

FOIA MARKER

This is not a textual record. This is used as an administrative marker by the William J. Clinton Presidential Library Staff.

Collection/Record Group: Clinton Presidential Records
Subgroup/Office of Origin: National AIDS Policy Office
Series/Staff Member: Kristine Gebbie
Subseries:

OA/ID Number: 8299
FolderID:

Folder Title:
Site Visit - Richmond AIDS Ministry 8/2/94

Stack:
S

Row:
66

Section:
5

Shelf:
5

Position:
2

TUESDAY
August 2ND

Time: 1pm - 3pm

Location: Richmond, Va

Event: Site Visit - Richmond
AIDS Ministry



FACSIMILIE TRANSMITTAL

DATE: August 2, 1994
TO: Kristine Gebbie
FROM: Harry Davis - RAM
RE: Guest House overview

MESSAGE: Looking forward to seeing
you this afternoon.

Please call 804-321-2170 if you have not received 3 pages including this cover page.

"IT WASN'T HIS TIME TO DIE"

On May 23, 1994, a watershed occurred in the state of Virginia when the Richmond AIDS Ministry (RAM) officially opened Steve's House and Iris's House, a pair of eight-bed adult group residences designed to provide housing and residential support services to persons with AIDS (PWAs).

RAM's clientele is comprised primarily of PWAs from the Central Virginia region, the state's HIV epicenter. Currently, over 6,000 men, women and children in the state are HIV-positive, ranking Virginia 16 nationally for the number of HIV and AIDS cases and deaths. Richmond AIDS Ministry is the state's largest provider of housing and support services to those affected by the HIV/AIDS epidemic.

Capital and construction costs for the Guest House program were financed through a grant from the Department of Housing and Urban Development (HUD). Strong support from national foundations, and the religious and corporate community has allowed RAM to expand its staff and services every year to offer a compassionate response to the needs of a continually increasing HIV-positive population.

Although the Guest Houses have been built and fully functional since May, thirteen RAM clients -- many of whom require regular supervision and are in imminent danger of becoming homeless -- are being blocked from entering their long-awaited homes. The state Attorney General's office and the Department of Social Services are delaying action on the full licensure of RAM's Guest Houses as Adult Care Residences, which will allow the houses to be filled to capacity. RAM contends that the Guest Houses were carefully built in full compliance with state housing regulations and zoning laws. A team of volunteer lawyers, including an attorney from the American Civil Liberties Union (ACLU), have worked diligently for months to secure the license, but the delays continue.

Presently, three HIV-positive Richmonders are residing in Steve's House, where they receive 24-hour supervision from Certified Nursing Assistants, rehabilitative and therapeutic services from Residential Counselors, 3 nutritionally-balanced meals a day from an on-site Cook, and visitations from RAM Care Team volunteers. A number of the remaining thirteen PWAs who are scheduled for Guest House admission presently live in unsafe, unsanitary environments that are not sensitive to the dynamics of HIV illness. These men and women will move into the Guest Houses as soon as full licensure is granted. Currently, over 40 PWAs are on RAM's waiting list for housing.

While Steve's House remains less than half full, and Iris's House stands dark and vacant, many Central Virginians with AIDS struggle to stay healthy, pay medical expenses through their limited entitlements, and keep their homes.

Some PWAs are cared for by family members or loved ones, but many live without such strong support networks. Last Thursday, an HIV-positive Richmond resident named "Joe" (not his real name) died alone and unattended from complications following a seizure. Joe



Schedule For Kristine Gebbie's Visit
To RAM's Guest House
Tuesday, August 2, 1994

- 1:00 Arrive Richmond Airport, USA Flight 537
Cathy Woodson and Harry Davis will meet
- 1:30 Arrive Steve's House, 6117 Bliley Road
(phone 804-231-2451)
- 1:30-1:40 Meet with Steve Pershing (ACLU) and Kevin McCusty
(RAM's General Consul) for briefing of current
status of license
- 1:40-1:55 Meet with residents of Steve's House
- 2:00 Arrive Iris's House - 2925 Cherokee Road
(phone 804-330-8720)
- Note: For Dr. Wright's use, both Bliley Road and
Cherokee Road are off of Forest Hill Ave. - first
exit after crossing the James River on I95 South -
Bliley Road is east of the expressway; Cherokee
Road is west.
- 2:00-2:10 Presentation by the Jessie Ball duPont Fund, the
Presiding Bishops Fund For World Relief, and Life
of Virginia.
- 2:10 Remarks by Kristine Gebbie, followed by tour of
the house, reception, and media questions.
- 3:00-3:15 Finish.



FACSIMILE TRANSMITTAL

DATE: July 26, 1994
TO: Kristine Gebbie
FROM: Cathy Woodson
RE: Visit

MESSAGE: see you soon, hopefully. Thanks!

Please call 804.321.2170 if you have not received 6 pages including this cover page.

