

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

DISTRICT OF COLUMBIA  
400 Sixth Street, N.W.  
Washington, D.C. 20001

*Plaintiff,*

v.

1828 Q ST. PARTNERS, LLC  
1443 Pennsylvania Avenue, S.E.  
Washington, D.C. 20003

**SERVE ON Registered Agent:**  
Kass Legal Group, PLLC  
4301 Connecticut Avenue, N.W.  
Suite 434  
Washington, D.C. 20008

*Defendant.*

Civ. No. \_\_\_\_\_

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**COMPLAINT FOR VIOLATIONS OF THE DRUG-, FIREARM-, OR PROSTITUTION-  
RELATED NUISANCE ABATEMENT ACT**

The District of Columbia (the “District”), by and through the Office of the Attorney General for the District of Columbia, files suit against Defendant 1828 Q St. Partners, LLC (hereinafter “1828 Q”). The District seeks an order pursuant to the Drug-, Firearm-, or Prostitution-Related Nuisance Abatement Act (“Nuisance Act”) requiring Defendant to abate persistent drug and firearm nuisances at 1828 Q Street SE (the “Property”) pursuant to D.C. Code §§ 42-3101, *et seq.* In support of this Complaint, the District states as follows:

**PRELIMINARY STATEMENT**

The District brings this civil enforcement case to compel Defendant to abate drug- and firearm-related criminal activity at their property, located at 1828 Q Street SE, Washington, DC

20020. The Property has been the site of relentless shootings and drug sales. Neighbors and children in this dense residential area feel unsafe walking the streets and alleys near the Property for fear of becoming shooting victims or of being solicited to buy drugs. Through this case, the District seeks an injunction requiring Defendant to stop the drug- and firearm-related nuisance at their Property, as well as civil penalties and attorneys' fees.

## **I. JURISDICTION**

1. The Court has subject matter jurisdiction pursuant to D.C. Code § 11-921 and § 42-3102(a).
2. The Court has personal jurisdiction pursuant to D.C. Code § 13-423.

## **II. PARTIES**

3. Plaintiff, the District of Columbia, a municipal corporation empowered to sue and be sued, is the local government for the territory constituting the permanent seat of the government of the United States. The District brings 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. D.C. Code § 1-301.81 (a)(1). The Attorney General is also specifically authorized to enforce the Nuisance Act. (*See* D.C. Code § 42-3102(a)).

4. Defendant 1828 Q St. Partners, LLC ("1828 Q") is a limited liability company organized under the laws of the District of Columbia and conducts business in Washington, D.C. 1828 Q maintains a principal place of business at 1443 Pennsylvania Avenue SE, Washington, DC 20003. 1828 Q has operated the Property ever since they acquired legal title to the Property on July 12, 2012.

### **III. FACTS**

#### **I. MPD Regularly Seizes Drugs and Firearms and Has Made Drug- and Firearm-Related Arrests, at the Property.**

1. The Property is a 36-unit multifamily residential building in a dense residential neighborhood, a picture of which is below:

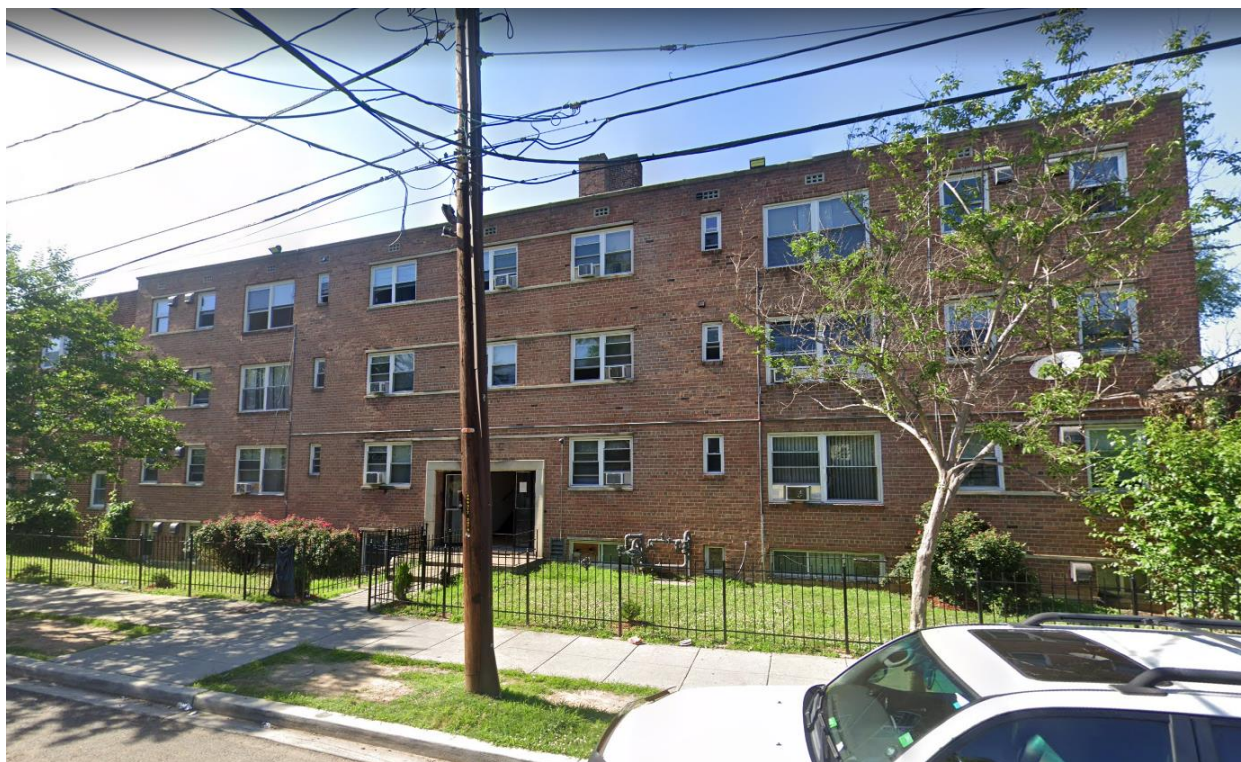


Image of Property, Google Street View (June 2019)

2. Since at least March 2020 the District of Columbia's Metropolitan Police Department ("MPD") has regularly recovered drugs and firearms from the Property and arrested individuals for drug-related crimes.

3. For instance, as recently as September 9, 2020, MPD recovered a handgun, 18 rounds of ammunition, 122 shotgun cartridges, a ballistic vest, black scale, baggies containing controlled substances, and zips (small plastic baggies) containing crack cocaine from a vacant unit at the Property.

4. On August 3, 2020, MPD was patrolling the neighborhood when a victim flagged down MPD and informed MPD that he was assaulted while attempting to walk by the Property. The suspect hit the victim on the head with a handgun and demanded the victim empty his pockets. The suspect fled the scene.

5. On June 8, 2020, another person was shot while walking near the Property, around the same time a neighbor heard numerous gunshots and saw a vehicle speed away from the location.

6. On June 1, 2020 at 1:22 AM, MPD responded to a shooting at the Property. Upon arrival, MPD found someone lying face down on the ground at the Property shot in the face. He was transported to the hospital where he died.

7. On May 9, 2020, an officer was conducting a routine building check and recovered twelve sandwich bags containing crack cocaine from a suspect at the Property. The officer arrested the individual for Possession of a Controlled Substance.

8. On March 11, 2020, MPD executed a search warrant and seized ten plastic bags with crack cocaine and various drug paraphernalia. MPD arrested two suspects for Possession with the Intent to Distribute a Controlled Substance, Possession of Drug Paraphernalia, and Maintaining a Crack House.

9. On March 1, 2020, MPD responded to the Property for reports of sounds of gunshots. Upon arrival, MPD recovered five shell casings in the back of the Property.

## **II. Drug- and Firearm-Related Violence on the Property Adversely Impacts Neighbors and Community Members.**

10. The Property's neighbors in the Fairlawn community of Southeast Washington, D.C. have been adversely impacted by the drug- and firearm-related nuisance at the Property. Neighbors who live near the Property regularly hear gunshots and are afraid of being victims of

shootings that occur on and near the Property. Additionally, individuals who walk near the Property have been victims of shootings or other crimes where firearms are involved, such as assaults described above.

11. The Property is located near Kramer Middle School, Boone Elementary School, and Vee's Early Learning Center. Children and their families who attend these schools are sometimes required to walk near the Property, at which point they are exposed to drug use and distribution, as well as the danger of gun violence.

12. Large crowds of people gather outside the Property, causing loud disturbances through all hours of the night.

13. The drug activity at the Property leaves nearby residents fearful of walking in their own neighborhood. The Property is located near two churches, a park, and a local food market. Community members who walk to access these and other goods and services worry that they will be assaulted by drug-addled strangers who frequent nearby alleys and streets, or that they will be caught in the crossfire of gun violence.

14. Residents frequently report to MPD, Area Neighborhood Commissioners ("ANCs" and the Office of the Attorney General ("OAG") the drug- and firearm-related violence and other disturbances at the Property. Since September 10, 2019 MPD has received more than 214 calls for service and made arrests for more than 28 narcotics offenses.

