

# DOUGLAS ENERGY RELIEF ASSOCIATION

## DERA ORGANIZATION

### HISTORY

#### A Brief Synopsis

1. Conducted first small meeting on April 19, 2004, with 20 or so grievant/complaining about high city electric bills/utilities.
2. Organized the small group under DERA.
3. In time the group rose to 50 or so complaining about high city electric/utility bills. DERA collected members monthly utility bills (copies).
4. Met every Monday night 7:30 p.m., for 1 hour, for 3 years. Group increased to 100 + members including Public Housing Authority residents.
5. Public Housing Authority residents complained about PHA – tenants/guest cars being towed illegally.
6. DERA filed 1<sup>st</sup> housing discrimination complaint with HUD/FHEO in electric case, then 20 or so illegal Public Housing car towing cases with HUD/FHEO. The car towing cases were dismissed for “No Cause”/No reason to believe that discrimination occurred.
7. HUD FIR (Final Investigative Report) in car towing cases revealed in a HUD/Memo that DPHA (Douglas Public Housing Authority) had not paid tenants correct monthly utility allowances for 10 years – hundreds of thousands of dollars. Subsequent FOIA documents showed non-compliance for 19 years.
8. DERA complained to HUD/PHA national Director Nicole Faison who ordered problem “corrective action” – Resulted in tenant cash reimbursements, approximately \$200,000.00, for 6 years – after 2+ years to correct problem.
9. After DERA/HUD’s PHA Headquarters Washington D.C. “ordered corrective action” of Douglas, Georgia’s monthly utility allowances and annual audits Douglas Public Housing Authority Director Carolyn Thompson “refused to cooperate.” The Douglas Public Housing Authority’s Board of Directors had to force her to retire in order to comply with HUD’s mandate.
10. DERA/HUD’s “corrective action” of Douglas, Georgia’s PHA utility allowances problems with “cash reimbursements” prompted the Housing Authority of the City of Fitzgerald, Georgia to hurry up and process/adjust their utility allowances schedule to

become effective March 1, 2006. Fitzgerald, Georgia's PHA was "out of compliance" also. Move made to avoid cash reimbursement payments to tenants.

11. DERA complaint to HUD's Inspector General's office regarding Atlanta, Georgia HUD Public Housing Director, Boyce Norris, JR's mismanagement, incompetence, the "peter principle" and transparency forced him to retire in June 2008 two (2) months after the complaint was filed with the I.G. Office
12. DERA complained of DHA mismanagement, fraud and misappropriation of federal funds due to loophole in way federal rules were written affecting Public Housing Authorities nation-wide! Billions being stolen by PHA's management nation-wide. The Douglas PHA non-compliance went undetected for 19 years.
13. HUD/HQTRS/D.C. agreed with DERA with RE: Federal rules and regulations and decided to re-write/change federal rules and regulations to close the loophole to save Treasury billions of dollars annually. President Obama wrote DERA a "Thank You letter."
14. NOTE: DERA started out representing only DERA electric members - 20 to 700 members, then added whole city Black consumers - 2,700 to represent, then added up to 500,000 - state of Georgia Blacks in 49 cities, Georgia Blacks under MEAG's umbrella cities to represent in a violation of antitrust complaint against MEAG.
15. DERA then filed violations of antitrust complaints, in restraint of trade injuring Black consumers, against MEAG with U.S. Justice Department and U.S. Federal Trade Commission representing all Black energy consumers in the state of Georgia under MEAG's (Municipal Electric Authority of Georgia) umbrella.
16. DERA also filed violation of Douglas Public Housing Authority tenants civil rights complaint with U.S. Justice Department RE: city's discriminatory sales of electric to PHA tenants. Also asked HUD Secretary Shawn Donovan what "corrective action" would he impose on city for discriminatory sales of electricity to his federally funded PHA program?
17. HUD/FHEO ruled "No Cause" in DERA vs. City Of Douglas, Georgia, after 4 years of investigations, electric case. DERA has until August 20, 2010 to file law suit against the city in this case.
18. DERA received on 1-15-10 letter of acknowledgement of receipt of antitrust complaint violations by MEAG dated 1-12-10 from U.S. Justice Department. Complaint reviewed and forwarded to Antitrust Division.
19. DERA received on 2-12-10 letter of acknowledgement of receipt of Antitrust complaint violations by MEAG dated 2-1-10 from U.S. Federal Trade Commission for consideration for further action, if any.

