the premises from 3040 through 3098 Stanton Road, S.E. (“Stanton Glenn” or the “Property”). The Property is comprised of 26 buildings and 378 residential apartments and is adjacent to the Douglass Community Center. Castle Management Corporation (“Castle Management”) is responsible for managing the Property. The District requests that the Court enter an order under the Nuisance Abatement Act requiring Defendants to abate the persistent firearm nuisances at the Property. The District alleges as follows:

PRELIMINARY STATEMENT

1. The District brings this action to address Defendants’ continued failure to abate the firearm-related activity at the Property.

2. A firearm-related nuisance exists where “any real property, in whole or in part, used, or intended to be used, ... or that is used or intended to be used to unlawfully store or otherwise keep one or more firearms, ... that has an adverse impact on the community. D.C. Code §(42-3101(5)(B). Under the Nuisance Abatement Act, firearm has the meaning of “any weapon, regardless of operability, which will, or is designed or redesigned, made or remade, readily converted, restored, or repaired, or is intended to, expel a projectile or projectiles by the

action of an explosive; the frame or receiver of any such device; or any firearm muffler or silencer...” D.C. Code § 7-2501.01(9).

3. Here, a firearm-nuisance exists under D.C. Code § 42-3101(5)(B). The Property has been the site of ongoing firearm-related activity and gun violence over the past year, including the execution of search warrants and seizures of firearms and ammunition. Since January 2016, the Property has generated over 150 “Calls for Service” to the Metropolitan Police Department (“MPD”) for shootings and sounds of gunshots. The tenants of the Property who are not involved in these nuisance activities are severely impacted by the continual risk to their safety.

4. The District brings this action pursuant to the Nuisance Abatement Act seeking “an order permanently enjoining, abating, and preventing the continuance or recurrence of the nuisance.” D.C. Code § 42-3110(a). Specifically, the District seeks an order compelling Defendants to implement security measures at the Property including increased security patrols, adequate lighting, and cameras. (*See Ex. 1, July 17, 2018 Security Recommendations for Forest Ridge/The Vistas Apartments and Stanton Glenn Apartments*).

Jurisdiction

5. This Court has subject matter jurisdiction over this civil action pursuant to D.C. Code § 11-921(a) and § 42-3102.

6. This Court has personal jurisdiction over Defendants because they have an interest in, use, or possess real property in the District of Columbia pursuant to D.C. Code § 13-423(a)(5).

Parties

7. Plaintiff District is a municipal corporation empowered to sue and be sued, and is the local government for the territory constituting the permanent seat of the federal government. The District is represented in this case by and through its chief legal officer, the Attorney General for the District of Columbia. The Attorney General has general charge and conduct of all legal business of the District and all suits initiated by and against the District and is responsible for upholding the public interest. The Attorney General is also specifically authorized to enforce the Nuisance Abatement Act.

8. Defendant Stanton Glenn LP is a limited partnership operating in the District of Columbia organized under the laws of the District of Columbia. Stanton Glenn LP maintains a principal place of business at 3040 Stanton Road, S.E., Apartment #101, Washington, D.C. 20020. Stanton Glenn LP has held legal title to the Property since November 16, 1998. (*See* Ex. 2, Deed). Stanton Glenn LP was formed to “provide affordable housing” (*see* Ex. 3, Stanton Glenn Limited Partnership Two-Year Report for Domestic & Foreign Filing Entity) and “to own and manage an apartment complex.” (*See* Ex. 4, Certificate of Limited Partnership). Joseph Kisha is the general partner through Glen Development Corporation. Tina Shaw and Glen Development Corporation are entity governors of Stanton Glenn LP.

9. Defendant Castle Management Corporation is a business corporation operating in the District of Columbia organized under the laws of the District of Columbia. Castle Management maintains a principal place of business at 3040 Stanton Road, S.E., Apartment #101, Washington, D.C. 20020. Castle Management is responsible for managing the apartment complexes. (*See* Ex. 5, Castle Management Corporation Two-Year Report for Domestic & Foreign Filing Entity). Joseph Kisha is the sole entity governor of Castle Management.

