

***District of Columbia***

**REGISTER**

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**HIGHLIGHTS**

- D.C. Council passes Law 20-153, Legalization of Possession of Minimal Amounts of Marijuana for Personal Use Initiative of 2014
- D.C. Council passes Law 20-155, Fiscal Year 2015 Budget Support Act of 2014
- D.C. Council passes Law 20-168, Protecting Pregnant Workers Fairness Act of 2014
- Executive Office of the Mayor appoints commission to commemorate and recognize the Honorable Marion S. Barry, Jr.
- Office of the Attorney General proposes regulations for intercepting and seizing insurance settlements owed to obligors
- District Department of the Environment announces funding availability for the Stormwater Management Training Grants
- Department of Health announces funding availability for the FY 2015 Preventive Health and Health Services Block Grant

# DISTRICT OF COLUMBIA REGISTER

## Publication Authority and Policy

The District of Columbia Office of Documents and Administrative Issuances publishes the *District of Columbia Register* (ISSN 0419-439X) every Friday under the authority of the *District of Columbia Documents Act*, D.C. Law 2-153, effective March 6, 1979, D.C. Official Code § 611 et seq. (2012 Repl.). The policies which govern the publication of the *Register* are set forth in the Rules of the Office of Documents and Administrative Issuances (1 DCMR 300, et seq.). The Rules of the Office of Documents and Administrative Issuances are available online at [dcregs.dc.gov](http://dcregs.dc.gov). Rulemaking documents are also subject to the requirements of the *D.C. Administrative Procedure Act*, D.C. Official Code §2-501 et seq. (2012 Repl.).

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## DISTRICT OF COLUMBIA OFFICE OF DOCUMENTS AND ADMINISTRATIVE ISSUANCES

RM 520 – 441 4<sup>th</sup> ST, ONE JUDICIARY SQ. - WASHINGTON, D.C. 20001 - (202) 727-5090

MURIEL E. BOWSER  
MAYOR

VICTOR L. REID, ESQ.  
ADMINISTRATOR

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COUNCIL OF THE DISTRICT OF COLUMBIA

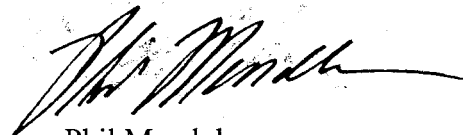
NOTICE

D.C. LAW 20-153

“Legalization of Possession of Minimal Amounts of Marijuana for Personal Use Initiative of 2014”

Pursuant to the Initiative and Referendum procedures of Title IV of the District of Columbia Home Rule Act (also known as the District Charter), D.C. Official Code § 1-204.101 et seq., the electors of the District of Columbia approved Initiative No. 71 on November 4, 2014. On December 3, 2014, the Board of Elections certified the election results as 115,050, for the Initiative and 49,168 against the Initiative. Following certification of the results and transmittal of the Initiative to the Council, the Initiative was assigned Act No. 20-565, and published in the January 23, 2015 edition of the D.C. Register (Vol. 62, page 880). Act 20-565 was transmitted to Congress on January 13, 2015 for a 30-day review, in accordance with section 602(c)(1) of the Home Rule Act.

The Council of the District of Columbia hereby gives notice that the 30-day Congressional review period has ended, and Act 20-565 is now D.C. Law 20-153, effective February 26, 2015.



Phil Mendelson  
Chairman of the Council

Days Counted During the 30-day Congressional Review Period:

January 13, 14, 15, 16, 20, 21, 22, 23, 26, 27, 28, 29, 30  
February 2, 3, 4, 5, 6, 9, 10, 11, 12, 13, 17, 18, 19, 20, 23, 24, 25

COUNCIL OF THE DISTRICT OF COLUMBIA

NOTICE

D.C. LAW 20-154

“Sustainable Solid Waste Management Amendment Act of 2014”

Pursuant to Section 412 of the District of Columbia Home Rule Act, P.L. 93-198 (the Charter), the Council of the District of Columbia adopted Bill 20-641 on first and second readings June 24, 2014, and July 14, 2014, respectively. Following the signature of the Mayor on September 19, 2014, pursuant to Section 404(e) of the Charter, the bill became Act 20-423 and was published in the October 3, 2014 edition of the D.C. Register (Vol. 61, page 9971). Act 20-423 was transmitted to Congress on January 13, 2015 for a 30-day review, in accordance with Section 602(c)(1) of the Home Rule Act.

The Council of the District of Columbia hereby gives notice that the 30-day Congressional review period has ended, and Act 20-423 is now D.C. Law 20-154, effective February 26, 2015.



Phil Mendelson  
Chairman of the Council

Days Counted During the 30-day Congressional Review Period:

January	13, 14, 15, 16, 20, 21, 22, 23, 26, 27, 28, 29, 30
February	2, 3, 4, 5, 6, 9, 10, 11, 12, 13, 17, 18, 19, 20, 23, 24, 25

COUNCIL OF THE DISTRICT OF COLUMBIA

NOTICE

D.C. LAW 20-155

"Fiscal Year 2015 Budget Support Act of 2014"

Pursuant to Section 412 of the District of Columbia Home Rule Act, P.L. 93-198 (the Charter), the Council of the District of Columbia adopted Bill 20-750 on first and second readings May 28, 2014, and June 24, 2014, respectively. This legislation was deemed approved without the signature of the Mayor on September 19, 2014, pursuant to Section 404(e) of the Charter, the bill became Act 20-424 and was published in the October 3, 2014 edition of the D.C. Register (Vol. 61, page 9990). Act 20-424 was transmitted to Congress on January 13, 2015 for a 30-day review, in accordance with Section 602(c)(1) of the Home Rule Act.

The Council of the District of Columbia hereby gives notice that the 30-day Congressional review period has ended, and Act 20-424 is now D.C. Law 20-155, effective February 26, 2015.



Phil Mendelson  
Chairman of the Council

Days Counted During the 30-day Congressional Review Period:

January	13, 14, 15, 16, 20, 21, 22, 23, 26, 27, 28, 29, 30
February	2, 3, 4, 5, 6, 9, 10, 11, 12, 13, 17, 18, 19, 20, 23, 24, 25

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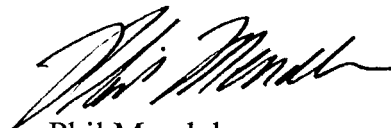
NOTICE

D.C. LAW 20-156

"Small and Certified Business Enterprise Development and Assistance Waiver Certification Temporary Amendment Act of 2014"

Pursuant to Section 412 of the District of Columbia Home Rule Act, P.L. 93-198 (the Charter), the Council of the District of Columbia adopted Bill 20-843 on first and second readings June 24, 2014, and July 14, 2014, respectively. Following the signature of the Mayor on September 19, 2014, pursuant to Section 404(e) of the Charter, the bill became Act 20-425 and was published in the October 3, 2014 edition of the D.C. Register (Vol. 61, page 10155). Act 20-425 was transmitted to Congress on January 13, 2015 for a 30-day review, in accordance with Section 602(c)(1) of the Home Rule Act.

The Council of the District of Columbia hereby gives notice that the 30-day Congressional review period has ended, and Act 20-425 is now D.C. Law 20-156, effective February 26, 2015.



Phil Mendelson  
Chairman of the Council

Days Counted During the 30-day Congressional Review Period:

January	13, 14, 15, 16, 20, 21, 22, 23, 26, 27, 28, 29, 30
February	2, 3, 4, 5, 6, 9, 10, 11, 12, 13, 17, 18, 19, 20, 23, 24, 25

COUNCIL OF THE DISTRICT OF COLUMBIA

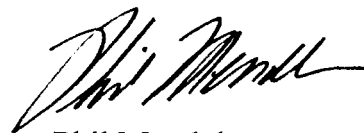
NOTICE

D.C. LAW 20-157

“Wage Theft Prevention Amendment Act of 2014”

Pursuant to Section 412 of the District of Columbia Home Rule Act, P.L. 93-198 (the Charter), the Council of the District of Columbia adopted Bill 20-671 on first and second readings June 3, 2014, and July 14, 2014, respectively. Following the signature of the Mayor on September 19, 2014, pursuant to Section 404(e) of the Charter, the bill became Act 20-426 and was published in the October 3, 2014 edition of the D.C. Register (Vol. 61, page 10157). Act 20-426 was transmitted to Congress on January 13, 2015 for a 30-day review, in accordance with Section 602(c)(1) of the Home Rule Act.

The Council of the District of Columbia hereby gives notice that the 30-day Congressional review period has ended, and Act 20-426 is now D.C. Law 20-157, effective February 26, 2015.



Phil Mendelson  
Chairman of the Council

Days Counted During the 30-day Congressional Review Period:

January	13, 14, 15, 16, 20, 21, 22, 23, 26, 27, 28, 29, 30
February	2, 3, 4, 5, 6, 9, 10, 11, 12, 13, 17, 18, 19, 20, 23, 24, 25

COUNCIL OF THE DISTRICT OF COLUMBIA

NOTICE

D.C. LAW 20-158

"Voter Registration Access And Modernization Amendment Act of 2014"

Pursuant to Section 412 of the District of Columbia Home Rule Act, P.L. 93-198 (the Charter), the Council of the District of Columbia adopted Bill 20-264 on first and second readings July 14, 2014, and September 23, 2014, respectively. Following the signature of the Mayor on October 7, 2014, pursuant to Section 404(e) of the Charter, the bill became Act 20-437 and was published in the October 17, 2014 edition of the D.C. Register (Vol. 61, page 10730). Act 20-437 was transmitted to Congress on January 13, 2015 for a 30-day review, in accordance with Section 602(c)(1) of the Home Rule Act.

The Council of the District of Columbia hereby gives notice that the 30-day Congressional review period has ended, and Act 20-437 is now D.C. Law 20-158, effective February 26, 2015.



Phil Mendelson  
Chairman of the Council

Days Counted During the 30-day Congressional Review Period:

January	13, 14, 15, 16, 20, 21, 22, 23, 26, 27, 28, 29, 30
February	2, 3, 4, 5, 6, 9, 10, 11, 12, 13, 17, 18, 19, 20, 23, 24, 25



COUNCIL OF THE DISTRICT OF COLUMBIA

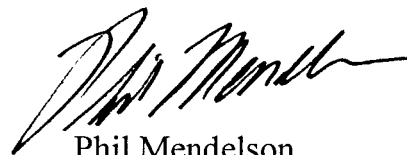
NOTICE

D.C. LAW 20-159

"Workers' Compensation Statute Of Limitations Amendment Act of 2014"

Pursuant to Section 412 of the District of Columbia Home Rule Act, P.L. 93-198 (the Charter), the Council of the District of Columbia adopted Bill 20-345 on first and second readings July 14, 2014, and September 23, 2014, respectively. Following the signature of the Mayor on October 7, 2014, pursuant to Section 404(e) of the Charter, the bill became Act 20-438 and was published in the October 17, 2014 edition of the D.C. Register (Vol. 61, page 10733). Act 20-438 was transmitted to Congress on January 13, 2015 for a 30-day review, in accordance with Section 602(c)(1) of the Home Rule Act.

The Council of the District of Columbia hereby gives notice that the 30-day Congressional review period has ended, and Act 20-438 is now D.C. Law 20-159, effective February 26, 2015.



Phil Mendelson  
Chairman of the Council

Days Counted During the 30-day Congressional Review Period:

January	13, 14, 15, 16, 20, 21, 22, 23, 26, 27, 28, 29, 30
February	2, 3, 4, 5, 6, 9, 10, 11, 12, 13, 17, 18, 19, 20, 23, 24, 25

COUNCIL OF THE DISTRICT OF COLUMBIA

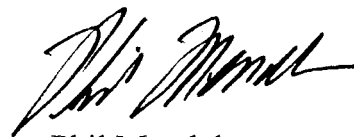
NOTICE

D.C. LAW 20-160

"Critical Infrastructure Freedom of Information Amendment Act of 2014"

Pursuant to Section 412 of the District of Columbia Home Rule Act, P.L. 93-198 (the Charter), the Council of the District of Columbia adopted Bill 20-505 on first and second readings July 14, 2014, and September 23, 2014, respectively. Following the signature of the Mayor on October 6, 2014, pursuant to Section 404(e) of the Charter, the bill became Act 20-439 and was published in the October 17, 2014 edition of the D.C. Register (Vol. 61, page 10735). Act 20-439 was transmitted to Congress on January 13, 2015 for a 30-day review, in accordance with Section 602(c)(1) of the Home Rule Act.

The Council of the District of Columbia hereby gives notice that the 30-day Congressional review period has ended, and Act 20-439 is now D.C. Law 20-160, effective February 26, 2015.



Phil Mendelson  
Chairman of the Council

Days Counted During the 30-day Congressional Review Period:

January	13, 14, 15, 16, 20, 21, 22, 23, 26, 27, 28, 29, 30
February	2, 3, 4, 5, 6, 9, 10, 11, 12, 13, 17, 18, 19, 20, 23, 24, 25

COUNCIL OF THE DISTRICT OF COLUMBIA

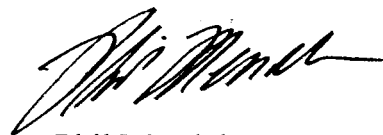
NOTICE

D.C. LAW 20-161

"Business Improvement Districts Amendment Act of 2014"

Pursuant to Section 412 of the District of Columbia Home Rule Act, P.L. 93-198 (the Charter), the Council of the District of Columbia adopted Bill 20-203 on first and second readings July 14, 2014, and September 23, 2014, respectively. Following the signature of the Mayor on October 8, 2014, pursuant to Section 404(e) of the Charter, the bill became Act 20-441 and was published in the October 17, 2014 edition of the D.C. Register (Vol. 61, page 10741). Act 20-441 was transmitted to Congress on January 13, 2015 for a 30-day review, in accordance with Section 602(c)(1) of the Home Rule Act.

The Council of the District of Columbia hereby gives notice that the 30-day Congressional review period has ended, and Act 20-441 is now D.C. Law 20-161, effective February 26, 2015.



Phil Mendelson  
Chairman of the Council

Days Counted During the 30-day Congressional Review Period:

January	13, 14, 15, 16, 20, 21, 22, 23, 26, 27, 28, 29, 30
February	2, 3, 4, 5, 6, 9, 10, 11, 12, 13, 17, 18, 19, 20, 23, 24, 25

COUNCIL OF THE DISTRICT OF COLUMBIA

NOTICE

D.C. LAW 20-162

"Extension of Time to Dispose of the Strand Theater Temporary Amendment Act of 2014"

Pursuant to Section 412 of the District of Columbia Home Rule Act, P.L. 93-198 (the Charter), the Council of the District of Columbia adopted Bill 20-869 on first and second readings July 14, 2014, and September 23, 2014, respectively. Following the signature of the Mayor on October 8, 2014, pursuant to Section 404(e) of the Charter, the bill became Act 20-442 and was published in the October 17, 2014 edition of the D.C. Register (Vol. 61, page 10751). Act 20-442 was transmitted to Congress on January 13, 2015 for a 30-day review, in accordance with Section 602(c)(1) of the Home Rule Act.

The Council of the District of Columbia hereby gives notice that the 30-day Congressional review period has ended, and Act 20-442 is now D.C. Law 20-162, effective February 26, 2015.