### **III. Defendant Has Failed to Abate the Drug Nuisances at the Property Despite Receiving Notice.**

15. In or around August 2018, the Office of the Attorney General ("OAG") met with Defendants regarding the complaints OAG received about drug and firearm related criminal activity at the Property.

16. Defendant hired security personnel shortly after the meeting, which curbed the nuisance activity temporarily. Defendant also instituted eviction proceedings against some tenants who were suspected to be the cause of some drug and firearm related nuisance activity.

17. Although the number of complaints to OAG decreased after Defendant hired security personnel for the property, MPD continued to monitor the Property for drug- and firearm-related nuisance activity.

18. In or around the Spring of 2020, MPD reported to the District that security personnel no longer maintained a consistent coverage at the Property. The District learned that the license for the security company that Defendant hired had been revoked. The District informed Defendant that Defendant would need to hire an alternate company to provide security at the Property.

19. Around the same time, MPD, OAG, and other government agencies received increased complaints about drug- and firearm-related nuisance activity at the Property. On July 1, 2020, OAG sent Defendant a notice letter through electronic mail advising Defendant of the increased presence of drug- and firearm-related activity at the Property.

20. OAG met with Defendant via teleconference on July 2, 2020 to discuss the drug- and firearm-related activity at the Property and measures Defendant should take to eliminate the nuisance activity. Defendant assured OAG that security regularly patrolled the Property. However, OAG informed Defendant that MPD reported patrolling the Property on several occasions and did not see any security personnel at the Property. OAG also informed Defendant that the front and back doors were unsecured, trash was accumulating on the grounds around the Property, and the common areas of the Property were not well maintained. OAG recommended to Defendant that they hire a security consultant to develop a plan that includes security personnel, installation of

cameras, and property maintenance to address the persistent drug and firearm activity at the Property.

21. On August 3, 2020, Defendant informed OAG that Defendant hired security personnel who began patrolling the Property on or about July 23, 2020. On several occasions thereafter, MPD officers responded to the Property to investigate calls for service and to observe the Property's condition, specifically whether security personnel were present. MPD observed several security deficiencies, such as lack of security personnel, unsecured front entrance doors to the Property, and the appearance of blight that suggested the Property was not being monitored.

22. As a result of the security deficiencies, the nuisance activity at the Property persists.

#### **IV. COUNT I**

##### **Abatement of a Drug-Related Nuisance (D.C. Code §§ 42-3101 to -3114)**

23. The District fully incorporates by reference Paragraphs 1 through 22.

24. The use and sale of drugs frequently occurs on the Property. Furthermore, the Property has been used to store one or more firearms and firearm-related devices and to discharge firearms, resulting in injuries to several individuals. MPD officers have seized drugs and firearms from the Property on several occasions and made a drug- and firearm-related arrests on the Property. The Property is therefore a drug- and firearm-related nuisance as defined by D.C. Code § 42-3101.

25. The drug- and firearm-related activity at the Property has an adverse impact on the community due to the violence and daily drug activity, as defined by D.C. Code § 42-3101.

26. Prior to filing this action, OAG provided Defendant with reasonable notice of the nuisance activities at the Property, as required by D.C. Code 42-3103(b). Despite receiving

continued notice from OAG, Defendant has not fully addressed the nuisance activity at the Property.

**V. RELIEF REQUESTED**

Wherefore, the District of Columbia respectfully requests declaratory and injunctive relief and statutorily authorized damages against the Defendant, as follows:

A. That the Court declare the Property located at 1828 Q Street SE, owned by Defendant, a drug- and firearm-related Nuisance Property pursuant to the Drug-, Firearm-, or Prostitution-Related Nuisance Abatement Act, D.C. Code §§ 42-3101 to -3114;

B. That the Court enter a preliminary and permanent injunction appropriate to abate and prevent the continuance or recurrence of the drug-related nuisance at the Property including the implementation of a security plan which requires, at a minimum, that Defendant shall:

- a. Maintain a camera system that monitors the back and front entrance of the Property to ensure that the sale and use of drugs does not occur at the Property;
- b. Issue and enforce barring notices at the Property for any individual involved in the use or sale of drugs at the Property;
- c. Hire security personnel with sufficient coverage to eliminate the drug- and firearm-related activity at the Property;
- d. Maintain the Property free from the appearance of blight;
- e. Install doors with controlled access via fob or other electronic device;

C. That the Court award the maximum penalties per day since the date the Defendant was first provided notice of the nuisance to be paid by the Defendant into the Drug-, Firearm-, or Prostitution-Related Nuisance Abatement Fund pursuant to D.C. Code § 42-3111.01(a);

D. That the Court award the District its attorneys' fees; and



E. That the Court enter any other relief that the Court deems appropriate.

Date: October 21, 2020

Respectfully Submitted,

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