10. Defendant Joseph Kisha is an entity governor of Stanton Glenn LP and Castle Management Corporation. At all times relevant to this Complaint, Mr. Kisha formulated, directed, controlled, had the authority to control, participated in, or with knowledge approved of the relevant acts or practices of Stanton Glenn LP and Castle Management Corporation. Mr. Kisha resides in Washington, D.C.

Facts

A. Notice

11. On March 29, 2017, OAG sent a notice letter to Defendant Stanton Glenn LP c/o Castle Management Corporation advising of the presence of unlawful activity at 3076 Stanton Road, S.E. That letter stated OAG may take action against a property owner for maintaining their property in a manner that causes, creates, or maintains a nuisance as defined under the Nuisance Abatement Act and gave Defendant fourteen days to contact OAG. (*See* Ex. 6, March 29, 2017 Notice Letter).

12. On March 6, 2018, OAG sent another notice letter to Defendant Stanton Glenn LP c/o Castle Management Corporation advising of the presence of unlawful activity at 3040 – 3098 Stanton Road, S.E. That letter stated OAG may take action against a property owner for maintaining their property in a manner that causes, creates, or maintains a nuisance as defined under the Nuisance Abatement Act and gave Defendant fourteen days to contact OAG. (*See* Ex. 7, March 6, 2018 Notice Letter).

13. In response to the March 6, 2018 notice letter, Defendants contacted OAG to request a meeting to discuss the unlawful activity at the Property and ways the owner planned to abate the firearm nuisances. At that meeting on April 11, 2018, OAG put the owners on further notice of the continued unlawful activity occurring at Stanton Glenn in addition to the other

nuisance properties owned and managed by Defendants. OAG and MPD also made several recommendations for abatement, including but not limited to the following: stationing private security personnel at several entrances to the properties, installing additional security cameras, and improving lighting. The owners agreed to consider these recommendations.

14. OAG, MPD, and the owners also agreed to conduct a security walkthrough of Stanton Glenn.

15. On July 10, 2018, OAG, MPD, Herbert Mason and Chelsie Smith, as representatives from Defendant Castle Management, and Castle Management's Special Police Officers ("SPOs") from Archangel Global Security, LLC conducted a walkthrough of the following addresses:

3040 – 3098 Stanton Road, S.E.;
2400 – 2424 Elvans Road, S.E.;
2500 – 2514 Pomeroy Road, S.E.;
2540 – 2542 Elvans Road, S.E.; and
2545 – 2557 Elvans Road, S.E.

16. On July 17, 2018, OAG sent a letter describing the shortcomings in the security measures that were observed at the walkthrough. OAG and MPD made formal recommendations for improving security and other conditions to address and prevent the persistent unlawful activity at the properties. (*See* Ex. 1, July 17, 2018 Security Recommendations for Forest Ridge/The Vistas Apartments and Stanton Glenn Apartments). The letter requested Defendants to notify OAG in writing within fourteen days of receipt of the letter as to the status of the owners' implementation of the security recommendations.

17. In response to the letter, Defendants contacted OAG and stated they intended to comply with all recommendations except for installing and maintaining a gate at Stanton Glenn.

18. On October 15, 2018, an investigator from OAG visited Forest Ridge/The Vistas Apartments and Stanton Glenn Apartments to ascertain whether Defendants made security recommendations that were outlined in OAG's July 17, 2018 Security Recommendations Letter. The investigator observed that Defendants had not made sufficient security improvements according to MPD's recommendations. (*See Ex. 8, Affidavit of Willie Haynes*).

B. Search Warrants and Arrests

19. Since August 2017, MPD has made eight arrests at the Property for a number of firearm-related offenses, including unlawful possession of a firearm, possession of unregistered firearm, possession of unregistered ammunition, carrying a pistol without a license, and felon in possession.

