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UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
OAKLAND DIVISION

NATIONAL COMMUNITY REINVESTMENT
COALITION; CALIFORNIA
REINVESTMENT COALITION,

Plaintiffs,

vs.

BRIAN P. BROOKS, Acting Director, Office of
the Comptroller of the Currency, in his official
capacity; OFFICE OF THE COMPTROLLER
OF THE CURRENCY

Defendants.

Case No. 20-cv-04186-KAW

DECLARATION OF JIM DICKERSON

DECLARATION OF JIM DICKERSON

I, Jim Dickerson, declare as follows:

1. The facts in this declaration are based on my personal knowledge.

2. I am the Founder and Chief Executive officer of MANNA, a non-profit community development organization in Washington, D.C.

3. MANNA is a member of the National Community Reinvestment Coalition.

4. I founded MANNA in 1982 to renovate and sell homes to formerly homeless families graduating from transitional housing, as well to serve low- to moderate-income (“LMI”) households searching for affordable homes. MANNA provides a wide variety of housing-related services in LMI communities and to LMI families, including developing and constructing properties for sale or rent as affordable housing, counseling buyers and residents to prepare them to become homeowners, and managing condominium associations.

5. Since 1982, MANNA has completed nearly 2,000 units of affordable housing and helped our buyers collectively accumulate over \$200 million in home equity. We have developed and own/manage approximately 1,000 affordable rental homes. Our work has played a key role in preserving affordable housing throughout Washington, restoring and improving underserved communities, and assisting LMI families to stay in their homes, build equity for the first time, and

1 improve their financial situations. This includes the poorest neighborhoods in Washington, which
2 have high percentages of African Americans and have historically been victimized by redlining
3 and other forms of financial discrimination. Without strong CRA policies and commitment, we
4 would not have been able to develop many of these affordable housing units for lower income
5 residents and communities.

6 6. Our operations would be impossible without the Community Reinvestment Act and
7 the incentives it creates for banks to work with us to support our communities. Most of our
8 operations are funded through small grants and loans from banks in the range of \$2,000 to
9 \$100,000. Despite our long history as one of the oldest housing counseling programs in the nation
10 and our track record of paying back all our loans with interest, this funding takes a considerable
11 amount of effort on our part and the banks' part to arrange.

12 7. As we explained in our comment on the OCC's proposed rule,¹ there is a
13 substantial risk that the OCC's changes will reduce our funding and harm our operations, resulting
14 in significantly fewer loans, investments, and services for LMI communities.

15 8. The changes in the OCC's Final Rule would possibly allow banks to receive CRA
16 credit for large infrastructure projects such as the expected relocation of the stadium where
17 Washington's for-profit professional football team plays or the impending rehabilitation of the
18 American Legion Bridge, which connects affluent areas of Maryland and Virginia. These projects,
19 which banks would likely be willing to finance whether or not they could obtain CRA credit,
20 provide questionable benefit to LMI communities—particularly in comparison to the affordable
21 housing that MANNA produces. But given their excessively expensive overall costs, if banks
22 could get CRA credit for even a fraction of their investment in such projects, it would dwarf the
23 CRA credit that they would get from our projects and significantly diminish CRA funds which are
24 sorely needed for lower-income people and communities.

25 9. Similarly, the new definition of affordable housing, which allows banks to obtain
26 credit for housing that is affordable even if it is occupied by upper-income individuals, will put

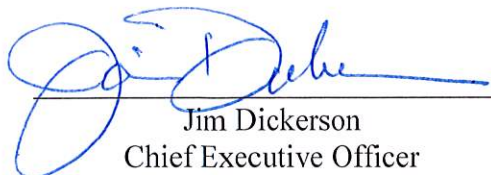
27 _____
28 ¹ MANNA, Comment on Notice of Proposed Rulemaking (Mar. 26, 2020),
<https://beta.regulations.gov/comment/OCC-2018-0008-2898>.

1 MANNA's projects and clients in competition and at a disadvantage with housing for high-income
2 college students, young professionals, and similar individuals. This will make it significantly
3 harder to create homeownership/rental opportunities for LMI individuals and families and to
4 combat the growing gap between rich and poor people and racial inequities in LMI communities.

5 10. If, as we expect, the Final Rule results in less funding as banks migrate to new
6 opportunities to obtain CRA credit through investments that are more lucrative and provide a
7 larger amount of CRA credit in one deal, our ability to offer our services will be severely
8 impacted. Losing any of our funding streams would threaten the viability of our affordable rental
9 and homeownership programs and may very well lead to cutbacks in a program that provides
10 hundreds of LMI individuals and people of color with opportunities to buy homes for the first
11 time. We are already struggling to help lower-income folks with housing and opportunities to
12 better their lives without the challenges this change could create. CRA has made an incredible
13 difference for good. We urge careful review of the negative impacts this new CRA ruling may
14 have on disadvantaged people and communities.

15 11. Pursuant to 28 U.S.C. § 1746, I hereby declare under penalty of perjury under the
16 laws of the United States that the foregoing declaration is true and correct to the best of my
17 knowledge, information, and belief.

18
19 Dated: September 28, 2020


20 Jim Dickerson
21 Chief Executive Officer
22 MANNA
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