

Testimony of Lori Ann Vendetti
Before the House Judiciary Subcommittee on the Constitution
April 12, 2011

Thank you for the opportunity to testify about legislation to stop federal funding to local governments that abuse eminent domain for private development.

My name is Lori Ann Vendetti and I live in the MTOTSA neighborhood of Long Branch, New Jersey. MTOTSA is an acronym for the streets Marine Terrace, Ocean Terrace and Seaview Avenue. I bought my home in 1995 across the street from my parents' house in hopes of living closer to them during their retirement years.

My parents built their home there in 1960 as a summer residence for themselves and their three children. My dad was a truck driver and my mom a school secretary. Dad woke up at 4 in the morning to go to work to pay for the beachside bungalow he built for his family, so we'd have something better than he ever had. When my dad retired in 1989, it became my folks' year-round home, where they could cherish the memories of the times they spent there with their children while making new memories with their grandchildren.

I bought my house from a family I had known my whole life. The grandson and I were friends growing up. When his grandfather died, they couldn't keep his grandmother in the house anymore and had to sell it. I wasn't the highest bidder, but on a handshake deal they sold me the home with an understanding that she'd be able to come back every summer and stay there as long as she lived, so her life would be changed as little as possible. She had Alzheimer's and never knew about the arrangement and died believing that the house was still hers. I used to mow the lawn and she'd say, "Does my husband know you're mowing the lawn?" and I'd say, "Yes Mrs. Rossi, you know your husband gave me permission." It made me feel great that her life didn't change, that I was able to give back something to them, though it wasn't monetary—just the way they gave something to me.

That's just the kind of neighborhood we have. It's a neighborhood where houses are passed down from one generation of a family or friends to the next. It's a quaint little beachside community of moderate homes, not mansions, where people know each other—just a slice of the American dream. When the City of Long Branch tried to put an end to that by taking away our homes for a private condominium development, we came together and fought for our rights just like we would fight for any family member who was sick or in trouble.

A few months after I bought my house, the city established a redevelopment zone. We watched as the neighborhood to the south became a sea of bulldozers as houses were demolished to make way for luxury apartments and condominiums. Even though the original redevelopment plan said our neighborhood would not be seized using eminent domain, we were lied to. The city quietly stopped giving building permits for home

improvements. Eventually we learned that the city wanted to raze our homes, too. They said our properties were “blighted,” even though the mayor admitted that if other areas looked like ours, the city wouldn’t be pursuing redevelopment. In New Jersey, perfectly fine homes like ours can be condemned for reasons like “diversity of ownership,” meaning each house is owned by a separate family. But everyone owning a home of their own is a point of pride in America; it’s what we all worked so hard for. If owning a home means your house is blighted, then whose house isn’t blighted?

There is real blight in Long Branch, but the city didn’t want to fix up the abandoned buildings across from city hall. They wanted our well-kept but modest beachside homes so they could sell them to a developer who could build more expensive houses. Mayor Schneider told us that we had to make this “incredible sacrifice” for the good of the community. But we built this community. It’s not right for the government to take away what my family worked so hard for over so many years just to give it to someone who could make a bigger profit and pay more in taxes.

I helped start a citizens group aimed to fight against this attack on our property rights. We started talking to the media. We staged a big rally on the eve of the arguments in the *Kelo* case. Lots of people were disheartened in our fight, especially after the Supreme Court handed down their decision, ruling that officials in Connecticut could take homes and give them to a private developer with only a promise that there might be more tax revenue from it. But we did not give up. As a small token of defiance, I painted my house. I came to Long Branch so my parents could enjoy their retirement with me living across the street, and I meant to stay there.

In November 2005, the city condemned 11 homes in our neighborhood. We challenged the condemnations in court, but in 2006 a Superior Court judge ruled that Long Branch was allowed to take our homes under a pretense of “blight” and give the land over to a private developer who planned to make tens of millions of dollars building upscale condos for the wealthy. We appealed that decision and held onto our homes for two more years until in 2008 a three-judge panel unanimously reversed that decision. We were thrilled. After years of fighting, we were finally vindicated.

The city announced it would stop its eminent domain actions against us, and we negotiated a settlement that allowed us to stay in Long Branch in the houses that were rightfully ours. As part of the agreement, the city was barred from wrongfully taking people’s homes in the name of redevelopment. The city also had to give us the same tax abatements it was offering to its designated private developer, so that we could reinvest in our properties.

When a city uses a redevelopment area to threaten eminent domain to a whole neighborhood, people stop fixing up their homes because the city just plans on bulldozing it anyway. The city and the developers also contributed to the deterioration of the neighborhood. The city stopped paving the roads, and the houses the developers bought from other families were left abandoned and boarded up, creating the blight they said they were addressing by taking our homes. As part of our settlement, the city had to fix

the long-neglected street lights and repave all the streets. The developers were forced to immediately demolish the abandoned homes. The developer plans on building new houses in the area, this time without trying to clear out the current residents with eminent domain.

Our neighborhood now has the chance to renew. But most stories of eminent domain abuse don't end happily. People across the country lose their homes or their businesses after falling victim to redevelopers who use the same tricks and tell the same lies as our officials did in Long Branch. This should not happen in America. Congress must send a message to local governments across the country that this abuse of power will not be tolerated.

My parents have since passed away, but they were able to die in their dream home knowing it was safe for their children and grandchildren to enjoy forever. Everyone should have that right. Passing this legislation would restore the sacredness and security of everyone's home.

Thank you very much for your time.