Phil Mendelson  
Chairman of the Council

Days Counted During the 30-day Congressional Review Period:

January	13, 14, 15, 16, 20, 21, 22, 23, 26, 27, 28, 29, 30
February	2, 3, 4, 5, 6, 9, 10, 11, 12, 13, 17, 18, 19, 20, 23, 24, 25

COUNCIL OF THE DISTRICT OF COLUMBIA


NOTICE

D.C. LAW 20-163

"Medical Marijuana Expansion Temporary Amendment Act of 2014"

Pursuant to Section 412 of the District of Columbia Home Rule Act, P.L. 93-198 (the Charter), the Council of the District of Columbia adopted Bill 20-877 on first and second fourth readings July 14, 2014, and September 23, 2014, respectively. Following the signature of the Mayor on October 8, 2014, pursuant to Section 404(e) of the Charter, the bill became Act 20-443 and was published in the October 17, 2014 edition of the D.C. Register (Vol. 61, page 10753). Act 20-443 was transmitted to Congress on January 13, 2015 for a 30-day review, in accordance with Section 602(c)(1) of the Home Rule Act.

The Council of the District of Columbia hereby gives notice that the 30-day Congressional review period has ended, and Act 20-443 is now D.C. Law 20-163, effective February 26, 2015.



Phil Mendelson  
Chairman of the Council

Days Counted During the 30-day Congressional Review Period:

January	13, 14, 15, 16, 20, 21, 22, 23, 26, 27, 28, 29, 30
February	2, 3, 4, 5, 6, 9, 10, 11, 12, 13, 17, 18, 19, 20, 23, 24, 25

COUNCIL OF THE DISTRICT OF COLUMBIA

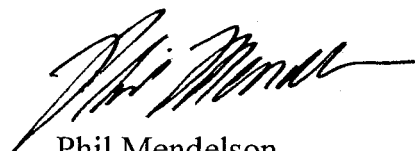
NOTICE

D.C. LAW 20-164

"Rent Control Hardship Petition Limitation Temporary Amendment Act of 2014"

Pursuant to Section 412 of the District of Columbia Home Rule Act, P.L. 93-198 (the Charter), the Council of the District of Columbia adopted Bill 20-912 on first and second readings September 23, 2014, and October 7, 2014, respectively. Following the signature of the Mayor on October 17, 2014, pursuant to Section 404(e) of the Charter, the bill became Act 20-451 and was published in the October 24, 2014 edition of the D.C. Register (Vol. 61, page 11095). Act 20-451 was transmitted to Congress on January 13, 2015 for a 30-day review, in accordance with Section 602(c)(1) of the Home Rule Act.

The Council of the District of Columbia hereby gives notice that the 30-day Congressional review period has ended, and Act 20-451 is now D.C. Law 20-164, effective February 26, 2015.



Phil Mendelson  
Chairman of the Council

Days Counted During the 30-day Congressional Review Period:

January	13, 14, 15, 16, 20, 21, 22, 23, 26, 27, 28, 29, 30
February	2, 3, 4, 5, 6, 9, 10, 11, 12, 13, 17, 18, 19, 20, 23, 24, 25

COUNCIL OF THE DISTRICT OF COLUMBIA


NOTICE

D.C. LAW 20-165

"Georgia Avenue Great Streets Neighborhood Retail Priority Area Temporary Amendment Act of 2014"

Pursuant to Section 412 of the District of Columbia Home Rule Act, P.L. 93-198 (the Charter), the Council of the District of Columbia adopted Bill 20-914 on first and second readings September 23, 2014, and October 7, 2014, respectively. Following the signature of the Mayor on October 17, 2014, pursuant to Section 404(e) of the Charter, the bill became Act 20-452 and was published in the October 24, 2014 edition of the D.C. Register (Vol. 61, page 11099). Act 20-452 was transmitted to Congress on January 13, 2015 for a 30-day review, in accordance with Section 602(c)(1) of the Home Rule Act.

The Council of the District of Columbia hereby gives notice that the 30-day Congressional review period has ended, and Act 20-452 is now D.C. Law 20-165, effective February 26, 2015.



Phil Mendelson  
Chairman of the Council

Days Counted During the 30-day Congressional Review Period:

January	13, 14, 15, 16, 20, 21, 22, 23, 26, 27, 28, 29, 30
February	2, 3, 4, 5, 6, 9, 10, 11, 12, 13, 17, 18, 19, 20, 23, 24, 25

COUNCIL OF THE DISTRICT OF COLUMBIA

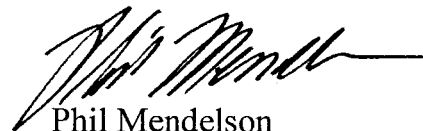
NOTICE

D.C. LAW 20-166

"Tenant Opportunity to Purchase Temporary Amendment Act of 2014"

Pursuant to Section 412 of the District of Columbia Home Rule Act, P.L. 93-198 (the Charter), the Council of the District of Columbia adopted Bill 20-923 on first and second readings September 23, 2014, and October 7, 2014, respectively. Following the signature of the Mayor on October 17, 2014, pursuant to Section 404(e) of the Charter, the bill became Act 20-453 and was published in the October 24, 2014 edition of the D.C. Register (Vol. 61, page 11101). Act 20-453 was transmitted to Congress on January 13, 2015 for a 30-day review, in accordance with Section 602(c)(1) of the Home Rule Act.

The Council of the District of Columbia hereby gives notice that the 30-day Congressional review period has ended, and Act 20-453 is now D.C. Law 20-166, effective February 26, 2015.



Phil Mendelson  
Chairman of the Council

Days Counted During the 30-day Congressional Review Period:

January	13, 14, 15, 16, 20, 21, 22, 23, 26, 27, 28, 29, 30
February	2, 3, 4, 5, 6, 9, 10, 11, 12, 13, 17, 18, 19, 20, 23, 24, 25



COUNCIL OF THE DISTRICT OF COLUMBIA

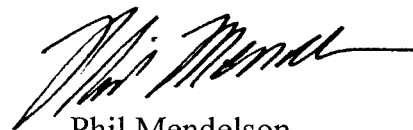
NOTICE

D.C. LAW 20-167

"Special Election Reform Amendment Act of 2014"

Pursuant to Section 412 of the District of Columbia Home Rule Act, P.L. 93-198 (the Charter), the Council of the District of Columbia adopted Bill 20-611 on first and second readings on July 14, 2014, and September 23, 2014, respectively. Following the signature of the Mayor on October 7, 2014, pursuant to Section 404(e) of the Charter, the bill became Act 20-440 and was published in the October 17, 2014 edition of the D.C. Register (Vol. 61, page 10738). Act 20-440 was transmitted to Congress on January 16, 2015 for a 30-day review, in accordance with Section 602(c)(1) of the Home Rule Act.

The Council of the District of Columbia hereby gives notice that the 30-day Congressional review period has ended, and Act 20-440 is now D.C. Law 20-167, effective March 3, 2015.



Phil Mendelson  
Chairman of the Council

Days Counted During the 30-day Congressional Review Period:

January	16, 20, 21, 22, 23, 26, 27, 28, 29, 30
February	2, 3, 4, 5, 6, 9, 10, 11, 12, 13, 17, 18, 19, 20, 23, 24, 25, 26, 27
March	2

COUNCIL OF THE DISTRICT OF COLUMBIA

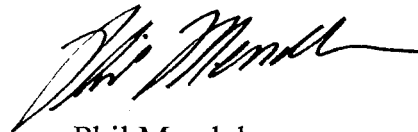
NOTICE

D.C. LAW 20-168

"Protecting Pregnant Workers Fairness Act of 2014"

Pursuant to Section 412 of the District of Columbia Home Rule Act, P.L. 93-198 (the Charter), the Council of the District of Columbia adopted Bill 20-769 on first and second readings on July 14, 2014, and September 23, 2014, respectively. Following the signature of the Mayor on October 23, 2014, pursuant to Section 404(e) of the Charter, the bill became Act 20-458 and was published in the October 31, 2014 edition of the D.C. Register (Vol. 61, page 11368). Act 20-458 was transmitted to Congress on January 16, 2015 for a 30-day review, in accordance with Section 602(c)(1) of the Home Rule Act.

The Council of the District of Columbia hereby gives notice that the 30-day Congressional review period has ended, and Act 20-458 is now D.C. Law 20-168, effective March 3, 2015.



Phil Mendelson  
Chairman of the Council

Days Counted During the 30-day Congressional Review Period:

January	16, 20, 21, 22, 23, 26, 27, 28, 29, 30
February	2, 3, 4, 5, 6, 9, 10, 11, 12, 13, 17, 18, 19, 20, 23, 24, 25, 26, 27
March	2

ENROLLED ORIGINAL

AN ACT  
**D.C. ACT 21-10**

IN THE COUNCIL OF THE DISTRICT OF COLUMBIA

**MARCH 18, 2015**

To approve, on an emergency basis, Contract No. CW31163 with Accenture Federal Services LLC for independent verification and validation of the District of Columbia Access System, and to authorize payment for services received and to be received under the task order.

BE IT ENACTED BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this act may be cited as the "Contract No. CW31163 Approval and Payment Authorization Emergency Act of 2015".

Sec. 2. Pursuant to section 451 of the District of Columbia Home Rule Act, approved December 24, 1973 (87 Stat. 803; D.C. Official Code § 1-204.51), and notwithstanding the requirements of section 202 of the Procurement Practices Reform Act of 2010, effective April 8, 2011 (D.C. Law 18-371; D.C. Official Code § 2-352.02), the Council approves Contract No. CW31163 with Accenture Federal Services LLC for independent verification and validation of the District of Columbia Access System in the estimated amount of \$1,876,872 and authorizes payment for services to be received under the contract from October 1, 2014 through September 30, 2015.

Sec. 3. Fiscal impact statement.  
The Council adopts the fiscal impact statement of the Chief Financial Officer as the fiscal impact statement required by section 602(c)(3) of the District of Columbia Home Rule Act, approved December 24, 1973 (87 Stat. 813; D.C. Official Code § 1-206.02(c)(3)).

Sec. 4. Effective date.  
This act shall take effect following approval by the Mayor (or in the event of veto by the Mayor, action by the Council to override the veto), and shall remain in effect for no longer than 90 days, as provided for emergency acts of the Council of the District of Columbia in

ENROLLED ORIGINAL

section 412(a) of the District of Columbia Home Rule Act, approved December 24, 1973 (87 Stat. 788; D.C. Official Code § 1-204.12(a)).



Chairman  
Council of the District of Columbia



Mayor  
District of Columbia  
APPROVED  
March 18, 2015

ENROLLED ORIGINAL

AN ACT  
**D.C. ACT 21-9**

IN THE COUNCIL OF THE DISTRICT OF COLUMBIA

**MARCH 18, 2015**

To approve, on an emergency basis, Contract No. CW31686 with Seagrave Fire Apparatus, LLC to provide ladder-truck refurbishment services, and to authorize payment for the services received and to be received under the contract.

BE IT ENACTED BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this act may be cited as the "Contract No. CW31686 Approval and Payment Authorization Emergency Act of 2015".

Sec. 2. Pursuant to section 451 of the District of Columbia Home Rule Act, approved December 24, 1973 (87 Stat. 803; D.C. Official Code § 1-204.51), and notwithstanding the requirements of section 202(a) of the Procurement Practices Reform Act of 2010, effective April 8, 2011 (D.C. Law 18-371; D.C. Official Code § 2-352.02(a)), the Council approves Contract No. CW31686 with Seagrave Fire Apparatus, LLC to provide ladder-truck refurbishment services and authorizes payment in the estimated contract amount of \$2,218,720 for services received and to be received under the contract.

Sec. 3. Fiscal impact statement.

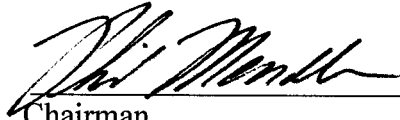
The Council adopts the fiscal impact statement of the Chief Financial Officer as the fiscal impact statement required by section 602(c)(3) of the District of Columbia Home Rule Act, approved December 24, 1973 (87 Stat. 813; D.C. Official Code § 1-206.02(c)(3)).

Sec. 4. Effective date.

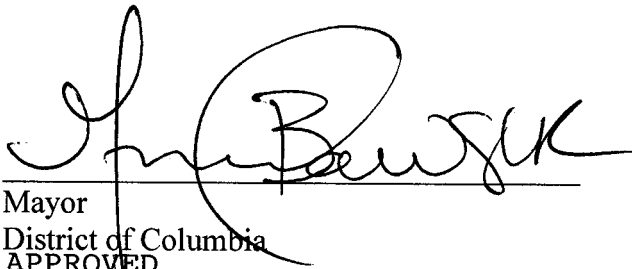
This act shall take effect following approval by the Mayor (or in the event of veto by the Mayor, action by the Council to override the veto), and shall remain in effect for no longer than 90 days, as provided for emergency acts of the Council of the District of Columbia in

ENROLLED ORIGINAL

section 412(a) of the District of Columbia Home Rule Act, approved December 24, 1973 (87 Stat. 788; D.C. Official Code § 1-204.12(a)).



Chairman  
Council of the District of Columbia



Mayor  
District of Columbia  
APPROVED  
March 18, 2015

## ENROLLED ORIGINAL

## A RESOLUTION

21-21

## IN THE COUNCIL OF THE DISTRICT OF COLUMBIA

March 3, 2015

To declare the existence of an emergency, due to congressional review, with respect to the need to amend the Animal Control Act of 1979 to clarify that animals at educational institutions are permitted for educational and instructional purposes.

RESOLVED, BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this resolution may be cited as the "Classroom Animal for Educational Purposes Clarification Congressional Review Emergency Declaration Resolution of 2015".

Sec. 2. (a) There is an immediate need to amend section 9(h) of the Animal Control Act of 1979, effective October 18, 1979 (D.C. Law 3-30; D.C. Official Code § 8-1808(h)), to make clear that animals at educational institutions are permitted for educational and instructional purposes.

(b) The Department of Health has previously notified schools across the District that they must remove animals – such as geckos, frogs, toads, tadpoles, and other species historically used for instructional purposes but not specifically cited in section 9 of the Animal Control Act of 1979 – or the District will seize and destroy them.

(c) This interpretation has caused concern among educators and school administrators and potentially disrupts the teaching and learning opportunities for students.

(d) This bill will prevent classroom and instructional animals from being removed and ensure that the schools can continue teaching sciences and biology with living creatures that are treated and maintained humanely and safely.

(e) This bill is necessary to prevent a gap in the law as the emergency legislation, the Classroom Animal for Educational Purposes Clarification Second Emergency Amendment Act of 2014, effective January 13, 2015 (D.C. Act 20-0578; 62 DCR 1256), expires on April 13, 2015.

(f) Temporary legislation, the Classroom Animal for Educational Purposes Clarification Second Temporary Amendment Act of 2014, enacted on February 5, 2015 (D.C. Act 20-0625; 62 DCR 2257), was transmitted to Congress for the 30-day review period required by section 602(c)(1) of the District of Columbia Home Rule Act, approved December 24, 1973 (87 Stat. 813; D.C. Official Code § 1-206.02(c)(1)).

(g) The temporary legislation may not become law until after the expiration of the emergency legislation; therefore, a congressional review emergency is needed to prevent a gap in

**ENROLLED ORIGINAL**

the law.

Sec. 3. The Council of the District of Columbia determines that the circumstances enumerated in section 2 constitute emergency circumstances making it necessary that the Classroom Animal for Educational Purposes Clarification Congressional Review Emergency Amendment Act of 2015 be adopted after a single reading.

Sec. 4. This resolution shall take effect immediately.



