



# MISSING MIDDLE NEWS

Keeping Arlingtonians informed on the fight to STOP  
Missing Middle Housing & SAVE single-family neighborhoods

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April 1, 2026 (This is no joke)



6 townhouse plan

## URGENT SUPPORT

### **New Legal Effort in Arlington Circuit Court Could Stop Missing Middle Now**

We have an urgent need to support another legal effort to stop Missing Middle/EHO in Arlington. Our North Potomac Street neighbors are facing six townhouses where one home once stood. They have hired a lawyer and are challenging a developer's effort to get "vested rights" to move forward.

Neighbors for Neighborhoods believes that this challenge could prevail and deter other developers from building EHO if they can't get vested rights. The hearing is scheduled for April 10th at 10 a.m. in Arlington Circuit Court.

This neighborhood needs our help to pay their legal bills. Between now and April 10th, all donations made to Neighbors for Neighborhoods, LLC will go toward the legal fees for the North Potomac Street's vested rights case.

#### **What's at stake in "vested rights?"**

While the Missing Middle/EHO lawsuit is on appeal to the Supreme Court of Virginia (hearing on April 8th), some developers are continuing to build multiplexes. But they seek a legal guaranty, called a declaration of vested rights, so they can complete construction – even if the courts ultimately rule that EHO is illegal.

Neighbors are not given notice of these cases. But the Potomac Street neighbors heard about the case and, for the first time, neighbors are challenging a vested rights case. What's even worse than no notice is that the County Attorney's Office does not object to developers getting vested rights. On April 10th, the lawyer for the Potomac Street neighbors will present the judge with the facts and relevant law that the court has not heard before.

**The impact of a judge denying vested rights goes far beyond North Potomac Street.** If developers can't get a guaranty that they can complete construction on EHO permits, they might build single-family homes instead.

Individual permit challenges and the lawsuit now in the Supreme Court of Virginia have already led to 20 of the 47 EHO permits being abandoned by developers in favor of single-family homes.

**Please donate to this cause. Support the North Potomac Street neighbors, and help stop Missing Middle/EHO development, which has not produced a single affordable unit in Arlington. ([background video](#))**



### **2401 North Potomac Street Story**

The time-lapse image of 2401 N. Potomac St. says it all. A single-family home was sold to a developer who subdivided into six lots to build six townhouses. The developer hit the pause button during the homeowners' lawsuit. But now, with EHO valid based on Wilsons Ventures appeal (now being challenged in the Supreme Court of Virginia) the developer wants to move forward, but likely will do so only if it gets vested rights.

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Make checks payable to:  
Neighbors for Neighborhoods  
1405 S. Fern St., Box 556  
Arlington, VA 22202

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## OUR MISSION

Neighbors for Neighborhoods (NfN) is a grassroots citizen's organization that supports the Arlington homeowners who sued the County Board to have Missing Middle declared illegal. NfN believes in preserving single-family neighborhoods and concentrating housing density near mass transit. We support efforts to provide housing that is affordable to low and moderate-income households.

email us: [info@neighborsforneighborhoods.org](mailto:info@neighborsforneighborhoods.org)



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