20. DERA mailed on February 2-19-10 a 6 months "Ante Litem Notice" to the City of Douglas, Georgia and its city commissioners present and past to the year 2004 of DERA's intent to sue the city for its discriminatory utility billing practices, procedures and policies toward black city residents. (Past and present mayors included)
21. DERA received on 2-20-10 letter from attorney, Alan J. Friedman, Office of Policy and Coordination from U.S. Federal Trade Commission stating the DERA's correspondence has been forwarded to appropriate members of the commission staff in the Bureau of Competition for Review.
22. The DERA vs. City of Douglas, Georgia HUD Case 04-04-1661-8 where HUD ruled "No Cause" to believe discrimination exists on 8-22-08 and DERA formal compliant to U.S. Department of Justice to investigate the civil rights violations of Douglas, Georgia Black Public Housing Authority tenants by the city's discriminatory sales of electricity is a "mirror image" of each other or a "Siamese twins case."
23. DERA petitioned the Justice Department on 12/27/09 to investigate the Black tenants civil rights violations by the city's discriminatory sales of electricity/energy in the Public Housing receiving federal financial assistance/funds and simultaneously presented infallible proof of such discrimination.
24. HUD/Fair Housing and Equal Opportunity/FHEO is reluctant to investigate the Public Housing Black tenants discrimination claim, even with absolute proof/evidence in hand, and even after the nation's Director of Public and Indian Housing, Nicole Faison, requested FHEO/Atlanta's Regional Director, James Sutton to investigate the claim three (3) years ago and he refused to do so.
25. DERA's letter dated 2/17/10 to HUD's Secretary Shaun Donovan, now three (3) years later has the HUD Secretary in a "quandary" trying to answer the definitive question.

"Why is the U.S. federal government, HUD/FHEO, Enforcement office knowingly condoning and allowing a U.S. city to blatantly and overtly discriminate in the city's sales of electricity/energy to poor Black tenants in the nation's "federally funded" Public Housing Authority program without HUD/FHEO imposing sanctions and penalties' on that city?"

26. Note: And to do so or to impose "sanctions and penalties" on the city would also require the reversal of the HUD "No Cause" decision in DERA vs. City of Douglas, Georgia, HUD Case # 04-04-1661-8 or acknowledgement of faulty decision.
27. After DERA complained and HUD/PHA headquarters Washington, D.C. "ordered corrective actions" in the year 2006 of Douglas, Georgia's PHA's monthly utility allowances annual audits and cash.

Reimbursements/payments in July 2008 to PHA tenants the "domino effect" started. Now we see that in April 2010 the Milledgeville, Georgia PHA was found to be in non-compliance by Atlanta's HUD Public Housing agency. The HUD on-site monitoring

review report is currently under review, as well as the PHA's tenants "utility reimbursement process." (As shown by HUD FOIA documents)

28. DERA also filed a violations of antitrust complaint in restraint of trade injuring black Georgia consumers against MEAG with the Georgia State Attorney General's office dated April 3, 2010.
29. Now DERA is advocating for and representing millions of vulnerable, poor, elderly, disabled, families with children Public Housing Authority project tenants, black and white. These poor American project tenants have for years been illegally denied annual energy audits and accurate monthly utility allowance payments nationwide! DERA is fighting for re-payment or reimbursement of their federal funds owed and taken away from them by Public Housing Authorities management nationwide.
30. Nation-wide, the PHAs are gaming the HUD system by non-compliance with federal laws requiring annual energy audits and accurate monthly utility allowances owed to poor PHA tenants which has resulted in: "The largest bank robbery in U.S. American history of taxpayers public funds by PHA management, stealing billions of U.S. Treasury federal dollars annually.
31. DERA's God given mission, daunting and awesome task is to compel every non-compliant PHA management in the nation to make restitution to PHA tenants!
32. DERA has requested Presidential Oversight from President Obama by letter dated 5-17-10 concerning PHAs nationwide non-compliance with HUD federal rules/regulations dealing with required annual energy audits. Also for HUD's lack of due diligence by not conducting on-site PHA compliance monitoring reviews. DERA recommended to the president that HUD conduct nationwide PHA compliance monitoring reviews; and requested letters of support from U.S. Congressman and Senators be forwarded to President Obama for DERA's requested Presidential Oversight and recommendations to stop the PHA'S nefarious activity.

33. On April 16, 2010, DERA requested, under the Freedom of Information Act (FOIA), HUD on-site Compliance Monitoring Reviews/Reports (CMR's) for 14 cities dealing with Energy Audits and Utility Allowances Studies as required by 24CFR 965.507 Federal Code of Regulations from the San Francisco, CA HUD office. On April 19, 2010, DERA also requested, under the FOIA, Compliance Monitoring Reviews/ Reports for 12 cities from the San Diego, CA HUD Field Office and 23 CMR's cities' reports from the Los Angeles, CA, HUD Field Office. All three of the HUD offices reported back to DERA No Records and advised DERA of its appeal rights under Title 23 C.F.R Sections 15.111 and 15.112. DERA appealed, as their letter advised, the adverse response No Records from the Los Angeles and San Diego HUD offices on May 25, 2010, to the HUD Regional Counsel in San Francisco, CA, and DERA appealed the No Records response from the San Francisco, CA, HUD Office on June 1, 2010, as advised to the General Counsel Office in Washington, D.C.