## ENROLLED ORIGINAL

## A RESOLUTION

21-22

## IN THE COUNCIL OF THE DISTRICT OF COLUMBIA

March 3, 2015

To declare the existence of an emergency, due to congressional review, with respect to the need to clarify the applicability date of the market-based sourcing legislation and the tax sale interest rate to be paid to certain purchasers; and to amend the Fiscal Year 2015 Budget Support Act of 2014 to provide grant-making authority for a specified purpose to the Deputy Mayor for Planning and Economic Development for Fiscal Year 2015.

RESOLVED, BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this resolution may be cited as the “Market-based Sourcing Inter Alia Clarification Congressional Review Emergency Declaration Resolution of 2015”.

Sec. 2. (a) Amendments to Title 47 of the District of Columbia Official Code in the Fiscal Year Budget Support Act of 2014, enacted on September 23, 2014 (D.C. Act 20-424; 61 DCR 9990) (“Budget Support Act”), were intended to clarify the tax sale interest rate to be paid to certain purchasers at 1.5% beginning after December 31, 2014.

(b) The Budget Support Act was to have included a grant award to the Washington, DC Economic Partnership for Fiscal Year 2015 but through inadvertence did not.

(c) In January, the Council enacted the Market-based Sourcing Inter Alia Clarification Emergency Amendment Act of 2014, effective January 13, 2015 (D.C. Act 20-585; 62 DCR 1288) (“emergency legislation”), and the Market-based Sourcing Inter Alia Clarification Temporary Amendment Act of 2015, signed by the Mayor on February 5, 2015 (D.C. Act 20-629; 62 DCR 2270) (“temporary legislation”), to further clarify the interest rate and the date of its applicability and to add the inadvertently omitted grant.

(d) The emergency legislation expires on April 13, 2015. The temporary legislation must complete the 30-day review period required by section 602(c)(1) of the District of Columbia Home Rule Act, approved December 24, 1973 (87 Stat. 813; D.C. Official Code § 1-206.02(c)(1)), and shall not become law until after the emergency legislation has expired.

(e) It is important that the provisions of the emergency legislation continue in effect, without interruption, until the temporary legislation is in effect.

**ENROLLED ORIGINAL**

Sec. 3. The Council of the District of Columbia determines that the circumstances enumerated in section 2 constitute emergency circumstances making it necessary that the Market-Based Sourcing Inter Alia Clarification Congressional Review Emergency Amendment Act of 2015 be adopted after a single reading.

Sec. 4. This resolution shall take effect immediately.

ENROLLED ORIGINAL

## A RESOLUTION

21-23

## IN THE COUNCIL OF THE DISTRICT OF COLUMBIA

March 3, 2015

To declare the existence of an emergency, due to congressional review, with respect to the need to authorize the Mayor to assemble the W Street Trash Transfer site, Lots 36, 41, and 802 in Square 3942 and Parcels 0143/107 and 0143/110, through the use of eminent domain.

RESOLVED, BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this resolution may be cited as the “Lots 36, 41, and 802 in Square 3942 and Parcels 0143/107 and 0143/110 Eminent Domain Authorization Congressional Review Emergency Declaration Resolution of 2015”.

Sec. 2. (a) The Lots 36, 41, and 802 in Square 3942 and Parcels 0143/107 and 0143/110 Eminent Domain Authorization Emergency Act of 2015, effective January 13, 2015 (D.C. Act 20-584; 62 DCR 1285) (“Emergency Act”), expires on April 13, 2015.

(b) The Lots 36, 41, and 802 in Square 3942 and Parcels 0143/107 and 0143/110 Eminent Domain Authorization Temporary Act of 2015, enacted on February 5, 2015 (D.C. Act 20-628; 62 DCR 2267) (“Temporary Act”), is pending congressional review.

(c) The Council’s next legislative meeting is scheduled for April 14, 2015; one day after the Emergency Act is set to expire.

(d) This congressional review emergency is necessary to prevent the possibility of a gap in the law if the Temporary Act does not become law before April 13, 2015.

Sec. 3. The Council of the District of Columbia determines that the circumstances enumerated in section 2 constitute emergency circumstances making it necessary that the Lots 36, 41, and 802 in Square 3942 and Parcels 0143/107 and 0143/110 Eminent Domain Authorization Congressional Review Emergency Act of 2015 be adopted after a single reading.

Sec. 4. This resolution shall take effect immediately.

## ENROLLED ORIGINAL

## A RESOLUTION

21-24

## IN THE COUNCIL OF THE DISTRICT OF COLUMBIA

March 3, 2015

To declare the existence of an emergency, due to congressional review, with respect to the need to allow a subsidy to be transferred to a relative caregiver when a grandparent is no longer able to care for the child.

RESOLVED, BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this resolution may be cited as the “Grandparent Caregivers Program Relative Subsidy Transfer Congressional Review Emergency Declaration Resolution of 2015”.

Sec. 2. (a) The Grandparent Caregivers Program Subsidy Transfer Emergency Amendment Act of 2014, effective December 8, 2014 (D.C. Act 20-508; 61 DCR 12717) (“Emergency Act”), allows the Grandparent Caregivers Program (“GPC”) subsidy, established by the Grandparent Caregivers Pilot Program Establishment Act of 2005, effective March 8, 2006 (D.C. Law 16-69; D.C. Official Code § 4-251.01 *et seq.*), to be transferred to another relative who is related to the child by blood, marriage, domestic partnership, or adoption or is a godparent of the child. The Emergency Act expires on March 8, 2015.

(b) The Grandparent Caregivers Program Subsidy Transfer Temporary Amendment Act of 2014, enacted on December 19, 2014 (D.C. Act 20-536; 62 DCR 21), is pending congressional review.

(c) The congressional review emergency is necessary to prevent a gap in the law.

Sec. 3. The Council of the District of Columbia determines that the circumstances enumerated in section 2 constitute emergency circumstances making it necessary that the Grandparent Caregivers Program Subsidy Transfer Congressional Review Emergency Amendment Act of 2015 be adopted after a single reading.

Sec. 4. This resolution shall take effect immediately.

## ENROLLED ORIGINAL

## A RESOLUTION

21-25

## IN THE COUNCIL OF THE DISTRICT OF COLUMBIA

March 3, 2015

To declare the existence of an emergency, due to congressional review, with respect to the need to amend the Health Services Planning Program Re-establishment Act of 1996 to exempt the Not-for-Profit Hospital Corporation from the certificate-of-need requirements for a period of one year for the establishment of an ambulatory care clinic in Ward 8, provided that it establishes 2 mobile health clinics to operate in Wards 7 and 8.

RESOLVED, BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this resolution may be cited as the “Not-for-Profit Hospital Corporation Certificate of Need Exemption Congressional Review Emergency Declaration Resolution of 2015.”

Sec. 2. (a) The Council passed the Not-for-Profit Hospital Corporation Certificate of Need Exemption Emergency Amendment Act of 2014, effective January 6, 2014 (D.C. Act 20-563; 62 DCR 491) (“emergency legislation”), and the Not-for-Profit Hospital Corporation Certificate of Need Exemption Temporary Amendment Act of 2014, enacted on February 5, 2015 (D.C. Act 20-623; 62 DCR 1960) (“temporary legislation”), which amended the Health Services Planning Program Re-establishment Act of 1996 to exempt the Not-for-Profit Hospital Corporation from the certificate-of-need requirements for a period of one year for the establishment of an ambulatory care clinic in Ward 8; provided, that it establishes 2 mobile health clinics to operate in Wards 7 and 8.

(b) The emergency legislation will expire on April 6, 2015, before the temporary legislation is projected to become law.

(c) It is important that the provisions of the emergency legislation continue in effect, without interruption, until the temporary legislation becomes law.

Sec. 3. The Council of the District of Columbia determines that the circumstances enumerated in section 2 constitute emergency circumstances making it necessary that the Not-For-Profit Hospital Corporation Certificate of Need Exemption Congressional Review Emergency Amendment Act of 2015 be adopted after a single reading.

Sec. 4. This resolution shall take effect immediately.

ENROLLED ORIGINAL

A RESOLUTION

21-26

IN THE COUNCIL OF THE DISTRICT OF COLUMBIA

March 3, 2015

To confirm the appointment of Mr. Eric D. Shaw as the Director of the District of Columbia Office of Planning.

RESOLVED, BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this resolution may be cited as the “Director of the Office of Planning Eric D. Shaw Confirmation Resolution of 2015”.

Sec. 2. The Council of the District of Columbia confirms the appointment of:

Mr. Eric D. Shaw  
1301 U Street, N.W., #208  
Washington, D.C. 20009  
(Ward 1)

as the Director of the Office of Planning, established by Mayor’s Order 83-25, dated January 3, 1983, and in accordance with section 2 of the Confirmation Act of 1978, effective March 3, 1979 (D.C. Law 2-142; D.C. Official Code § 1-523.01), to serve at the pleasure of the Mayor.

Sec. 3. The Council of the District of Columbia shall transmit a copy of this resolution, upon its adoption, to the nominee and to the Office of the Mayor.

Sec. 4. This resolution shall take effect immediately.

ENROLLED ORIGINAL

## A RESOLUTION

21-27

## IN THE COUNCIL OF THE DISTRICT OF COLUMBIA

March 3, 2015

To confirm the appointment of Mr. Brian T. Kenner as the Deputy Mayor for Planning and Economic Development for the District of Columbia.

RESOLVED, BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this resolution may be cited as the “Deputy Mayor for Planning and Economic Development Brian T. Kenner Confirmation Resolution of 2015”.

Sec. 2. The Council of the District of Columbia confirms the appointment of:

Mr. Brian T. Kenner  
Apartment #D  
1650 Beekman Place, N.W.  
Washington, D.C. 20009  
(Ward 1)

as the Deputy Mayor for Planning and Economic Development, in accordance with section 2 of the Confirmation Act of 1978, effective March 3, 1979 (D.C. Law 2-142; D.C. Official Code § 1-523.01), to serve at the pleasure of the Mayor.

Sec. 3. The Council of the District of Columbia shall transmit a copy of this resolution, upon its adoption, to the nominee and to the Office of the Mayor.

Sec. 4. This resolution shall take effect immediately.

ENROLLED ORIGINAL

## A RESOLUTION

21-28

## IN THE COUNCIL OF THE DISTRICT OF COLUMBIA

March 3, 2015

To confirm the appointment of Ms. Mary R. ("Polly") Donaldson as the Director of the Department of Housing and Community Development.

RESOLVED, BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this resolution may be cited as the "Director of the Department of Housing and Community Development Mary R. ("Polly") Donaldson Confirmation Resolution of 2015".

Sec. 2. The Council of the District of Columbia confirms the appointment of:

Ms. Mary R. ("Polly") Donaldson  
1728 Kenyon Street, N.W.  
Washington, D.C. 20010  
(Ward 1)

as the Director of the Department of Housing and Community Development, established by Reorganization Plan No. 3 of 1975, effective July 3, 1975, and in accordance with section 2 of the Confirmation Act of 1978, effective March 3, 1979 (D.C. Law 2-142; D.C. Official Code § 1-523.01), to serve at the pleasure of the Mayor.

Sec. 3. The Council of the District of Columbia shall transmit a copy of this resolution, upon its adoption, to the nominee and to the Office of the Mayor.

Sec. 4. This resolution shall take effect immediately.



ENROLLED ORIGINAL

A RESOLUTION

21-29

IN THE COUNCIL OF THE DISTRICT OF COLUMBIA

March 3, 2015

To confirm the appointment of Ms. Jennifer C. Niles as the Deputy Mayor for Education of the District of Columbia.

RESOLVED, BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this resolution may be cited as the "Deputy Mayor for Education Jennifer C. Niles Confirmation Resolution of 2015".

Sec. 2. The Council of the District of Columbia confirms the appointment of:

Ms. Jennifer C. Niles  
2853 Ontario Road, N.W., Apartment 510  
Washington, D.C. 20009  
(Ward 1)

as the Deputy Mayor for Education, in accordance with section 2(a) of the Confirmation Act of 1978, effective March 3, 1979 (D.C. Law 2-142; D.C. Official Code § 1-523.01(a)), to serve at the pleasure of the Mayor.

Sec. 3. The Council of the District of Columbia shall transmit a copy of this resolution, upon its adoption, to the nominee and to the Office of the Mayor.

Sec. 4. This resolution shall take effect immediately.

ENROLLED ORIGINAL

A RESOLUTION

21-54

IN THE COUNCIL OF THE DISTRICT OF COLUMBIA

March 17, 2015

To appoint Mr. V. David Zvenyach as a member of the District of Columbia Uniform Law Commission.

RESOLVED, BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this resolution may be cited as the "District of Columbia Uniform Law Commission V. David Zvenyach Appointment Resolution of 2015".

Sec. 2. The Council of the District of Columbia appoints:

Mr. V. David Zvenyach  
707 10th Street, N.E.  
Washington, D.C. 20002  
(Ward 6)

as a member of the District of Columbia Uniform Law Commission, established by section 2 of the District of Columbia Uniform Law Commission Act of 2010, effective March 2, 2011 (D.C. Law 18-313; D.C. Official Code § 3-1431), for a 3-year term to end on July 1, 2018.

Sec. 3. The Council of the District of Columbia shall transmit a copy of this resolution, upon its adoption, to the appointee.

Sec. 4. This resolution shall take effect immediately upon the first date of publication in the District of Columbia Register.

**COUNCIL OF THE DISTRICT OF COLUMBIA**  
**NOTICE OF INTENT TO ACT ON NEW LEGISLATION**

The Council of the District of Columbia hereby gives notice of its intention to consider the following legislative matters for final Council action in not less than **15 days**. Referrals of legislation to various committees of the Council are listed below and are subject to change at the legislative meeting immediately following or coinciding with the date of introduction. It is also noted that legislation may be co-sponsored by other Councilmembers after its introduction.

Interested persons wishing to comment may do so in writing addressed to Nyasha Smith, Secretary to the Council, 1350 Pennsylvania Avenue, NW, Room 5, Washington, D.C. 20004. Copies of bills and proposed resolutions are available in the Legislative Services Division, 1350 Pennsylvania Avenue, NW, Room 10, Washington, D.C. 20004 Telephone: 724-8050 or online at [www.dccouncil.us](http://www.dccouncil.us).

