

**RESOLUTION 2021-**

**A RESOLUTION OF THE SCHOOL BOARD OF DUVAL COUNTY, FLORIDA, REGARDING HILLTOP VILLAGE APARTMENT COMPLEX**

**WHEREAS**, The School Board of Duval County, Florida (the “School Board”), consisting of seven elected Florida Constitutional Officers, is the governing body for the School District of Duval County, Florida (the “district”) and the district is the twentieth largest school district in the nation and the sixth largest school district in Florida;

**WHEREAS**, Hilltop Village Apartment Complex (“Hilltop Village”) is a Multifamily Subsidized Housing complex consisting of 200 units located at 1646 West 45<sup>th</sup> Street, Jacksonville, FL 32208;

**WHEREAS**, SP Hilltop Village, LP, the for-profit owner of Hilltop Village, provides low-income housing for residents, in exchange for federal tax credits, as well as a monthly federal subsidy from the U.S. Department of Housing and Urban Development (“HUD”) to pay a portion of the rent on behalf of the tenants residing there;

**WHEREAS**, it has been widely reported and confirmed that the living conditions at Hilltop Village Apartments are deplorable primarily due to a rodent infestation that has resulted in rodents being found inside of bedding, clothing drawers, kitchen cabinets, bathrooms, and throughout the entire apartment complex;

**WHEREAS**, Hilltop Village is responsible for maintaining the premises, including extermination of rodents;

**WHEREAS**, Hilltop Village was last inspected in 2015, and was due for another inspection in 2017, which never occurred despite the filing by tenants of numerous formal complaints with the City of Jacksonville’s Municipal Code Compliance Division since 2019 which were relayed to HUD;

**WHEREAS**, since May 2021, the City of Jacksonville’s Municipal Code Compliance Division has issued over 500 citations and assessed hefty fines related to the deplorable living conditions at Hilltop Village;

**WHEREAS**, traditional statutory remedies are not generally available to tenants of Multifamily Subsidized Housing complexes such as Hilltop Village, who pay reduced or zero rent and therefore cannot functionally withhold rent to force change. Nor can such tenants terminate their lease and withdraw from subsidized housing at Hilltop Village since federal rental subsidies at this complex are not portable and cannot simply be transferred to a new unit. Finally, the availability of other apartments serving low-income families via subsidies for this number of residents is nonexistent; ;

**WHEREAS**, the failure of HUD to adequately inspect the property for six years appears to violate HUD’s Uniform Physical Condition Standards;

**WHEREAS**, U.S. Senators Marco Rubio and Rick Scott recently introduced the HUD Inspection Reform and Capital Improvement Act of 2021 to require that HUD health and sanitation inspections take place according to a reasonable federal timeline and that HUD take enforcement action on failing properties to protect tenants, and to increase the Department’s authority to hold agency staff accountable for misconduct;

**WHEREAS**, it is unacceptable that the residents of Hilltop Village Apartments continue to be obligated to live under these conditions;

**WHEREAS**, these unacceptable living conditions and the extensive nature of the infestation has victimized the residents of Hilltop Village, including children who are students of the Duval County Public Schools;

**WHEREAS**, the unacceptable living conditions at Hilltop Village have been described as a “public health crisis” and have been linked to health issues in both parents and children, and particularly to incidents of asthma in children;

**WHEREAS**, the unacceptable living conditions at Hilltop Village not only affect children’s physical health but likewise affect children’s emotional and psychological development, which will inevitably create barriers to their ability to thrive in an educational environment;

**WHEREAS**, the Duval County Public Schools in closest proximity to Hilltop Village, and therefore likely to serve a great majority of children victimized by Hilltop Village’s unacceptable living conditions, are Northwestern Legends Elementary School, Northwestern Middle School, and Jean Ribault High School;

**WHEREAS**, in keeping with the School Board’s paramount concern for all students throughout the district;

**BE IT RESOLVED**, the School Board adopts the following resolutions in support of the residents of Hilltop Village:

1. The School Board joins with local, state, and federal leaders and community members in requesting immediate action to ensure that residents of Hilltop Village are guaranteed the safe and sanitary living conditions they are afforded by law.
2. The School Board urges the U.S. Department of Housing and Urban Development to suspend issuance of Section 8 Project Based Assistance for use in Hilltop Village until such time as the apartment owners and management take substantial proactive steps to secure the safety of the apartment complex.
3. The School Board directs the Chair to forward this resolution to the Northeast Florida Congressional delegation, HUD, and the United States Secretary of Education.

ATTEST:

**THE SCHOOL BOARD OF DUVAL COUNTY,  
FLORIDA**

By: \_\_\_\_\_  
Dr. Diana Greene,  
Superintendent of Schools  
and Ex-Officio Secretary  
to the Board

By: \_\_\_\_\_  
Elizabeth Andersen, Chairwoman