About the Committee

The Committee on Community Economic Development (CED) provides a forum for lawyers to share their expertise and perspectives derived from working with (i) entrepreneurs and community-based organizations seeking to revitalize communities and (ii) the institutions that finance such initiatives. The Committee provides an opportunity to (i) share knowledge and develop policies on the emerging law of CED, (ii) support transactional lawyers involved in CED, and (iii) work with other committees of the Business Law Section, as well as other ABA entities. To join the Committee go to http://www.abanet.org/committee_join/ocj_action.cfm?comid=CL746000

Message from the Chair

Rutledge Simmons
Neighborworks America
Washington, DC

Thanks for taking the time to review the Committee on CED e-newsletter. This special edition features no articles. Rather, it highlights the work of the Community Law Center and its work with respect to neighborhood stabilization and rescue scam prevention. Communities are being damaged by rescue scams, which add to community decline by increasing the number of abandoned properties in communities. This issue is very important to states with high foreclosure rates since homeowners worried about foreclosure are often susceptible to scams.

Also, it presents an opportunity to promote an extraordinary 2010 ABA Business Law Section Spring Meeting panel, "The White House Office of Urban Affairs and its Effect on Community Economic Development." Panelists are Derek Douglas, Special Assistant to President Barack Obama on Urban Affairs; Nestor Davidson, General Deputy General Counsel at the US Department of Housing and Urban Development; Roger Clay, President of the Insight Center for Community Economic Development and past President of the ABA Forum on Affordable Housing and Community Development Law and Connie Evans, President and CEO of Association for Enterprise Opportunity and recent appointee by President Barack Obama to the U.S. Delegation to the United Nations 54th session of the Commission on the Status of Women. Howie Wong, General Counsel of Toronto Community Housing and Vice Chair of the Committee on CED will moderate the panel.

I wish I could attend but I will be celebrating the birth of my son with my wife.

Lastly, I continue to encourage members and non-members to visit our listserv to share ideas and to offer suggestions on how to improve the Committee on CED and the CED website.

http://apps.americanbar.org/buslaw/committees/CL746000pub/newsletter/201003/
Interview with Robert Strupp
Director of Research and Policy
Community Law Center
Baltimore, MD
March 11, 2010

Tell me about Community Law Center and your role there.

Community Law Center, a nonprofit law firm, provides legal services to community and nonprofit organizations throughout Maryland to promote stronger and more vibrant neighborhoods. I am the Director of Research and Policy and my projects focus on combating predatory and deceptive real estate practices. We examine transactions; identify good and bad actors, emerging trends, regulatory and enforcement issues; and call for policy reform where appropriate. Our research reveals the identity and level of investor participation in specific communities.

What are some of the community development initiatives that you have undertaken there?

Community Law Center is regarded as a convener and promoter of collaboration. I initiated and chair the enforcement committee of the statewide homeownership preservation coalitions, bringing together the regulators, regulated, elected and government officials, and other stakeholders.

Please discuss your most pressing and prominent initiatives.

With respect to most pressing, we seek sustainable alternatives to foreclosure. The solutions include loan modification, deed in lieu, and other graceful exit solutions for homeowners. Also, we highlight the need to address the consequences of foreclosure to communities. We identify how best to allocate funds to legitimate entities and prevent property acquisitions by fraudulent and deceptive investors.

Some of my most prominent initiatives include presentations on scam awareness; research and analysis of residential transactions; participation on the Governor's Task Force addressing foreclosure reform and acting as a catalyst for federal funds to lawyers to represent homeowners facing foreclosure.

What are you doing to educate practitioners about rescue scams?

I am a frequent speaker at foreclosure prevention workshops, conferences, continuing education programs, and through the media. I research and identify emerging methods of scamming, including public records, signage, craigslist, and other marketing tactics.

Are you involved with implementation of Neighborhood Stabilization initiatives?

My work touches on implementation in that I concentrate on educating decision makers, regulators, enforcement and government agencies, the regulated practitioner, housing
counselors and advocates on data identifying regulatory enforcement issues, as well as the consequences of their respective practices and policies. Additionally, I chair an enforcement committee of Maryland's homeownership preservation coalition that meets bi-monthly to address emerging trends and identify actors participating in residential transactions. Frequently this will result in an investigation or sharing of information for enforcement actions underway, improving the opportunities for legitimate investment in the community.

What parts of the program are not working?

I am concerned that the program is focused too heavily on "healthy" or rebounding neighborhoods (stable neighborhoods) and not on those that need investment for revitalization, or more dramatic action, such as dealing with abandoned neighborhoods by providing resources for remedial measures like demolition.

What are the challenges with the NSP implementation?