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**COUNCIL OF THE DISTRICT OF COLUMBIA****PROPOSED LEGISLATION****BILLS**

B21-139 Attorney General Independence and Authority Implementation Amendment Act of 2015

Intro. 3-16-15 by Chairman Mendelson at the request of the Attorney General and referred to the Committee on Judiciary

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B21-140 Florida Avenue Performing Arts Transfer Tax Relief Act of 2015

Intro. 3-17-15 by Councilmembers Grosso, Evans, and McDuffie and referred to the Committee on Finance and Revenue

---

B21-141 Childhood Protection Against Sexual Abuse Amendment Act of 2015

Intro. 3-17-15 by Councilmembers Grosso, Silverman, Alexander, Cheh, and Bonds and referred to the Committee on Judiciary

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- B21-142      Medical Foods Insurance Coverage Act of 2015
- Intro. 3-17-15 by Councilmember Evans and referred to the Committee on Business, Consumer, and Regulatory Affairs with comments from the Committee on Health and Human Services
- 
- B21-143      Carcinogenic Flame Retardant Prohibition Amendment Act of 2015
- Intro. 3-17-15 by Councilmembers Cheh, Allen, Bonds, Alexander, and McDuffie, and Chairman Mendelson and referred to the Committee on Transportation and the Environment with comments from the Committee on Business, Consumer, and Regulatory Affairs and the Committee on Judiciary
- 
- B21-144      Farmers Market Support Act of 2015
- Intro. 3-17-15 by Councilmembers Cheh and Grosso and referred to the Committee on Health and Human Services
- 
- B21-145      Non-Profit Certified Business Enterprise Amendment Act of 2015
- Intro. 3-17-15 by Councilmembers Cheh, Allen, Nadeau, Grosso, and Bonds and referred to the Committee on Business, Consumer, and Regulatory Affairs
- 
- B21-146      Rent Control Hardship Petition Limitation Amendment Act of 2015
- Intro. 3-17-15 by Councilmembers Bonds, Silverman, Nadeau, and Cheh and referred to the Committee on Housing and Community Development
- 
- B21-147      TOPA Bona Fide Offer of Sale Clarification Amendment Act of 2015
- Intro. 3-17-15 by Councilmembers Bonds, Cheh, Nadeau, Silverman, Allen, and Evans, and Chairman Mendelson and referred to the Committee on Housing and Community Development
-

**PROPOSED RESOLUTIONS**

PR21-108      Contract No. CW28651 Approval Resolution of 2015

Intro. 3-17-15 by Chairman Mendelson at the request of the Mayor and  
Retained by the Council with comments from the Committee on Judiciary

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PR21-109      District of Columbia Water and Sewer Authority Board of Directors Kendrick  
E. Curry Confirmation Resolution of 2015

Intro. 3-17-15 by Chairman Mendelson at the request of the Mayor and  
referred to the Committee on Transportation and the Environment

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**COUNCIL OF THE DISTRICT OF COLUMBIA**  
**Notice of Reprogramming Requests**

Pursuant to DC Official Code Sec 47-361 et seq. of the Reprogramming Policy Act of 1990, the Council of the District of Columbia gives notice that the Mayor has transmitted the following reprogramming request(s).

A reprogramming will become effective on the 15th day after official receipt unless a Member of the Council files a notice of disapproval of the request which extends the Council's review period to 30 days. If such notice is given, a reprogramming will become effective on the 31st day after its official receipt unless a resolution of approval or disapproval is adopted by the Council prior to that time.

Comments should be addressed to the Secretary to the Council, John A. Wilson Building, 1350 Pennsylvania Avenue, NW, Room 5 Washington, D.C. 20004. Copies of reprogramming requests are available in Legislative Services, Room 10.  
Telephone: 724-8050

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**Reprog. 21-29:** Request to reprogram \$520,000 of Capital funds budget authority and allotment within the Department of General Services (DGS) was filed in the Office of the Secretary on March 18, 2015. This reprogramming is necessary to support the cost of the closeout of the Plummer Elementary School Phase I Modernization project.

RECEIVED: 14 day review begins March 19, 2015

**Reprog. 21-30:** Request to reprogram \$700,000 of Capital funds budget authority and allotment for the District of Columbia National Guard (DCNG) was filed in the Office of the Secretary on March 18, 2015. This reprogramming will enable the Department of General Services (DGS), the project's implementing agency, to improve the outdoor security lighting system at the campus.

RECEIVED: 14 day review begins March 19, 2015

**Reprog. 21-31:** Request to reprogram \$2,836,314 of Fiscal Year 2015 Special Purpose Revenue funds budget authority within the Washington Metropolitan Area Transit Authority (WMATA) was filed in the Office of the Secretary on March 18, 2015. This reprogramming ensures that WMATA is able to properly align the budget with estimated revenue for the two programs.

RECEIVED: 14 day review begins March 19, 2015

**Reprog. 21-32:** Request to reprogram \$2,249,628 of Fiscal Year 2015 Local funds budget authority within the Council of the District of Columbia (Council) was in the Office of the Secretary on March 18, 2015. This reprogramming reorganizes the Council committee structure, creating three new committees and abolishing several others.

RECEIVED: 14 day review begins March 19, 2015

**ALCOHOLIC BEVERAGE REGULATION ADMINISTRATION**

ON

**3/13/2015\*\***

**\*\*RESCIND**

Notice is hereby given that:

License Number: ABRA-097380 License Class/Type: C Restaurant  
Applicant: BUL Corp. Trade Name: BUL ANC: 1C  
Has applied for the renewal of an alcoholic beverage license at the premises:

**2431 18TH ST NW**

***PETITIONS/LETTERS OF OPPOSITION OR SUPPORT MUST BE FILED ON OR BEFORE:***

**4/27/2015\*\***

***A HEARING WILL BE HELD ON:***

**5/11/2015\*\***

***AT 10:00 a.m., 2000 14th STREET, NW, 4th FLOOR, WASHINGTON, DC 20009***

<b>Days</b>	<b>Hours of Operation</b>	<b>Hours of Sales/Service</b>
Sunday:	12:00 pm - 11:00 p	12:00 pm -11:00 pm
Monday:	6 pm - 1:00 am	6 pm - 1:00 am
Tuesday:	6 pm - 1:00 am	6 pm - 1:00 am
Wednesday:	6 pm - 1:00 am	6 pm - 1:00 am
Thursday:	6 pm - 2:00 am	6 pm - 2:00 am
Friday:	6 pm - 3:00 am	6 pm - 3:00 am
Saturday:	12:00 pm - 3:00 am	12:00 pm - 3:00 am

**ENDORSEMENTS: Entertainment Sidewalk Cafe**

FOR FURTHER INFORMATION CALL: (202) 442-4423



**ALCOHOLIC BEVERAGE REGULATION ADMINISTRATION**

ON

**3/27/2015**

Notice is hereby given that:

License Number: ABRA-097380

License Class/Type: C Restaurant

Applicant: BUL Corp.

Trade Name: BUL

ANC: 1C

Has applied for the renewal of an alcoholic beverage license at the premises:

**2431 18TH ST NW**

***PETITIONS/LETTERS OF OPPOSITION OR SUPPORT MUST BE FILED ON OR BEFORE:***

**5/11/2015**

***A HEARING WILL BE HELD ON:***

**5/26/2015**

***AT 10:00 a.m., 2000 14th STREET, NW, 4th FLOOR, WASHINGTON, DC 20009***

<b>Days</b>	<b>Hours of Operation</b>	<b>Hours of Sales/Service</b>
Sunday:	12:00 pm - 11:00 p	12:00 pm -11:00 pm
Monday:	6 pm - 1:00 am	6 pm - 1:00 am
Tuesday:	6 pm - 1:00 am	6 pm - 1:00 am
Wednesday:	6 pm - 1:00 am	6 pm - 1:00 am
Thursday:	6 pm - 2:00 am	6 pm - 2:00 am
Friday:	6 pm - 3:00 am	6 pm - 3:00 am
Saturday:	12:00 pm - 3:00 am	12:00 pm - 3:00 am

**ENDORSEMENTS: Entertainment Sidewalk Cafe**

FOR FURTHER INFORMATION CALL: (202) 442-4423

**ALCOHOLIC BEVERAGE REGULATION ADMINISTRATION**

ON

**3/27/2015**

Notice is hereby given that:

License Number: ABRA-074429

License Class/Type: A Retail - Liquor Store

Applicant: Kanu, Inc.

Trade Name: 1 West Dupont Circle Wine & Liquors

ANC: 2B02

Has applied for the renewal of an alcoholic beverage license at the premises:

**2012 P ST NW**

***PETITIONS/LETTERS OF OPPOSITION OR SUPPORT MUST BE FILED ON OR BEFORE:***

**5/11/2015**

***A HEARING WILL BE HELD ON:***

**5/26/2015**

***AT 10:00 a.m., 2000 14th STREET, NW, 4th FLOOR, WASHINGTON, DC 20009***

<b>Days</b>	<b>Hours of Operation</b>	<b>Hours of Sales/Service</b>
Sunday:	10 am - 12 am	10 am -12 am
Monday:	10 am - 12am	10 am - 12am
Tuesday:	10 am - 12am	10 am - 12am
Wednesday:	10 am - 12am	10 am - 12am
Thursday:	10 am - 12am	10 am - 12am
Friday:	10 am - 12am	10 am - 12am
Saturday:	10 am - 12am	10 am - 12am

**ENDORSEMENTS: Tasting**

FOR FURTHER INFORMATION CALL: (202) 442-4423

**ALCOHOLIC BEVERAGE REGULATION ADMINISTRATION**

ON

**3/27/2015**

Notice is hereby given that:

License Number: ABRA-089200

License Class/Type: A Retail - Liquor Store

Applicant: Arrowine DC, Inc.

Trade Name: Arrowine

ANC: 2A06

Has applied for the renewal of an alcoholic beverage license at the premises:

**2175 K ST NW**

***PETITIONS/LETTERS OF OPPOSITION OR SUPPORT MUST BE FILED ON OR BEFORE:***

**5/11/2015**

***A HEARING WILL BE HELD ON:***

**5/26/2015**

***AT 10:00 a.m., 2000 14th STREET, NW, 4th FLOOR, WASHINGTON, DC 20009***

<b>Days</b>	<b>Hours of Operation</b>	<b>Hours of Sales/Service</b>
Sunday:	9 am - 9 pm	9 am -9 pm
Monday:	9 am - 9 pm	9 am - 9 pm
Tuesday:	9 am - 9 pm	9 am - 9 pm
Wednesday:	9 am - 9 pm	9 am - 9 pm
Thursday:	9 am - 9 pm	9 am - 9 pm
Friday:	9 am - 9 pm	9 am - 9 pm
Saturday:	9 am - 9 pm	9 am - 9 pm

**ENDORSEMENTS: Tasting**

FOR FURTHER INFORMATION CALL: (202) 442-4423

**ALCOHOLIC BEVERAGE REGULATION ADMINISTRATION**

ON

**3/27/2015**

Notice is hereby given that:

License Number: ABRA-023822

License Class/Type: A Retail - Liquor Store

Applicant: Prerna, Inc

Trade Name: Barmy Wine and Liquors

ANC: 2B06

Has applied for the renewal of an alcoholic beverage license at the premises:

**1912 L ST NW**

***PETITIONS/LETTERS OF OPPOSITION OR SUPPORT MUST BE FILED ON OR BEFORE:***

**5/11/2015**

***A HEARING WILL BE HELD ON:***

**5/26/2015**

***AT 10:00 a.m., 2000 14th STREET, NW, 4th FLOOR, WASHINGTON, DC 20009***

<b>Days</b>	<b>Hours of Operation</b>	<b>Hours of Sales/Service</b>
Sunday:	9 am - 12 am	9 am -12 am
Monday:	9 am - 12 am	9 am - 12 am
Tuesday:	9 am - 12 am	9 am - 12 am
Wednesday:	9 am - 12 am	9 am - 12 am
Thursday:	9 am - 12 am	9 am - 12 am
Friday:	9 am - 12 am	9 am - 12 am
Saturday:	9 am - 12 am	9 am - 12 am

**ENDORSEMENTS: Tasting**

FOR FURTHER INFORMATION CALL: (202) 442-4423

**ALCOHOLIC BEVERAGE REGULATION ADMINISTRATION**

ON

**3/27/2015**

Notice is hereby given that:

License Number: ABRA-023116

License Class/Type: A Retail - Liquor Store

Applicant: Young Myung Kim

Trade Name: CC's Liquor

ANC: 1A02

Has applied for the renewal of an alcoholic beverage license at the premises:

**3401 14TH ST NW**

***PETITIONS/LETTERS OF OPPOSITION OR SUPPORT MUST BE FILED ON OR BEFORE:***

**5/11/2015**

***A HEARING WILL BE HELD ON:***

**5/26/2015**

***AT 10:00 a.m., 2000 14th STREET, NW, 4th FLOOR, WASHINGTON, DC 20009***

<b>Days</b>	<b>Hours of Operation</b>	<b>Hours of Sales/Service</b>
Sunday:	-	-
Monday:	9 am - 9 pm	9 am - 9 pm
Tuesday:	9 am - 9 pm	9 am - 9 pm
Wednesday:	9 am - 9 pm	9 am - 9 pm
Thursday:	9 am - 9 pm	9 am - 9 pm
Friday:	9 am - 9 pm	9 am - 9 pm
Saturday:	9 am - 9 pm	9 am - 9 pm

FOR FURTHER INFORMATION CALL: (202) 442-4423

**ALCOHOLIC BEVERAGE REGULATION ADMINISTRATION**

ON

**3/27/2015**

Notice is hereby given that:

License Number: ABRA-019710

License Class/Type: A Retail - Liquor Store

Applicant: F. K. T. Enterprises, Inc.

Trade Name: Florida Liquors

ANC: 1B04

Has applied for the renewal of an alcoholic beverage license at the premises:

**2222 14TH ST NW**

***PETITIONS/LETTERS OF OPPOSITION OR SUPPORT MUST BE FILED ON OR BEFORE:***

**5/11/2015**

***A HEARING WILL BE HELD ON:***

**5/26/2015**

***AT 10:00 a.m., 2000 14th STREET, NW, 4th FLOOR, WASHINGTON, DC 20009***

<b>Days</b>	<b>Hours of Operation</b>	<b>Hours of Sales/Service</b>
Sunday:	7 am - 12 am	7 am -12 am
Monday:	7 am - 12 am	7 am - 12 am
Tuesday:	7 am - 12 am	7 am - 12 am
Wednesday:	7 am - 12 am	7 am - 12 am
Thursday:	7 am - 12 am	7 am - 12 am
Friday:	7 am - 12 am	7 am - 12 am
Saturday:	7 am - 12 am	7 am - 12 am

FOR FURTHER INFORMATION CALL: (202) 442-4423

**ALCOHOLIC BEVERAGE REGULATION ADMINISTRATION**

ON

**3/27/2015**

Notice is hereby given that:

License Number: ABRA-074960

License Class/Type: A Retail - Liquor Store

Applicant: Parki, Inc.

Trade Name: Imperial Liquors

ANC: 2B05

Has applied for the renewal of an alcoholic beverage license at the premises:

**1050 17TH ST NW A**

***PETITIONS/LETTERS OF OPPOSITION OR SUPPORT MUST BE FILED ON OR BEFORE:***

**5/11/2015**

***A HEARING WILL BE HELD ON:***

**5/26/2015**

***AT 10:00 a.m., 2000 14th STREET, NW, 4th FLOOR, WASHINGTON, DC 20009***

<b>Days</b>	<b>Hours of Operation</b>	<b>Hours of Sales/Service</b>
Sunday:	-	-
Monday:	10 am - 10 pm	10 am - 10 pm
Tuesday:	10 am - 10 pm	10 am - 10 pm
Wednesday:	10 am - 10 pm	10 am - 10 pm
Thursday:	10 am - 10 pm	10 am - 10 pm
Friday:	10 am - 10 pm	10 am - 10 pm
Saturday:	10 am - 10 pm	10 am - 10 pm

**ENDORSEMENTS: Tasting**

FOR FURTHER INFORMATION CALL: (202) 442-4423

**ALCOHOLIC BEVERAGE REGULATION ADMINISTRATION**

ON

**3/27/2015**

Notice is hereby given that:

License Number: ABRA-084240

License Class/Type: A Retail - Liquor Store

Applicant: Lin's Spirit, Inc.