20. On August 17, 2017, MPD officers arrested one subject at the Property for carrying a pistol without a license, felon in possession, possession of unregistered ammunition, operating a vehicle without a permit, possession of an open container of alcohol in a vehicle, and possession of unregistered firearm. Officers recovered a firearm and ammunition. (*See Ex. 9, Incident Report*).

21. On September 20, 2017, MPD officers executed a search warrant at the Property and recovered a firearm and ammunition. (*See Ex. 10, Incident Report*).

22. On January 3, 2018, MPD officers executed a search warrant at the Property and recovered a firearm and ammunition. (*See Ex. 11, Incident Report*).

23. On January 31, 2018, MPD officers executed a search warrant at the Property and recovered a firearm. Officers arrested one subject for unlawful possession of a firearm. (*See Ex. 12, Incident Report*).

24. On March 28, 2018, MPD officers arrested one subject at the Property for carrying a pistol without a license. Officers recovered two firearms. (*See Ex. 13, Incident Report*).

25. On April 11, 2018, MPD officers conducted a search at the Property and recovered a firearm. (*See Ex. 14, Incident Report*).

26. On April 23, 2018, MPD officers arrested one subject at the Property for carrying a pistol without a license. Officers recovered a firearm. (*See Ex. 15, Incident Report*).

27. On May 9, 2018, MPD officers executed a search warrant at the Property and recovered ammunition. Officers arrested one subject for possession of unregistered ammunition. (*See Ex. 16, Incident Report*).

28. On June 7, 2018, MPD officers conducted a search at the Property and recovered a firearm. Officers arrested one subject for unlawful possession of a firearm. (*See Ex. 17, Incident Report*).

29. On July 3, 2018, U.S. Marshals recovered a firearm at the Property while conducting an eviction. (*See Ex. 18, Incident Report*).

30. On July 30, 2018, U.S. Marshals executed an outstanding warrant and arrested one subject at the Property for felon in possession, parole violation, and receiving stolen property. U.S. Marshals recovered a firearm. (*See Ex. 19, Incident Report*).

31. On September 5, 2018, MPD officers conducted a search at the Property and recovered a firearm and ammunition. (*See Ex. 20, Incident Report*).

32. On September 26, 2018, MPD officers arrested one subject at the Property for carrying a pistol without a license, felon in possession of a firearm, possession with the intent to

distribute a controlled substance while armed, and possession of an open container of alcohol. Officers recovered a firearm and ammunition. (*See* Ex. 21, Incident Report).

33. On October 1, 2018, U.S. Marshals recovered a firearm and ammunition at the Property while conducting an eviction. (*See* Ex. 22, Incident Report).

C. Calls for Service

34. Since January 2016, the Property has generated over 150 “Calls for Service” to the Metropolitan Police Department (“MPD”) for shootings (“SHOT”) and sounds of gunshots (“GSHT”). (*See* Ex. 23, Calls for Service).

D. Reputation and Adverse Impact on Community

35. The illegal activity related to firearms in and around the Property has had an adverse impact upon the surrounding neighborhood in that:

- a. There has been an increase fear of residents to walk through or in public areas, including sidewalks and streets at the Property, due to the presence, use, and display of firearms, and violence stemming therefrom. D.C. Code § 42-3101(1)(B).
- b. There has been an increase in the number of ambulance or police calls to the Property that are related to the presence, use, and display of firearms, and to violence stemming therefrom. D.C. Code § 42-3101(1)(D).
- c. There have been a number of arrests of persons on and near the Property for criminal conduct relating to the presence, use, and display of firearms. D.C. Code § 42-3101(1)(H).
- d. There have been a substantial number of complaints made to law enforcement and other government officials about alleged illegal activity associated with the

presence, use, and display of firearms in and near the Property. D.C. Code § 42-3101(1)(J). (*See generally*, Ex. 24, Affidavit of Marlon Ollivierre).