RICHMOND

AIDS
MINISTRY

July 25, 1994

Ms. Kristine M. Gebbie
Executive Office of the President
National AIDS Policy Coordinator
750 17th St., N. W., Suite 1060
Washington, DC 20503

Dear Ms. Gebbie:

As Richmond AIDS Ministry opens its two new Guest Houses, which you visited under construction last December, we find ourselves in need of PR to assist the community with understanding the services needed by the HIV/AIDS population. We feel there is a lack of understanding of the overwhelming need for clean, safe, and affordable housing with supportive services which is impacting the decision making process on requirements to operate our Guest Houses at full capacity.

Our goal is to make the extended community more aware of our supporters as well as the needs of our clients. Someone of national stature is needed and we are most hopeful that you might be able to make a visit to our agency on Friday, July 29 or Monday August 1 or any time that is convenient to your schedule. Enclosed is a letter written most recently by our legal staff regarding the status of our request for licensure from the State Department of Social Services. This correspondence recaptures the process that RAM has been involved in the past few months.

We apologize for the short notice of this request but the need is so great we felt compelled to make it. Thank you for your consideration.

Sincerely,

Cathy Woodson
Interim Director

Harry Davis
Development Coordinator

✓ 10:40 AM
12:40 PM
Aug 2nd
12:40

MAYS & VALENTINE

NATIONS BANK CENTER
1111 EAST MAIN STREET
P. O. Box 1122
RICHMOND, VIRGINIA 23208-1122

(804) 697-1200
TELEX 322063 (MAYSVAL UD)
TELECOPIER (804) 697-1339

NORTHERN VIRGINIA
110 SOUTH UNION STREET
P.O. BOX 149
ALEXANDRIA, VIRGINIA 22313-0149
TELEPHONE (703) 518-8000
TELECOPIER (703) 518-0140

DIRECT DIAL

HAMPTON ROADS
THE EIGHTH FLOOR
TOWN POINT CENTER
NORFOLK, VIRGINIA 23510
TELEPHONE (804) 627-8800
TELECOPIER (804) 627-9200

FILE NO.

(804) 697-1460

00072.169

July 21, 1994

BY HAND

William H. Hurd, Esquire
Deputy Attorney General
Commonwealth of Virginia
Supreme Court Building
101 North Eighth Street
Richmond, Virginia 23219

Jane D. Hickey, Esquire
Senior Assistant Attorney General
Commonwealth of Virginia
Supreme Court Building
101 North Eighth Street
Richmond, Virginia 23219

Richmond AIDS Ministry, Inc.

Dear Mr. Hurd and Ms. Hickey:

Enclosed is a copy of a letter which I sent to Craig Burshem with respect to a matter which he has been handling and which involves my client, Richmond AIDS Ministry, Inc. As the letter indicates, this is an urgent matter which dramatically affects the lives of a significant number of people.

I understand that Craig has already sent, or is about to send, this matter to one or both of you for review and action. I am sending copies of my letter directly to you because of the urgency of the situation. Steve Pershing of the ACLU of Virginia is also writing a letter to Craig, and will send copies directly to you. We would appreciate your prompt action. We would also like to meet with you if you continue to have questions or concerns.

William H. Hurd, Esquire
Jane D. Hickey, Esquire
July 21, 1994
Page 2

I would like to reiterate my introductory paragraph to Craig. He has been professional, thorough and responsive to us throughout.

Very truly yours,

Kevin

M. Kevin McCusty

120/746

Enclosures

cc: Craig M. Burshem, Esquire
Steve Pershing, Esquire
Jeanne Wiley, President, RAM
Cathy Woodson, Acting Executive Director, RAM
bc: Steven D. Rosenthal, Esquire
James E. Ryan, Jr., Esquire

MAYS & VALENTINE

NATIONS BANK CENTER
1111 EAST MAIN STREET
P. O. Box 1122
RICHMOND, VIRGINIA 23208-1122

(804) 697-1200
TELEX 322063 (MAYSVAL UD)
TELECOPIER (804) 697-1339

NORTHERN VIRGINIA
110 SOUTH UNION STREET
P.O. BOX 148
ALEXANDRIA, VIRGINIA 22313-0148
TELEPHONE (703) 519-8000
TELECOPIER (703) 519-0140

DIRECT DIAL

HAMPTON ROADS
THE EIGHTH FLOOR
TOWN POINT CENTER
NORFOLK, VIRGINIA 23510
TELEPHONE (804) 627-8800
TELECOPIER (804) 627-8800

FILE NO.

(804) 697-1460

00072.169

July 21, 1994

BY HAND

Craig M. Bursham, Esquire
Assistant Attorney General
Commonwealth of Virginia
Supreme Court Building
101 North Eighth Street
Richmond, Virginia 23219

Richmond AIDS Ministry, Inc. ("RAM")
Adult Care Residence Licensure

Dear Craig:

Thank you for your work on this matter and the professional and courteous manner in which you have conducted yourself. I am sending this letter to make sure that you have the full benefit of my client's situation and position. As you know, time is short and the need is great. Accordingly, I am also taking the liberty of sending a copy of this letter directly to Jane Hickey and Bill Hurd, who I understand will be involved with you in the review and approval process.