Trade Name: JB Liquors

ANC: 4C04

Has applied for the renewal of an alcoholic beverage license at the premises:

**3914 14TH ST NW**

***PETITIONS/LETTERS OF OPPOSITION OR SUPPORT MUST BE FILED ON OR BEFORE:***

**5/11/2015**

***A HEARING WILL BE HELD ON:***

**5/26/2015**

***AT 10:00 a.m., 2000 14th STREET, NW, 4th FLOOR, WASHINGTON, DC 20009***

<b>Days</b>	<b>Hours of Operation</b>	<b>Hours of Sales/Service</b>
Sunday:	10am - 10pm	10am -10pm
Monday:	10 am - 10 pm	10 am - 10 pm
Tuesday:	10 am - 10 pm	10 am - 10 pm
Wednesday:	10 am - 10 pm	10 am - 10 pm
Thursday:	10 am - 10 pm	10 am - 10 pm
Friday:	10 am - 11 pm	10 am - 11 pm
Saturday:	10 am - 11 pm	10 am - 11 pm

FOR FURTHER INFORMATION CALL: (202) 442-4423



**ALCOHOLIC BEVERAGE REGULATION ADMINISTRATION**

ON

**3/27/2015**

Notice is hereby given that:

License Number: ABRA-087818

License Class/Type: A Retail - Liquor Store

Applicant: Asmara Incorporated

Trade Name: Kenilworth Market

ANC: 7D03

Has applied for the renewal of an alcoholic beverage license at the premises:

**1612 KENILWORTH AVE NE**

***PETITIONS/LETTERS OF OPPOSITION OR SUPPORT MUST BE FILED ON OR BEFORE:***

**5/11/2015**

***A HEARING WILL BE HELD ON:***

**5/26/2015**

***AT 10:00 a.m., 2000 14th STREET, NW, 4th FLOOR, WASHINGTON, DC 20009***

<b>Days</b>	<b>Hours of Operation</b>	<b>Hours of Sales/Service</b>
Sunday:	9 am - 12 am	9 am -12 am
Monday:	9 am - 12 am	9 am - 12 am
Tuesday:	9 am - 12 am	9 am - 12 am
Wednesday:	9 am - 12 am	9 am - 12 am
Thursday:	9 am - 12 am	9 am - 12 am
Friday:	9 am - 12 am	9 am - 12 am
Saturday:	9 am - 12 am	9 am - 12 am

FOR FURTHER INFORMATION CALL: (202) 442-4423

**ALCOHOLIC BEVERAGE REGULATION ADMINISTRATION**

ON

**3/27/2015**

Notice is hereby given that:

License Number: ABRA-087806

License Class/Type: A Retail - Liquor Store

Applicant: Shin & Jang, Inc.

Trade Name: King's Deli & Grocery

ANC: 1A08

Has applied for the renewal of an alcoholic beverage license at the premises:

**3651 GEORGIA AVE NW**

***PETITIONS/LETTERS OF OPPOSITION OR SUPPORT MUST BE FILED ON OR BEFORE:***

**5/11/2015**

***A HEARING WILL BE HELD ON:***

**5/26/2015**

***AT 10:00 a.m., 2000 14th STREET, NW, 4th FLOOR, WASHINGTON, DC 20009***

<b>Days</b>	<b>Hours of Operation</b>	<b>Hours of Sales/Service</b>
Sunday:	9 am - 9 pm	9 am -9 pm
Monday:	7 am - 10 pm	7 am - 10 pm
Tuesday:	7 am - 10 pm	7 am - 10 pm
Wednesday:	7 am - 10 pm	7 am - 10 pm
Thursday:	7 am - 10 pm	7 am - 10 pm
Friday:	7 am - 10 pm	7 am - 10 pm
Saturday:	8 am - 10 pm	8 am - 10 pm

FOR FURTHER INFORMATION CALL: (202) 442-4423

**ALCOHOLIC BEVERAGE REGULATION ADMINISTRATION**

ON

**3/27/2015**

Notice is hereby given that:

License Number: ABRA-082054

License Class/Type: A Retail - Liquor Store

Applicant: Vinnakota-Chon, Inc.

Trade Name: Lax Wine & Spirits

ANC: 8B05

Has applied for the renewal of an alcoholic beverage license at the premises:

**3035 NAYLOR RD SE**

***PETITIONS/LETTERS OF OPPOSITION OR SUPPORT MUST BE FILED ON OR BEFORE:***

**5/11/2015**

***A HEARING WILL BE HELD ON:***

**5/26/2015**

***AT 10:00 a.m., 2000 14th STREET, NW, 4th FLOOR, WASHINGTON, DC 20009***

<b>Days</b>	<b>Hours of Operation</b>	<b>Hours of Sales/Service</b>
Sunday:	9 am - 9 pm	9 am -9 pm
Monday:	7 am - 12 am	7 am - 12 am
Tuesday:	7 am - 12 am	7 am - 12 am
Wednesday:	7 am - 12 am	7 am - 12 am
Thursday:	7 am - 12 am	7 am - 12 am
Friday:	7 am - 12 am	7 am - 12 am
Saturday:	7 am - 12 am	7 am - 12 am

**ENDORSEMENTS: Tasting**

FOR FURTHER INFORMATION CALL: (202) 442-4423

**ALCOHOLIC BEVERAGE REGULATION ADMINISTRATION**

ON

**3/27/2015**

Notice is hereby given that:

License Number: ABRA-090154

License Class/Type: A Retail - Liquor Store

Applicant: D.J. Jackson, Inc.

Trade Name: Mart Liquors

ANC: 8C02

Has applied for the renewal of an alcoholic beverage license at the premises:

**2931 MARTIN LUTHER KING JR AVE SE**

***PETITIONS/LETTERS OF OPPOSITION OR SUPPORT MUST BE FILED ON OR BEFORE:***

**5/11/2015**

***A HEARING WILL BE HELD ON:***

**5/26/2015**

***AT 10:00 a.m., 2000 14th STREET, NW, 4th FLOOR, WASHINGTON, DC 20009***

<b>Days</b>	<b>Hours of Operation</b>	<b>Hours of Sales/Service</b>
Sunday:	10am - 8m	10am -8 pm
Monday:	9 am - 10 pm	9 am - 10 pm
Tuesday:	9 am - 10 pm	9 am - 10 pm
Wednesday:	9 am - 10 pm	9 am - 10 pm
Thursday:	9 am - 10 pm	9 am - 10 pm
Friday:	9 am - 11 pm	9 am - 11pm
Saturday:	9 am - 11 pm	9 am - 11 pm

FOR FURTHER INFORMATION CALL: (202) 442-4423

**ALCOHOLIC BEVERAGE REGULATION ADMINISTRATION**

ON

**3/27/2015**

Notice is hereby given that:

License Number: ABRA-021266

License Class/Type: A Retail - Liquor Store

Applicant: Ganducci, Inc.

Trade Name: Martin's Wine & Spirits

ANC: 1C01

Has applied for the renewal of an alcoholic beverage license at the premises:

**1919 FLORIDA AVE NW**

***PETITIONS/LETTERS OF OPPOSITION OR SUPPORT MUST BE FILED ON OR BEFORE:***

**5/11/2015**

***A HEARING WILL BE HELD ON:***

**5/26/2015**

***AT 10:00 a.m., 2000 14th STREET, NW, 4th FLOOR, WASHINGTON, DC 20009***

<b>Days</b>	<b>Hours of Operation</b>	<b>Hours of Sales/Service</b>
Sunday:	10 am - 10 pm	10 am -10 pm
Monday:	9 am - 10 pm	9 am - 10 pm
Tuesday:	9 am - 10 pm	9 am - 10 pm
Wednesday:	9 am - 10 pm	9 am - 10 pm
Thursday:	9 am - 10 pm	9 am - 10 pm
Friday:	9 am - 10 pm	9 am - 10 pm
Saturday:	9 am - 10 pm	9 am - 10 pm

**ENDORSEMENTS: Tasting**

FOR FURTHER INFORMATION CALL: (202) 442-4423

**ALCOHOLIC BEVERAGE REGULATION ADMINISTRATION**

ON

**3/27/2015**

Notice is hereby given that:

License Number: ABRA-074594

License Class/Type: A Retail - Liquor Store

Applicant: 18th & D Liquors, Inc.

Trade Name: Master Liquors

ANC: 6A08

Has applied for the renewal of an alcoholic beverage license at the premises:

**1806 D ST NE**

***PETITIONS/LETTERS OF OPPOSITION OR SUPPORT MUST BE FILED ON OR BEFORE:***

**5/11/2015**

***A HEARING WILL BE HELD ON:***

**5/26/2015**

***AT 10:00 a.m., 2000 14th STREET, NW, 4th FLOOR, WASHINGTON, DC 20009***

<b>Days</b>	<b>Hours of Operation</b>	<b>Hours of Sales/Service</b>
Sunday:	-	-
Monday:	9 am - 9 pm	9 am - 9 pm
Tuesday:	9 am - 9 pm	9 am - 9 pm
Wednesday:	9 am - 9 pm	9 am - 9 pm
Thursday:	9 am - 9 pm	9 am - 9 pm
Friday:	9 am - 10 pm	9 am - 10 pm
Saturday:	9 am - 10 pm	9 am - 10 pm

FOR FURTHER INFORMATION CALL: (202) 442-4423

**ALCOHOLIC BEVERAGE REGULATION ADMINISTRATION**

ON

**3/27/2015**

Notice is hereby given that:

License Number: ABRA-086593

License Class/Type: A Retail - Liquor Store

Applicant: JCC, Inc.

Trade Name: Meade Wine & Liquors

ANC: 8D07

Has applied for the renewal of an alcoholic beverage license at the premises:

**3919 South Capitol ST SW**

***PETITIONS/LETTERS OF OPPOSITION OR SUPPORT MUST BE FILED ON OR BEFORE:***

**5/11/2015**

***A HEARING WILL BE HELD ON:***

**5/26/2015**

***AT 10:00 a.m., 2000 14th STREET, NW, 4th FLOOR, WASHINGTON, DC 20009***

<b>Days</b>	<b>Hours of Operation</b>	<b>Hours of Sales/Service</b>
Sunday:	9:30 am - 12 am	9:30 am -12 am
Monday:	9:30 am - 9 pm	9:30 am - 9 pm
Tuesday:	9:30 am - 9 pm	9:30 am - 9 pm
Wednesday:	9:30 am - 9 pm	9:30 am - 9 pm
Thursday:	9:30 am - 9 pm	9:30 am - 9 pm
Friday:	9:30 am - 10 pm	9:30 am - 10 pm
Saturday:	9:30 am - 10 pm	9:30 am - 10 pm

FOR FURTHER INFORMATION CALL: (202) 442-4423

**ALCOHOLIC BEVERAGE REGULATION ADMINISTRATION**

ON

**3/27/2015**

Notice is hereby given that:

License Number: ABRA-060231

License Class/Type: A Retail - Liquor Store

ANC: 7B01

Trade Name: O'Connor's Liquors

Applicant: O'Connors Liquor Incorporated

Has applied for the renewal of an alcoholic beverage license at the premises:

**2900 MINNESOTA AVE SE**

***PETITIONS/LETTERS OF OPPOSITION OR SUPPORT MUST BE FILED ON OR BEFORE:***

**5/11/2015**

***A HEARING WILL BE HELD ON:***

**5/26/2015**

***AT 10:00 a.m., 2000 14th STREET, NW, 4th FLOOR, WASHINGTON, DC 20009***

<b>Days</b>	<b>Hours of Operation</b>	<b>Hours of Sales/Service</b>
Sunday:	9 am - 12 am	9 am -12 am
Monday:	9 am - 12 am	9 am - 12 am
Tuesday:	9 am - 12 am	9 am - 12 am
Wednesday:	9 am - 12 am	9 am - 12 am
Thursday:	9 am - 12 am	9 am - 12 am
Friday:	9 am - 12 am	9 am - 12 am
Saturday:	9 am - 12 am	9 am - 12 am

FOR FURTHER INFORMATION CALL: (202) 442-4423



**ALCOHOLIC BEVERAGE REGULATION ADMINISTRATION**

ON

**3/27/2015**

Notice is hereby given that:

License Number: ABRA-060751

License Class/Type: A Retail - Liquor Store

Applicant: Rosebud Liquor, Inc.

Trade Name: Rosebud Liquor

ANC: 2B04

Has applied for the renewal of an alcoholic beverage license at the premises:

**1711 17TH ST NW**

***PETITIONS/LETTERS OF OPPOSITION OR SUPPORT MUST BE FILED ON OR BEFORE:***

**5/11/2015**

***A HEARING WILL BE HELD ON:***

**5/26/2015**

***AT 10:00 a.m., 2000 14th STREET, NW, 4th FLOOR, WASHINGTON, DC 20009***

<b>Days</b>	<b>Hours of Operation</b>	<b>Hours of Sales/Service</b>
Sunday:	10am - 11pm	10am -11pm
Monday:	10 am - 11 pm	10 am - 11 pm
Tuesday:	10 am - 11 pm	10 am - 11 pm
Wednesday:	10 am - 11 pm	10 am - 11 pm
Thursday:	10 am - 11 pm	10 am - 11 pm
Friday:	10 am - 12 am	10 am - 12 am
Saturday:	10 am - 12 am	10 am - 12 am

**ENDORSEMENTS: Tasting**

FOR FURTHER INFORMATION CALL: (202) 442-4423

**ALCOHOLIC BEVERAGE REGULATION ADMINISTRATION**

ON

**3/27/2015**

Notice is hereby given that:

License Number: ABRA-002195

License Class/Type: A Retail - Liquor Store

Applicant: Safeway Inc.

Trade Name: Safeway

ANC: 6B06

Has applied for the renewal of an alcoholic beverage license at the premises:

**415 14TH ST SE**

***PETITIONS/LETTERS OF OPPOSITION OR SUPPORT MUST BE FILED ON OR BEFORE:***

**5/11/2015**

***A HEARING WILL BE HELD ON:***

**5/26/2015**

***AT 10:00 a.m., 2000 14th STREET, NW, 4th FLOOR, WASHINGTON, DC 20009***

<b>Days</b>	<b>Hours of Operation</b>	<b>Hours of Sales/Service</b>
Sunday:	5 am - 12 am	7 am -12 am
Monday:	5 am - 12 am	7 am - 12 am
Tuesday:	5 am - 12 am	7 am - 12 am
Wednesday:	5 am - 12 am	7 am - 12 am
Thursday:	5 am - 12 am	7 am - 12 am
Friday:	5 am - 12 am	7 am - 12 am
Saturday:	5 am - 12 am	7 am - 12 am

FOR FURTHER INFORMATION CALL: (202) 442-4423

**ALCOHOLIC BEVERAGE REGULATION ADMINISTRATION**

ON

**3/27/2015**

Notice is hereby given that:

License Number: ABRA-060563

License Class/Type: A Retail - Liquor Store

Applicant: Arlington Beverage Corp

Trade Name: Sheffield Wine and Liquors

ANC: 3F05

Has applied for the renewal of an alcoholic beverage license at the premises:

**5025 CONNECTICUT AVE NW**

***PETITIONS/LETTERS OF OPPOSITION OR SUPPORT MUST BE FILED ON OR BEFORE:***

**5/11/2015**

***A HEARING WILL BE HELD ON:***

**5/26/2015**

***AT 10:00 a.m., 2000 14th STREET, NW, 4th FLOOR, WASHINGTON, DC 20009***

<b>Days</b>	<b>Hours of Operation</b>	<b>Hours of Sales/Service</b>
Sunday:	-	-
Monday:	10 am - 8:30 pm	10 am - 8:30 pm
Tuesday:	10 am - 8:30 pm	10 am - 8:30 pm
Wednesday:	10 am - 8:30 pm	10 am - 8:30 pm
Thursday:	10 am - 8:30 pm	10 am - 8:30 pm
Friday:	10 am - 8:30 pm	10 am - 8:30 pm
Saturday:	10 am - 8:30 pm	10 am - 8:30 pm

FOR FURTHER INFORMATION CALL: (202) 442-4423

**ALCOHOLIC BEVERAGE REGULATION ADMINISTRATION**

ON

**3/27/2015**

Notice is hereby given that:

License Number: ABRA-014341

License Class/Type: A Retail - Liquor Store

Applicant: Silverman's-Mun Liquors, Inc

Trade Name: Silvermans Liquors

ANC: 7D01

Has applied for the renewal of an alcoholic beverage license at the premises:

**2033 BENNING RD NE**

***PETITIONS/LETTERS OF OPPOSITION OR SUPPORT MUST BE FILED ON OR BEFORE:***

**5/11/2015**

***A HEARING WILL BE HELD ON:***

**5/26/2015**

***AT 10:00 a.m., 2000 14th STREET, NW, 4th FLOOR, WASHINGTON, DC 20009***

<b>Days</b>	<b>Hours of Operation</b>	<b>Hours of Sales/Service</b>
Sunday:	9 am - 12 am	9 am -12 am
Monday:	9 am - 12 am	9 am - 12 am
Tuesday:	9 am - 12 am	9 am - 12 am
Wednesday:	9 am - 12 am	9 am - 12 am
Thursday:	9 am - 12 am	9 am - 12 am
Friday:	9 am - 12 am	9 am - 12 am
Saturday:	9 am - 12 am	9 am - 12 am

FOR FURTHER INFORMATION CALL: (202) 442-4423

**ALCOHOLIC BEVERAGE REGULATION ADMINISTRATION**

ON

**3/27/2015**

Notice is hereby given that:

License Number: ABRA-071601

License Class/Type: A Retail - Liquor Store

Applicant: Yoef, Inc.