COUNT I
(Abatement of a Drug and Firearm Related Nuisance Pursuant to
D.C. Code §§ 42-3101 to -3114)

36. The District hereby incorporates by reference herein Paragraphs 1 through 35.

37. Stanton Glenn, owned and managed by Defendants, is a firearm-related nuisance, as defined in D.C. Code § 42-3101(5)(B), in that it is real property “used or intended to be used to unlawfully store or otherwise keep one or more firearms.”

38. Stanton Glenn has an adverse impact on the community, as defined by D.C. Code § 42-3101(1). The adverse impact on the community caused by the firearm-related nuisance at the Property is extensive and continuous, amplified by the proximity to the Douglass Community Center.

39. Individuals in and around Stanton Glenn engaged in firearm nuisance activities are a consistent and serious threat to District residents, particularly those residing in other units at the Property.

40. Not only have Defendants failed to abate the nuisance, but they have caused it by their continuous inaction despite notice from the District.

REQUESTED RELIEF

WHEREFORE, the District of Columbia respectfully requests declaratory and injunctive relief and damages against Defendants, as follows:

a. That the Court declares the Property owned and managed by Defendants to be a firearm-related nuisance pursuant to the Drug-, Firearm-, or Prostitution-Related Nuisance Abatement Act, D.C. Code §§ 42-3101 to -3114;

- b. That the Court enjoins Defendants from creating and/or maintaining, or assisting in the creation or maintenance of a firearm-related nuisance property;
- c. That the Court orders Defendants to immediately abate all illegal nuisances at the Property;
- d. That the Court orders Defendants to install and maintain adequate high wattage lighting at the Property;
- e. That the Court orders Defendants to hire at least 11 armed Special Police Officers to patrol and secure the Property twenty-four hours each weekday and weekend;
- f. That the Court orders Defendants to institute a parking permit system and authorize a ticketing and towing system for any unregistered vehicles at the Property;
- g. That the Court orders Defendants to install and maintain an appropriate security camera system, in consultation with MPD, to more fully capture the interior and exterior of the Property free from visual obstruction and provide remote access to Special Police Officers and MPD;
- h. That the Court orders Defendants to secure each entrance to each residential building;
- i. That the Court orders Defendants to secure breaches in the perimeter fences around the Property to protect against intrusion;
- j. That the Court orders Defendants to maintain interior, exterior and common areas of the property grounds, including but not limited to, regular trash collection and other grounds maintenance;
- k. That Defendants shall a) submit to the District copies of all served barring notices currently in the possession of Defendants, and prospectively, all served barring notices within

one (1) week of issuance; and b) provide a copy of each such notice to the District by delivering a copy to Althea Geletka, Paralegal Specialist, Office of the Attorney General, 441 4th Street, NW, Suite 600 South, Washington, D.C. 20001;

l. That the Court award damages to be paid by Defendants in the amount of \$150 per day since the date Defendants were provided the second notice of the nuisance on March 6, 2018, to be paid into the Drug-, Firearm-, or Prostitution-Related Nuisance Abatement Fund pursuant to D.C. Code § 42-3111;

m. An award of costs and reasonable attorneys' fees, as authorized by D.C. Code § 42-3110(b)(1); and

n. Such other and further relief as this Court deems just and proper.

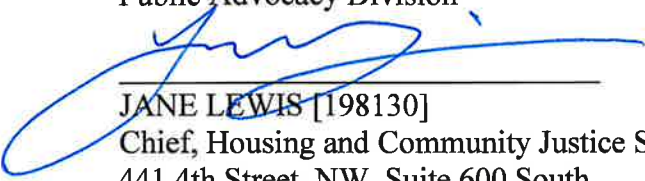
Dated: October 16, 2018

Respectfully Submitted,


KARL A. RACINE
Attorney General for the District of Columbia

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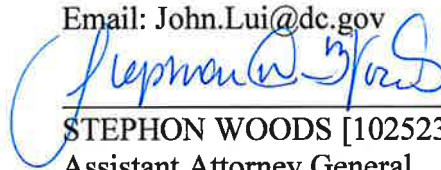
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