As you know, I am General Counsel to RAM. Steve Pershing, Legal Director of the Virginia Chapter of the American Civil Liberties Union, is Special Counsel to RAM. Steve will write you a separate letter also copied to Jane Hickey and Bill Hurd.

RAM is a nonprofit corporation based in the City of Richmond, which provides food, housing and other services to disabled persons who are HIV positive or afflicted with AIDS. Many of RAM's clients are impoverished and either homeless or living in extremely distressed environments.

To address its clients' overwhelming need for clean, safe and comfortable housing, RAM planned and constructed two group homes (collectively, the "Guest Houses") in the City of Richmond. The Department of Housing and Urban Development financed the Guest Houses with grants under Section 811 of the

National Affordable Housing Act. The City of Richmond issued a certificate of occupancy for Steve's House, located at 6117 Bliley Road, on March 8, 1994 and for Iris' House, located at 2925 Cherokee Road, on March 7, 1994.

RAM has been waiting for DSS to issue licenses to operate the Guest Houses at full capacity as adult care residences. The Guest Houses are designed to accommodate 8 residents each, for a total capacity of 16 residents. At this time, however, only 3 residents occupy Steve's House; Iris's House is completely vacant. There are currently over 40 people hoping to fill the 13 remaining spots. RAM and the potential residents are suffering greatly and are irreparably harmed with each day that passes with the Guest Houses operating at less than full capacity.

RAM submitted its applications to DSS on March 28, 1994, following numerous consultations with DSS representatives which began at the planning stage, well prior to the commencement of construction. RAM incorporated all of DSS's comments into its program, plans and specifications. We believe the applications were complete as submitted, and sufficient for DSS to issue the licenses. According to DSS's procedures, DSS should have issued the licenses within 2 months after RAM submitted the applications. Now, almost 4 months after RAM submitted the applications, DSS has still not issued or denied the licenses. Instead, the applications remain in the Attorney General's Office for review with respect to certain zoning questions, which DSS raised based upon the City's certificates of occupancy, and now, apparently, certain building code questions which you have raised.

Steve and I respectfully request, on behalf of RAM and the potential Guest House residents, immediate issuance of the licenses for 8 residents per Guest House. Our request for immediacy is based upon the inordinate amount of time which has elapsed since RAM submitted its applications and the extreme need in the community for immediate and full occupancy of the Guest Houses. Our request for issuance is based upon the facts and law which apply to this situation.

The Guest Houses are well built and safe residences which are fully adequate to operate in the intended manner within the bounds of the law. The City of Richmond issued building permits and, upon the completion of construction, certificates of occupancy for the Guest Houses. The Guest Houses satisfy and, in fact, substantially exceed all building code requirements which the City, as the entity vested with authority to interpret, apply and enforce the building code, deemed applicable and appropriate. The City's Fire Marshal has inspected the Guest Houses and found them safe. This should be sufficient for DSS to issue the requested licenses for the Guest Houses as built.

Craig Burshem, Esquire

July 21, 1994

Page 3

There are at least three legal theories which compel licensure, even if you believe, which we do not, that the zoning and building code questions have somewhat problematic answers. Any of the three theories is sufficient to compel licensure without the others. The third is sufficient to eliminate any technical zoning violation. First, the Guest Houses substantially comply with the I-1 standards of the building code as the City has properly interpreted and applied them. Second, equitable principles compel licensure, despite any minor technical deficiency, in light of the immediacy of the need and the irreparable harm caused by the delay in issuance, or any ultimate denial, of licensure. Third, federal and state fair housing and disability laws compel reasonable accommodation in such instances and protect RAM's clients from discriminatory enforcement of laws. Steve's letter will set forth in fuller detail some of the factual and legal issues which apply and compel licensure.

RAM has always sought to operate the Guest Houses in the appropriate manner within the bounds of the law. Long before the commencement of construction, RAM board members, officers and staff engaged in numerous and extended discussions with federal, state and local officials, including DSS officials, to seek their guidance and input to assure that the Guest Houses would not only be built and operated in full compliance with the law, but that any additional concerns of those officials would be taken into account and incorporated into RAM's plans. RAM will continue to comply with applicable law, and sincerely hopes that DSS will issue licenses to RAM to bring this matter to an appropriate and nonconfrontational conclusion.

Please give Steve or me a call if we can provide you with anything else which might assist you with your consideration. Thank you very much for your cooperation to date and your anticipated future cooperation.

Very truly yours,



M. Kevin McCusty

120/746

Enclosures

cc: William H. Hurd, Esquire

Jane D. Hickey, Esquire

Steve Pershing, Esquire

Jeanne Wiley, President, RAM

Cathy Woodson, Acting Executive Director, RAM