Trade Name: Stanton Liquors

ANC: 5D07

Has applied for the renewal of an alcoholic beverage license at the premises:

**1044 BLADENSBURG RD NE**

***PETITIONS/LETTERS OF OPPOSITION OR SUPPORT MUST BE FILED ON OR BEFORE:***

**5/11/2015**

***A HEARING WILL BE HELD ON:***

**5/26/2015**

***AT 10:00 a.m., 2000 14th STREET, NW, 4th FLOOR, WASHINGTON, DC 20009***

<b>Days</b>	<b>Hours of Operation</b>	<b>Hours of Sales/Service</b>
Sunday:	-	-
Monday:	9 am - 10 pm	9 am - 10 pm
Tuesday:	9 am - 10 pm	9 am - 10 pm
Wednesday:	9 am - 10 pm	9 am - 10 pm
Thursday:	9 am - 10 pm	9 am - 10 pm
Friday:	9 am - 10 pm	9 am - 10 pm
Saturday:	9 am - 10 pm	9 am - 10 pm

FOR FURTHER INFORMATION CALL: (202) 442-4423

**ALCOHOLIC BEVERAGE REGULATION ADMINISTRATION**

ON

**3/27/2015**

Notice is hereby given that:

License Number: ABRA-088025

License Class/Type: A Retail - Liquor Store

Applicant: Deccan Group LLC

Trade Name: State Liquors

ANC: 2B02

Has applied for the renewal of an alcoholic beverage license at the premises:

**2159 P ST NW**

***PETITIONS/LETTERS OF OPPOSITION OR SUPPORT MUST BE FILED ON OR BEFORE:***

**5/11/2015**

***A HEARING WILL BE HELD ON:***

**5/26/2015**

***AT 10:00 a.m., 2000 14th STREET, NW, 4th FLOOR, WASHINGTON, DC 20009***

<b>Days</b>	<b>Hours of Operation</b>	<b>Hours of Sales/Service</b>
Sunday:	7 am - 12 am	7 am -12 am
Monday:	7 am - 12 am	7 am - 12 am
Tuesday:	7 am - 12 am	7 am - 12 am
Wednesday:	7 am - 12 am	7 am - 12 am
Thursday:	7 am - 12 am	7 am - 12 am
Friday:	7 am - 12 am	7 am - 12 am
Saturday:	7 am - 12 am	7 am - 12 am

**ENDORSEMENTS: Tasting**

FOR FURTHER INFORMATION CALL: (202) 442-4423

**ALCOHOLIC BEVERAGE REGULATION ADMINISTRATION**

ON

**3/27/2015**

Notice is hereby given that:

License Number: ABRA-077726

License Class/Type: A Retail - Liquor Store

Applicant: Tae Kwang, Inc.

Trade Name: Sylvia's Liquors

ANC: 5D05

Has applied for the renewal of an alcoholic beverage license at the premises:

**1818 BENNING RD NE**

***PETITIONS/LETTERS OF OPPOSITION OR SUPPORT MUST BE FILED ON OR BEFORE:***

**5/11/2015**

***A HEARING WILL BE HELD ON:***

**5/26/2015**

***AT 10:00 a.m., 2000 14th STREET, NW, 4th FLOOR, WASHINGTON, DC 20009***

<b>Days</b>	<b>Hours of Operation</b>	<b>Hours of Sales/Service</b>
Sunday:	9 am - 12 am	9am -12 am
Monday:	9 am - 12 am	9 am - 12 am
Tuesday:	9 am - 12 am	9 am - 12 am
Wednesday:	9 am - 12 am	9 am - 12 am
Thursday:	9 am - 12 am	9 am - 12 am
Friday:	9 am - 12 am	9 am - 12 am
Saturday:	9 am - 12 am	9 am - 12 am

FOR FURTHER INFORMATION CALL: (202) 442-4423

**ALCOHOLIC BEVERAGE REGULATION ADMINISTRATION**

ON

**3/27/2015**

Notice is hereby given that:

License Number: ABRA-075512

License Class/Type: A Retail - Liquor Store

Applicant: Kamvs, LLC

Trade Name: Van Ness Liquors

ANC: 3F02

Has applied for the renewal of an alcoholic beverage license at the premises:

**4201 CONNECTICUT AVE NW A**

*PETITIONS/LETTERS OF OPPOSITION OR SUPPORT MUST BE FILED ON OR BEFORE:*

**5/11/2015**

*A HEARING WILL BE HELD ON:*

**5/26/2015**

*AT 10:00 a.m., 2000 14th STREET, NW, 4th FLOOR, WASHINGTON, DC 20009*

<b>Days</b>	<b>Hours of Operation</b>	<b>Hours of Sales/Service</b>
Sunday:	10 am - 12 am	10 am -12 am
Monday:	10 am - 12 am	10 am - 12 am
Tuesday:	10 am - 12 am	10 am - 12 am
Wednesday:	10 am - 12 am	10 am - 12 am
Thursday:	10 am - 12 am	10 am - 12 am
Friday:	10 am - 12 am	10 am - 12 am
Saturday:	10 am - 12 am	10 am - 12 am

**ENDORSEMENTS: Tasting**

FOR FURTHER INFORMATION CALL: (202) 442-4423



**ALCOHOLIC BEVERAGE REGULATION ADMINISTRATION**

ON

**3/27/2015**

Notice is hereby given that:

License Number: ABRA-097178

License Class/Type: A Retail - Liquor Store

Applicant: Via Umbria LLC

Trade Name: Via Umbria

ANC: 2E03

Has applied for the renewal of an alcoholic beverage license at the premises:

**1525 WISCONSIN AVE NW**

***PETITIONS/LETTERS OF OPPOSITION OR SUPPORT MUST BE FILED ON OR BEFORE:***

**5/11/2015**

***A HEARING WILL BE HELD ON:***

**5/26/2015**

***AT 10:00 a.m., 2000 14th STREET, NW, 4th FLOOR, WASHINGTON, DC 20009***

<b>Days</b>	<b>Hours of Operation</b>	<b>Hours of Sales/Service</b>
Sunday:	9 am - 9 pm	9 am -9 pm
Monday:	9 am - 9 pm	9 am - 9 pm
Tuesday:	9 am - 9 pm	9 am - 9 pm
Wednesday:	9 am - 9 pm	9 am - 9 pm
Thursday:	9 am - 9 pm	9 am - 9 pm
Friday:	9 am - 9 pm	9 am - 9 pm
Saturday:	9 am - 9 pm	9 am - 9 pm

**ENDORSEMENTS: Tasting**

FOR FURTHER INFORMATION CALL: (202) 442-4423

**ALCOHOLIC BEVERAGE REGULATION ADMINISTRATION**

ON

**3/27/2015**

Notice is hereby given that:

License Number: ABRA-015699

License Class/Type: A Retail - Liquor Store

Applicant: F & A Enterprises, Inc

Trade Name: Wagshalls Liquor & Deli

ANC: 3E02

Has applied for the renewal of an alcoholic beverage license at the premises:

**4855 MASSACHUSETTS AVE NW**

***PETITIONS/LETTERS OF OPPOSITION OR SUPPORT MUST BE FILED ON OR BEFORE:***

**5/11/2015**

***A HEARING WILL BE HELD ON:***

**5/26/2015**

***AT 10:00 a.m., 2000 14th STREET, NW, 4th FLOOR, WASHINGTON, DC 20009***

<b>Days</b>	<b>Hours of Operation</b>	<b>Hours of Sales/Service</b>
Sunday:	9 am - 8 pm	9 am – 8 pm
Monday:	8 am - 8 pm	8 am – 8 pm
Tuesday:	8 am - 8 pm	8 am – 8 pm
Wednesday:	8 am - 8 pm	8 am – 8 pm
Thursday:	8 am - 8 pm	8 am – 8 pm
Friday:	8 am - 8 pm	8 am – 8 pm
Saturday:	9 am - 8 pm	9 am – 8 pm

**ENDORSEMENTS: Tasting**

FOR FURTHER INFORMATION CALL: (202) 442-4423

**ALCOHOLIC BEVERAGE REGULATION ADMINISTRATION**

ON

**3/27/2015**

Notice is hereby given that:

License Number: ABRA-082076

License Class/Type: A Retail - Liquor Store

Applicant: Uncha, Inc.

Trade Name: Weltman's Liquors

ANC: 7F01

Has applied for the renewal of an alcoholic beverage license at the premises:

**3938 MINNESOTA AVE NE**

***PETITIONS/LETTERS OF OPPOSITION OR SUPPORT MUST BE FILED ON OR BEFORE:***

**5/11/2015**

***A HEARING WILL BE HELD ON:***

**5/26/2015**

***AT 10:00 a.m., 2000 14th STREET, NW, 4th FLOOR, WASHINGTON, DC 20009***

<b>Days</b>	<b>Hours of Operation</b>	<b>Hours of Sales/Service</b>
Sunday:	9 am - 9 pm	9 am -9 pm
Monday:	9 am - 9 pm	9 am - 9 pm
Tuesday:	9 am - 9 pm	9 am - 9 pm
Wednesday:	9 am - 9 pm	9 am - 9 pm
Thursday:	9 am - 9 pm	9 am - 9 pm
Friday:	9 pm - 9 am	9 am - 9 pm
Saturday:	9 am - 9 pm	9 am - 9 pm

FOR FURTHER INFORMATION CALL: (202) 442-4423

**ALCOHOLIC BEVERAGE REGULATION ADMINISTRATION**

ON

**3/27/2015**

Notice is hereby given that:

License Number: ABRA-088122

License Class/Type: A Retail - Liquor Store

Applicant: HR Enterprises Inc

Trade Name: Wheeler Liquors

ANC: 8E06

Has applied for the renewal of an alcoholic beverage license at the premises:

**4137 WHEELER RD SE**

***PETITIONS/LETTERS OF OPPOSITION OR SUPPORT MUST BE FILED ON OR BEFORE:***

**5/11/2015**

***A HEARING WILL BE HELD ON:***

**5/26/2015**

***AT 10:00 a.m., 2000 14th STREET, NW, 4th FLOOR, WASHINGTON, DC 20009***

<b>Days</b>	<b>Hours of Operation</b>	<b>Hours of Sales/Service</b>
Sunday:	9am - 10:30pm	9am -10:30pm
Monday:	9am - 9:30pm	9am - 9:30pm
Tuesday:	9am - 9:30pm	9am - 9:30pm
Wednesday:	9am - 9:30pm	9am - 9:30pm
Thursday:	9am - 9:30pm	9am - 9:30pm
Friday:	9am - 10:30pm	9am - 10:30pm
Saturday:	9am - 10:30pm	9am - 10:30pm

FOR FURTHER INFORMATION CALL: (202) 442-4423

**ALCOHOLIC BEVERAGE REGULATION ADMINISTRATION**

ON

**3/27/2015**

Notice is hereby given that:

License Number: ABRA-077016

License Class/Type: A Retail - Liquor Store

Applicant: WJ Globe, Inc.

Trade Name: Young's Globe Liquors

ANC: 7E04

Has applied for the renewal of an alcoholic beverage license at the premises:

**4520 BENNING RD SE**

***PETITIONS/LETTERS OF OPPOSITION OR SUPPORT MUST BE FILED ON OR BEFORE:***

**5/11/2015**

***A HEARING WILL BE HELD ON:***

**5/26/2015**

***AT 10:00 a.m., 2000 14th STREET, NW, 4th FLOOR, WASHINGTON, DC 20009***

<b>Days</b>	<b>Hours of Operation</b>	<b>Hours of Sales/Service</b>
Sunday:	9 am - 11 pm	9 am -11 pm
Monday:	9 am - 11 pm	9 am - 11 pm
Tuesday:	9 am - 11 pm	9 am - 11 pm
Wednesday:	9 am - 11 pm	9 am - 11 pm
Thursday:	9 am - 11 pm	9 am - 11 pm
Friday:	9 am - 12 am	9 am - 12 am
Saturday:	9 am - 12 am	9 am - 12 am

**ENDORSEMENTS: Tasting**

FOR FURTHER INFORMATION CALL: (202) 442-4423

**ALCOHOLIC BEVERAGE REGULATION ADMINISTRATION****NOTICE OF PUBLIC HEARING**

Posting Date: March 27, 2015  
Petition Date: May 11, 2015  
Hearing Date: May 26, 2015

License No.: ABRA-092773  
Licensee: Daci Enterprises LLC  
Trade Name: Dacha Beer Garden  
License Class: Retailer's Class "D" Tavern  
Address: 1600 7<sup>th</sup> Street, N.W.  
Contact: Andrew Kline: 202-686-7600

WARD 6

ANC 6E

SMD 6E01

Notice is hereby given that this applicant has applied for substantial changes to its license under the D.C. Alcoholic Beverage Control Act and that the objectors are entitled to be heard before the granting of such on the Roll Call Hearing Date at 10:00 am, 4th Floor, 2000 14<sup>th</sup> Street, N.W., Washington, DC 20009. Petitions and/or requests to appear before the Board must be filed on or before the Petition Date.

**NATURE OF SUBSTANTIAL CHANGES**

Change of Hours of Operation and of Alcoholic Beverage Sales/Service/Consumption. Addition of an Entertainment Endorsement with dancing. Expansion of the premises to include an interior three-story restaurant and second floor terrace. The combined occupancy load of the interior restaurant, second floor terrace and previously approved beer garden shall not exceed 600 people.