The problems in communities are much larger than the available resources can accommodate. The program's emphasis on directing funds to neighborhoods with immediate promise or currently classified as "healthy" threatens the future of currently distressed and challenged neighborhoods. This leads to perpetuating the status quo, and thereby increasing the opportunity for scams, which undermines legitimate investment in neighborhoods in despair.

2010 Spring Meeting Panel

The White House Office of Urban Affairs and its Effect on Community Economic Development

Friday, April 23, 2010
2:30 - 4:30 PM
Governor's Square 14, Concourse Level, Plaza Building
Spring Meeting Website

Chair: Mr. Howie Wong
Cosponsored by: Pro Bono Committee

Panel Bios:

Mr. Derek Douglas serves on the White House Domestic Policy Council (DPC) as Special Assistant to President Barack Obama, where he leads the DPC's work on urban and metropolitan policy issues. Prior to working in the White House, Mr. Douglas served as Washington Counsel to New York Governor David A. Paterson and Director of Governor Paterson's Washington, D.C. Office. In this capacity, Douglas served as the Governor's chief architect for federal policy and oversaw federal policy development and advocacy on domestic, economic, and urban policy issues for the State of New York. Prior to his appointment in 2007, Douglas served as Associate Director of Economic Policy at the Center for American Progress (CAP) where he founded and served as Director of the Economic Mobility Program. Prior to joining the CAP, Mr. Douglas was a Counsel at O'Melveny & Myers LLP and an Assistant Counsel at the NAACP Legal Defense and Educational Fund. Mr. Douglas graduated from the University of Michigan with Highest Honors in Economics and from the Yale Law School.

Mr. Nestor M. Davidson is the General Deputy General Counsel at the U.S. Department of Housing and Urban Development (HUD). He joined HUD in May 2009 after teaching at the University of Colorado Law. At Colorado, where Mr. Davidson taught from 2004 until joining HUD, his scholarship focused on property, land use, affordable housing, local
government law and sustainability. From 2001 to 2004, Mr. Davidson practiced with the firm of Latham & Watkins LLP, focusing on commercial real estate and affordable housing, and, from 1999 to 2001 served as Special Counsel to the HUD Secretary. Mr. Davidson graduated from Columbia Law School and clerked for Judge David S. Tatel of the United States Court of Appeals for the District of Columbia Circuit and Justice David H. Souter of the Supreme Court of the United States.

Mr. Roger A. Clay, Jr. is the President of the Insight Center for Community Economic Development, a national consulting and legal organization that develops strategies and programs for people and communities to become economically secure. Mr. Clay has served as General Counsel of the California Housing Finance Agency, Managing Partner at Goldfarb & Lipman where he advised housing and community economic development organizations, Vice-President with the Corporation for Supportive Housing, Senior Fellow at the Institute on Race & Poverty at the University of Minnesota Law School and Senior Advisor at ICF Consulting, advising clients on the design and implementation of housing and community development programs. He was the Chair of the ABA Forum on Affordable Housing and Community Development Law and twice served as the Chair of the ABA Commission on Homelessness and Poverty. Mr. Clay is the co-editor of the book, Building Healthy Communities: A Guide to Community Economic Development for Advocates, Lawyers, and Policymakers, recently published by the ABA.

Ms. Connie E. Evans is President and CEO of the Association for Enterprise Opportunity (AEO). AEO is the national association that is committed to microenterprise development as a job creation and economic development strategy. Ms. Evans has more than 20 years of nonprofit executive experience. She founded the first microenterprise development organization for urban women in the country, the Women’s Self-Employment Project in Chicago in 1986. Ms. Evans was also the project manager for the first resident managed public housing site in Chicago. She has been an advisor on microfinance to the governments of Sri Lanka, Nigeria, and South Africa as well as a host of nonprofit organizations in the U.S. and abroad. Ms. Evans has served in numerous leadership positions, including on the board of the Federal Reserve Bank of Chicago, the Social Venture Network, and the CDFI Advisory Board at the U.S. Department of Treasury. Recently, she was appointed by President Barack Obama to be a member of the U.S. Delegation to the United Nations 54th session of the Commission on the Status of Women.

Mr. Howie Wong is General Counsel of Toronto Community Housing, the largest social housing provider and landlord in Canada. Prior to joining Toronto Community Housing in 2005, Mr. Wong was a mergers and acquisition lawyer for over 18 years with a national Canadian law firm. Mr. Wong is Vice Chair of the Committee on Community Economic Development. Mr. Wong graduated from Osgoode Hall Law School, York University.

Submit Articles for the Community Economic Development Newsletter

The Committee on CED invites you to submit an article for possible publication in future issues. The articles do not need to be long. Submitting an article is a great way to share your perspective and/or expertise with fellow practitioners and to participate in Committee activities. If interested, please email your article for consideration by clicking on the name of any of the newsletter editors listed above. Thanks.