**APPROVED HOURS OF OPERATION**

Sunday through Thursday 7am - 10:30pm, Friday and Saturday 7am - 11:59pm

**APPROVED HOURS OF ALCOHOLIC BEVERAGE SALES, SERVICE, AND CONSUMPTION**

Sunday through Thursday 8am - 10:30pm, Friday and Saturday 8am - 11:59pm

**PROPOSED HOURS OF OPERATION**

Sunday through Thursday 7am - 2am, Friday and Saturday 7am - 3am

**PROPOSED HOURS OF ALCOHOLIC BEVERAGE SALES, SERVICE AND CONSUMPTION**

Sunday through Thursday 8am - 2am, Friday and Saturday 8am - 3am

**PROPOSED HOURS OF LIVE ENTERTAINMENT**

Sunday through Thursday 6pm - 2am, Friday and Saturday 6pm - 3am

ALCOHOLIC BEVERAGE REGULATION ADMINISTRATION

NOTICE OF PUBLIC HEARING

Posting Date: March 27, 2015
Petition Date: May 11, 2015
Roll Call Hearing Date: May 26, 2015
Protest Hearing Date: July 29, 2015

License No.: ABRA-098041
Licensee: H & J Oriental Corp.
Trade Name: Jenny's
License Class: Retailer's Class "C" Restaurant
Address: 668 Water Street, S.W.
Contact: Julie DeFran: 703-864-3069, 202-611-290-2268

WARD 6 ANC 6D SMD 6D04

Notice is hereby given that this applicant has applied for a new license under the D.C. Alcoholic Beverage Control Act and that the objectors are entitled to be heard before the granting of such license on the Roll Call Hearing Date at 10:00 am, 2000 14th Street, N.W., 400 South, Washington, DC 20009. Petitions and/or requests to appear before the Board must be filed on or before the Petition Date. The Protest Hearing Date is scheduled on July 29, 2015 at 4:30 pm.

TRANSFERRING TO NEW LOCATION

The Licensee is requesting a Transfer of location from a previous address of 1000 Water Street, S.W. to a new location at 668 Water Street, S.W.

NATURE OF OPERATION

Full-service restaurant serving breakfast, lunch, and dinner, to include sandwiches, salads, American and Chinese food. Total occupancy load of 125. Entertainment Endorsement and Dancing.

HOURS OF OPERATION AND ALCOHOLIC BEVERAGE SALES/SERVICE/CONSUMPTION

Sunday through Saturday 7am - 12am

HOURS OF LIVE ENTERTAINMENT

Sunday through Saturday 9pm - 12am

ALCOHOLIC BEVERAGE REGULATION ADMINISTRATION

NOTICE OF PUBLIC HEARING

CORRECTION \*\*

Posting Date: March 20, 2015  
 Petition Date: May 4, 2015  
 Roll Call Hearing Date: May 18, 2015  
 Protest Hearing Date: July 29, 2015

License No.: ABRA-097822  
 Licensee: Slim’s Diner, LLC  
 Trade Name: Slim’s Diner  
 License Class: Retailer’s Class “C” Restaurant  
 Address: 4201 Georgia Ave., N.W.  
 Contact: Paul Ruppert: 202-783-3933\*\*

WARD 4                      ANC 4C                      SMD 4C07

Notice is hereby given that this applicant has applied for a new license under the D.C. Alcoholic Beverage Control Act and that the objectors are entitled to be heard before the granting of such license on the Roll Call Hearing Date at 10:00 am, 2000 14<sup>th</sup> Street, N.W., 400 South, Washington, DC 20009. Petitions and/or requests to appear before the Board must be filed on or before the Petition Date. The protest hearing date is scheduled on July 29, 2015 at 4:30 pm.

**NATURE OF OPERATION**

New restaurant open for breakfast, lunch and dinner seven days a week. Total occupancy load of 41.

**HOURS OF OPERATION AND ALCOHOLIC BEVERAGE SALES/SERVICE/CONSUMPTION**

Sunday through Thursday 8am – 2am, Friday and Saturday 8am – 3am



ALCOHOLIC BEVERAGE REGULATION ADMINISTRATION

NOTICE OF PUBLIC HEARING

Posting Date: March 27, 2015
Petition Date: May 11, 2015
Roll Call Hearing Date: May 26, 2015
Protest Hearing Date: July 29, 2015

License No.: ABRA-097610
Licensee: Barcelona Cathedral LLC
Trade Name: To Be Determined
License Class: Retailer's Class "C" Restaurant
Address: 3336 Wisconsin Ave., N.W.
Contact: Jessica Farmer: 202-469-2222

WARD 3 ANC 3C SMD 3C07

Notice is hereby given that this applicant has applied for a new license under the D.C. Alcoholic Beverage Control Act and that the objectors are entitled to be heard before the granting of such license on the Roll Call Hearing Date at 10:00 am, 2000 14th Street, N.W., 400 South, Washington, DC 20009. Petitions and/or requests to appear before the Board must be filed on or before the Petition Date. The Protest Hearing Date is scheduled on July 29, 2015 at 1:30 pm.

NATURE OF OPERATION

Full-service restaurant featuring Spanish and Mediterranean food, tapas, and wines by the glass. Total Occupancy Load of 225, inside seating to be determined. Summer Garden with seating for 36. Entertainment Endorsement to include occasional guitar or DJ music after 9pm. No dancing.

HOURS OF OPERATION AND ALCOHOLIC BEVERAGE SALES/SERVICE/CONSUMPTION

Sunday through Thursday 11am - 1am, Friday and Saturday 11am - 2am

HOURS OF LIVE ENTERTAINMENT INSIDE PREMISES

Sunday through Thursday 9pm - 1am, Friday and Saturday 9pm - 2am

HOURS OF OPERATION AND ALCOHOLIC BEVERAGE SALES/SERVICE CONSUMPTION FOR SUMMER GARDEN

Sunday through Thursday 11am - 11pm, Friday and Saturday 11am - 12am

HOURS OF LIVE ENTERTAINMENT FOR SUMMER GARDEN

Sunday through Thursday 9pm - 11pm, Friday and Saturday 9pm - 12am

ALCOHOLIC BEVERAGE REGULATION ADMINISTRATION

NOTICE OF PUBLIC HEARING

Posting Date: March 27, 2015
Petition Date: May 11, 2015
Roll Call Hearing Date: May 26, 2015
Protest Hearing Date: July 29, 2015

License No.: ABRA-098173
Licensee: Proust Partners Limited Liability Company
Trade Name: Wonder Garten
License Class: Retailer's Class "C" Tavern
Address: 150 M Street,N.E.
Contact: Biva Ranjeet: 202-830-5238

WARD 6

ANC 6C

SMD 6C06

Notice is hereby given that this applicant has applied for a new license under the D.C. Alcoholic Beverage Control Act and that the objectors are entitled to be heard before the granting of such license on the Roll Call Hearing Date at 10:00 am, 2000 14th Street, N.W., 400 South, Washington, DC 20009. Petitions and/or requests to appear before the Board must be filed on or before the Petition Date. The Protest Hearing Date is scheduled on July 29, 2015 at 1:30 pm.

NATURE OF OPERATION

Food will be served from food trucks, which will be permitted on the premises. Total Occupancy Load of 300. Entertainment Endorsement with Cover Charge, dancing and possibly occasional live music.

HOURS OF OPERATION AND ALCOHOLIC BEVERAGE SALES/SERVIC/CONSUMPTION AND LIVE ENTERTAINMENT

Sunday 12pm - 10pm, Monday and Tuesday 4pm - 10pm, Wednesday and Thursday 4pm - 11pm, Friday and Saturday 12pm - 12am.

**ALCOHOLIC BEVERAGE REGULATION ADMINISTRATION**

**NOTICE OF PUBLIC HEARING**

Posting Date: March 27, 2015  
Petition Date: May 11, 2015  
Roll Call Hearing Date: May 26, 2015  
Protest Hearing Date: July 29, 2015

License No.: ABRA-098370  
Licensee: Anyado Group LLC  
Trade Name: XO Restaurant & Lounge  
License Class: Retailer’s Class “C” Tavern  
Address: 1426 L Street, N.W.  
Contact: Christopher Nwaeze: 443-615-5957

WARD 2

ANC 2F

SMD 2F05

Notice is hereby given that this applicant has applied for a new license under the D.C. Alcoholic Beverage Control Act and that the objectors are entitled to be heard before the granting of such on the Roll Call Hearing Date at 10:00 am, 4th Floor, 2000 14<sup>th</sup> Street, N.W., Washington, DC 20009. Petitions and/or requests to appear before the Board must be filed on or before the Petition Date. The Protest Hearing Date is scheduled for July 29, 2015 at 4:30.

**NATURE OF OPERATION**

New tavern specializing in intercontinental small-plate food with occasional live entertainment to include a Jazz Band, Karaoke and Dee Jay, along with dancing. Sidewalk Café with seating for 15. Seating inside premises is 75. Total capacity inside premises is 295.

**HOURS OF OPERATION FOR INSIDE PREMISES AND SIDEWALK CAFE**

Sunday through Thursday 7am - 2am, Friday and Saturday 7am - 3am

**HOURS OF ALCOHOLIC BEVERAGE SALES/SERVICE/CONSUMPTION FOR INSIDE PREMISES AND SIDEWALK CAFE**

Sunday through Thursday 8am - 2am, Friday and Saturday 8am - 3am

**HOURS OF LIVE ENTERTAINMENT**

Sunday through Thursday 6pm - 2am, Friday and Saturday 6pm - 3am

**BOARD OF ZONING ADJUSTMENT  
PUBLIC HEARING NOTICE  
TUESDAY, MAY 12, 2015  
441 4<sup>TH</sup> STREET, N.W.  
JERRILY R. KRESS MEMORIAL HEARING ROOM, SUITE 220-SOUTH  
WASHINGTON, D.C. 20001**

**TO CONSIDER THE FOLLOWING:** The Board of Zoning Adjustment will adhere to the following schedule, but reserves the right to hear items on the agenda out of turn.

**TIME: 9:30 A.M.**

**WARD THREE**

18990            **Application of Diana Kurnit and Jonathan Brumer**, pursuant to 11  
ANC-3E            DCMR § 3104.1 for a special exception under § 223, not meeting the lot  
occupancy requirements under § 403.2, to allow the construction of a one story  
rear deck addition in the R-2 District at premises 5330 42nd Street N.W. (Square  
1664, Lot 30).

**WARD FOUR**

18962            **Application of Jeffrey Blend**, pursuant to 11 DCMR § 3103.2, for variances  
ANC-4A            from the rear yard requirements under § 404.1, and the accessory building  
requirements under § 2500, to allow the addition of a sunroom to the rear of an  
existing one-family dwelling in the R-1-B District at premises 1211 Kalmia Road  
N.W. (Square 2959, Lot 1).

**WARD FIVE**

18995            **Application of Rokas Reipa**, pursuant to 11 DCMR § 3104.1 for a special  
ANC-5D            exception under § 223, not meeting the lot occupancy requirements under §  
403.2, the rear yard requirements under § 404.1, the side yard setback  
requirements under § 405.9, and the non-conforming structure requirements  
under § 2001.3, to allow the expansion of an existing one-story garage into a  
two-story garage with accessory apartment and covered walkway to the dwelling  
in the R-4 District at premises 1254 Florida Avenue N.E. (Square 4069, Lot 15).

**WARD THREE**

18996            **Application of Macomb St Trust, Robert Altman, Trustee**, pursuant to  
ANC-3C            11 DCMR § 3104.1 for a special exception under § 223, not meeting the side  
yard requirements under § 405, to allow the construction of a rear addition to an  
existing one-family dwelling in the R-1 District at premises 3401 Macomb Street  
N.W. (Square 2078, Lot 41).

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WARD SIX

18997            **Application of Chris Lobb and Paola Barbara**, pursuant to 11 DCMR §  
ANC-6B           3104.1 for a special exception under § 223, not meeting the lot occupancy  
                         requirements under § 403.2, and the rear yard requirements under § 404.1, to  
                         allow the construction of a two-story rear addition with accessory apartment  
                         connected to the dwelling by a covered walkway in the R-4 District at premises  
                         148 11th Street S.E. (Square 989, Lot 26).

WARD ONE

18999            **Appeal of ANC 1C**, pursuant to 11 DCMR §§ 3100 and 3101, from a January  
ANC-1C           15, 2015 decision by the Zoning Administrator, Department of Consumer and  
                         Regulatory Affairs, to issue Building Permit No. B1408491, to convert two one-  
                         family dwellings into an apartment building comprising eight units in the R-5-B  
                         District at premises 2305-2307 Ontario Road N.W. (Square 2567, Lots 45-46).

**PLEASE NOTE:**

Failure of an applicant or appellant to appear at the public hearing will subject the application or appeal to dismissal at the discretion of the Board.

Failure of an applicant or appellant to be adequately prepared to present the application or appeal to the Board, and address the required standards of proof for the application or appeal, may subject the application or appeal to postponement, dismissal or denial. The public hearing in these cases will be conducted in accordance with the provisions of Chapter 31 of the District of Columbia Municipal Regulations, Title 11, and Zoning. Pursuant to Subsection 3117.4, of the Regulations, the Board will impose time limits on the testimony of all individuals. Individuals and organizations interested in any application may testify at the public hearing or submit written comments to the Board.

Except for the affected ANC, any person who desires to participate as a party in this case must clearly demonstrate that the person's interests would likely be more significantly, distinctly, or uniquely affected by the proposed zoning action than other persons in the general public. **Persons seeking party status shall file with the Board, not less than 14 days prior to the date set for the hearing, a Form 140 – Party Status Application Form.** This form may be obtained from the Office of Zoning at the address stated below or downloaded from the Office of Zoning's website at: [www.dcoz.dc.gov](http://www.dcoz.dc.gov). All requests and comments should be submitted to the Board through the Director, Office of Zoning, 441 4<sup>th</sup> Street, NW, Suite 210, Washington, D.C. 20001. Please include the case number on all correspondence.

FOR FURTHER INFORMATION, CONTACT THE OFFICE OF ZONING AT (202) 727-6311.

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**LLOYD J. JORDAN, CHAIRMAN, MARNIQUE Y. HEATH, VICE CHAIRPERSON,  
JEFFREY L. HINKLE, ONE BOARD SEAT VACANT, AND A MEMBER OF THE  
ZONING COMMISSION, CLIFFORD W. MOY, SECRETARY TO THE BZA, SARA A.  
BARDIN, DIRECTOR, OFFICE OF ZONING**

**ZONING COMMISSION FOR THE DISTRICT OF COLUMBIA  
NOTICE OF PUBLIC HEARING**

**TIME AND PLACE:**            **Thursday, May 21, 2015, @ 6:30 p.m. – 1<sup>st</sup> Case  
Jerrily R. Kress Memorial Hearing Room  
441 4th Street, N.W., Suite 220-S  
Washington, D.C. 20001**

**FOR THE PURPOSE OF CONSIDERING THE FOLLOWING:**

**Z.C. Case No. 11-15D (Howard University – Amendment to the Howard University Central Campus Master Plan)**

**THIS CASE IS OF INTEREST TO ANC 1B**

On November 7, 2014, the Office of Zoning received an application from Howard University (“Applicant”) seeking an amendment to the Howard University Central Campus Master Plan (“Campus Plan”), dated June 29 2011, and approved pursuant to Z.C. Order No. 11-15. The amendment proposes to exclude Lots 742-749, 756-769, 1038, and 1039 in Square 2882 (the “Property”) from the Campus Plan in order to facilitate the approval of a mixed-use planned unit development (“PUD”) proposed at the northeast corner of Sherman Avenue and Barry Place, N.W. (Z.C. Case No. 14-21). The Property is designated “Graduate/Workforce Housing” on the Campus Plan and is improved with a surface parking lot. The Property consists of 30,884 square feet and is currently located in the R-5-B Zone District.

This public hearing will be conducted in accordance with the contested case provisions of the Zoning Regulations, 11 DCMR § 3035.

**How to participate as a witness.**

Interested persons or representatives of organizations may be heard at the public hearing. The Commission also requests that all witnesses prepare their testimony in writing, submit the written testimony prior to giving statements, and limit oral presentations to summaries of the most important points. The applicable time limits for oral testimony are described below. Written statements, in lieu of personal appearances or oral presentation, may be submitted for inclusion in the record.

**How to participate as a party.**

Any person who desires to participate as a party in this case must so request and must comply with the provisions of 11 DCMR § 3022.3.

A party has the right to cross-examine witnesses, to submit proposed findings of fact and conclusions of law, to receive a copy of the written decision of the Zoning Commission, and to exercise the other rights of parties as specified in the Zoning Regulations. If you are still unsure

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Z.C. CASE NO. 11-15D  
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of what it means to participate as a party and would like more information on this, please contact the Office of Zoning at [dcoz@dc.gov](mailto:dcoz@dc.gov) or at (202) 727-6311.

Except for the affected ANC, any person who desires to participate as a party in this case must clearly demonstrate that the person’s interests would likely be more significantly, distinctly, or uniquely affected by the proposed zoning action than other persons in the general public. Persons seeking party status **shall file with the Commission, not less than 14 days prior to the date set for the hearing, a Form 140 – Party Status Application, a copy of which may be downloaded from the Office of Zoning’s website at:** <http://dcoz.dc.gov/services/app.shtm>. This form may also be obtained from the Office of Zoning at the address stated below.

**If an affected Advisory Neighborhood Commission (ANC) intends to participate at the hearing, the ANC shall submit the written report described in § 3012.5 no later than seven (7) days before the date of the hearing. The report shall contain the information indicated in § 3012.5 (a) through (i).**

All individuals, organizations, or associations wishing to testify in this case are encouraged to inform the Office of Zoning their intent to testify prior to the hearing date. This can be done by mail sent to the address stated below, e-mail ([donna.hanousek@dc.gov](mailto:donna.hanousek@dc.gov)), or by calling (202) 727-0789.

The following maximum time limits for oral testimony shall be adhered to and no time may be ceded:

- |    |                                  |                         |
|----|----------------------------------|-------------------------|
| 1. | Applicant and parties in support | 60 minutes collectively |
| 2. | Parties in opposition            | 60 minutes collectively |
| 3. | Organizations                    | 5 minutes each          |
| 4. | Individuals                      | 3 minutes each          |

Pursuant to § 3020.3, the Commission may increase or decrease the time allowed above, in which case, the presiding officer shall ensure reasonable balance in the allocation of time between proponents and opponents.

Written statements, in lieu of oral testimony, may be submitted for inclusion in the record. The public is encouraged to submit written testimony through the Interactive Zoning Information System (IZIS) at <http://app.dcoz.dc.gov/Login.aspx>; however, written statements may also be submitted by mail to 441 4<sup>th</sup> Street, N.W., Suite 200-S, Washington, DC 20001; by e-mail to [zcsubmissions@dc.gov](mailto:zcsubmissions@dc.gov); or by fax to (202) 727-6072. Please include the case number on your submission. **FOR FURTHER INFORMATION, YOU MAY CONTACT THE OFFICE OF ZONING AT (202) 727-6311.**

**ANTHONY J. HOOD, MARCIE I. COHEN, ROBERT MILLER, PETER G. MAY, AND MICHAEL G. TURNBULL ----- ZONING COMMISSION FOR THE DISTRICT OF COLUMBIA, BY SARA A. BARDIN, DIRECTOR, AND BY SHARON S. SCHELLIN, SECRETARY TO THE ZONING COMMISSION.**



**ZONING COMMISSION FOR THE DISTRICT OF COLUMBIA  
NOTICE OF PUBLIC HEARING**

**TIME AND PLACE:** **Thursday, May 21, 2015, @ 6:30 p.m. – 2<sup>nd</sup> Case  
Jerrily R. Kress Memorial Hearing Room  
441 4<sup>th</sup> Street, N.W., Suite 220-S  
Washington, D.C. 20001**

**FOR THE PURPOSE OF CONSIDERING THE FOLLOWING:**

**Z.C. Case No. 14-21 (Barry Place Partners, LLC – Consolidated PUD and Related Map Amendment @ Square 2882, Lots 742-769, 1034, 1038, and 1039)**

**THIS CASE IS OF INTEREST TO ANC 1B**

On November 7, 2014, the Office of Zoning received an application from Barry Place Partners, LLC (the "Applicant") requesting approval of a consolidated planned unit development ("PUD") and related zoning map amendment from the R-5-B Zone District to the C-2-B Zone District for Lots 742-769, 1034, 1038, and 1039 in Square 2882 (the "Property"). The Office of Planning submitted a report to the Zoning Commission, dated December 31, 2014. At its January 12, 2015 public meeting, the Zoning Commission voted to set down the application for a public hearing. The Applicant provided its prehearing statement on March 2, 2015.

The Property that is the subject of this application consists of 30 lots located at the northeast corner of the intersection of Sherman Avenue and Barry Place, N.W. The Property is currently improved with a vacant warehouse building; six row dwellings along Sherman Avenue; and a surface parking lot that extends from 9<sup>th</sup> Street to Sherman Avenue. The Property has a lot area of approximately 1.35 acres and is within the boundaries of Advisory Neighborhood Commission ("ANC") 1B.

The proposed project is a six-story, mixed-use residential building with ground floor retail and residential units both at grade and floors two through six above. The project will include approximately 233,599 square feet of residential floor area generating approximately 319 dwelling units (plus or minus 10%). The mix of units contemplates 14 units oriented as flats fronting on Barry Place; six two-story units fronting on 9<sup>th</sup> Street; and approximately 299 multi-family apartment units on levels two through six of the building. Approximately 11,517 square feet of retail space will extend along Sherman Avenue. The project will have an overall density of 5.0 floor area ratio ("FAR"), of which 0.2 FAR will be devoted to retail use, and a maximum building height of 80 feet. A minimum of 144 vehicle parking spaces will be provided on two levels of on-site parking.

This public hearing will be conducted in accordance with the contested case provisions of the Zoning Regulations, 11 DCMR § 3022.

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**How to participate as a witness.**

Interested persons or representatives of organizations may be heard at the public hearing. The Commission also requests that all witnesses prepare their testimony in writing, submit the written testimony prior to giving statements, and limit oral presentations to summaries of the most important points. The applicable time limits for oral testimony are described below. Written statements, in lieu of personal appearances or oral presentation, may be submitted for inclusion in the record.

**How to participate as a party.**

Any person who desires to participate as a party in this case must so request and must comply with the provisions of 11 DCMR § 3022.3.

A party has the right to cross-examine witnesses, to submit proposed findings of fact and conclusions of law, to receive a copy of the written decision of the Zoning Commission, and to exercise the other rights of parties as specified in the Zoning Regulations. If you are still unsure of what it means to participate as a party and would like more information on this, please contact the Office of Zoning at [dcoz@dc.gov](mailto:dcoz@dc.gov) or at (202) 727-6311.

Except for the affected ANC, any person who desires to participate as a party in this case must clearly demonstrate that the person's interests would likely be more significantly, distinctly, or uniquely affected by the proposed zoning action than other persons in the general public. Persons seeking party status **shall file with the Commission, not less than 14 days prior to the date set for the hearing, a Form 140 – Party Status Application, a copy of which may be downloaded from the Office of Zoning's website at:** <http://dcoz.dc.gov/services/app.shtm>. This form may also be obtained from the Office of Zoning at the address stated below.

**If an affected Advisory Neighborhood Commission (ANC) intends to participate at the hearing, the ANC shall submit the written report described in § 3012.5 no later than seven (7) days before the date of the hearing. The report shall contain the information indicated in § 3012.5 (a) through (i).**

All individuals, organizations, or associations wishing to testify in this case are encouraged to inform the Office of Zoning their intent to testify prior to the hearing date. This can be done by mail sent to the address stated below, e-mail ([donna.hanousek@dc.gov](mailto:donna.hanousek@dc.gov)), or by calling (202) 727-0789.

The following maximum time limits for oral testimony shall be adhered to and no time may be ceded:

- |    |                                  |                         |
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| 1. | Applicant and parties in support | 60 minutes collectively |
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| 4. | Individuals                      | 3 minutes each          |

Z.C. NOTICE OF PUBLIC HEARING  
Z.C. CASE NO. 14-21  
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Pursuant to § 3020.3, the Commission may increase or decrease the time allowed above, in which case, the presiding officer shall ensure reasonable balance in the allocation of time between proponents and opponents.

Written statements, in lieu of oral testimony, may be submitted for inclusion in the record. The public is encouraged to submit written testimony through the Interactive Zoning Information System (IZIS) at <http://app.dcoz.dc.gov/Login.aspx>; however, written statements may also be submitted by mail to 441 4<sup>th</sup> Street, N.W., Suite 200-S, Washington, DC 20001; by e-mail to [zcsubmissions@dc.gov](mailto:zcsubmissions@dc.gov); or by fax to (202) 727-6072. Please include the case number on your submission. **FOR FURTHER INFORMATION, YOU MAY CONTACT THE OFFICE OF ZONING AT (202) 727-6311.**

**ANTHONY J. HOOD, MARCIE I. COHEN, ROBERT E. MILLER, PETER G. MAY, AND MICHAEL G. TURNBULL ----- ZONING COMMISSION FOR THE DISTRICT OF COLUMBIA, BY SARA A. BARDIN, DIRECTOR, AND BY SHARON S. SCHELLIN, SECRETARY TO THE ZONING COMMISSION.**

## OFFICE OF DOCUMENTS AND ADMINISTRATIVE ISSUANCES

ERRATA NOTICE

The Administrator of the Office of Documents and Administrative Issuances (ODAI), pursuant to the authority set forth in Section 309 of the District of Columbia Administrative Procedure Act, approved October 21, 1968, as amended (82 Stat. 1203; D.C. Official Code § 2-559 (2012 Repl.)), hereby gives notice of corrections to the Notice of Final Rulemaking issued by the Executive Director of the District of Columbia Lottery and Charitable Games Control Board, and published in the *D.C. Register* on March 6, 2015 at 62 DCR 2768.

The final rulemaking amended Chapter 7 (Instant Games) of Title 30 (Lottery and Charitable Games) of the District of Columbia Municipal Regulations (DCMR). Subsection 700.23 mistakenly cross-referenced an incorrect subsection in the same chapter. The correction to the final rulemaking is illustrated by showing the deleted word in strike-through text and added the correct cross-reference as underlined text.

700.23            The Agency has the right to force settle instant tickets before the settlement date or time described in § ~~700.20~~ 700.22 of this subsection.

This Errata Notice's correction to the Notice of Final Rulemaking is non-substantive in nature and does not alter the intent, application, or purpose of the proposed rules. The rules are effective upon the original publication date of March 6, 2015.

Any questions or comments regarding this notice shall be addressed by mail to Victor L. Reid, Esq., Administrator, Office of Documents and Administrative Issuances, 441 4<sup>th</sup> Street, N.W., Suite 520 South, Washington, D.C. 20001, email at [victor.reid@dc.gov](mailto:victor.reid@dc.gov), or via telephone at (202) 727-5090.

OFFICE OF THE ATTORNEY GENERAL

NOTICE OF PROPOSED RULEMAKING

The Attorney General for the District of Columbia, pursuant to Sections 27c(a)(7)(A)(ii), (c), and (i) and 28 of the District of Columbia Child Support Enforcement Amendment Act of 1985 (Act), effective April 3, 2001 (D.C. Law 13-269; D.C. Official Code §§ 46-226.03(a)(7)(A)(ii), (c), and (i) and 46-227), and Mayor’s Order 2007-42, (dated January 19, 2007), hereby gives notice of his intent to adopt the following new Chapter 122 of Title 29 (Public Welfare) of the District of Columbia Municipal Regulations (DCMR), entitled “Child Support Lien Program,” in not less than thirty (30) days from the date of publication of this notice in the *D.C. Register*.

The proposed rulemaking will implement the authority of the Office of the Attorney General under Section 27c of the Act to enforce child support orders by intercepting and seizing insurance settlements owed to obligors.

**Title 29 DCMR, PUBLIC WELFARE, is amended by adding a new Chapter 122 to read as follows:**

**CHAPTER 122 CHILD SUPPORT LIEN PROGRAM**

Secs.

- 12201 Scope
- 12202 Settlement Funds Subject to Lien
- 12203 Lien Criteria
- 12204 Filing the Lien
- 12205 Levy Process
- 12206 Agency Review
- 12207 Administrative Hearing
- 12208 Appeal Procedure
- 12209 Confidentiality
- 12299 Definitions

**12201 SCOPE**

12201.1 The purpose of this chapter is to regulate the Child Support Lien Program (CSLP). The program will identify and levy settlement funds belonging to child support obligors to satisfy their support arrearages.

The Child Support Services Division (CSSD) of the Office of the Attorney General for the District of Columbia (OAG) shall be responsible for the implementation of this chapter, which shall apply to obligors and insurers.

**12202 SETTLEMENT FUNDS SUBJECT TO LIEN**

12202.1 CSSD shall submit District of Columbia Child Support Enforcement System (DCCSES) files to the Child Support Lien Network (CSLN) to identify obligors with overdue support who are entitled to settlement funds from insurers and meet the criteria for a lien stated in § 12203.

**12203 LIEN CRITERIA**

12203.1 Settlement funds identified through a CSSD data match with CSLN shall be subject to the filing of a lien when:

- (a) There is an active child support case;
- (b) The child support order has accumulated arrears greater than or equal to five hundred dollars (\$500); and
- (c) The child support obligor resides or owns property in the District at the time the funds are identified.

**12204 FILING THE LIEN**

12204.1 If a CSLN data match establishes that an obligor is entitled to settlement funds on a personal injury or workers' compensation claim and CSSD determines that these funds are subject to a lien under § 12203, CSSD shall file the lien with the Recorder of Deeds in the District of Columbia.

**12205 LEVY PROCESS**

12205.1 Once CSSD has filed the Lien with the Recorder of Deeds, CSSD shall:

- (a) Serve the insurer with a Notice of Lien, which shall indicate the amount of arrears owed by the obligor and direct the insurer to:
  - (1) Levy the funds in the amount of arrears owed by the obligor as stated in the Notice of Lien; and
  - (2) Remit the levied funds to CSSD's Child Support Clearinghouse; and
- (b) Send a copy of the Notice of Lien by first class mail to the obligor's last known address of record. The notice shall inform the obligor of the right to object to the Notice of Lien by requesting an agency review with CSSD or an administrative hearing with the Office of Administrative Hearings

(OAH).

12205.2 Upon receipt of the levied funds, CSSD shall retain the funds for sixty (60) days from the date of the Notice of Lien to provide the obligor with an opportunity to request either an agency review or an administrative hearing before OAH, or both.

12205.3 If the obligor does not request an agency review or an administrative hearing before OAH, CSSD shall remit the levied funds to the obligee at the conclusion of the sixty (60) day period.

## **12206 AGENCY REVIEW**

12206.1 An obligor whose funds are subject to a lien may request an agency review within fifteen (15) days from the date of the Notice of Lien. The obligor may request the agency review by informing CSSD of his or her objections to the Notice of Lien by phone, in person, or in writing. The obligor shall not use e-mail to transmit written objections.

12206.2 Grounds for contesting the Notice of Lien include:

- (a) The Notice of Lien was issued to the wrong person;
- (b) The obligor did not reside or own property in the District of Columbia at the time that the funds were identified;
- (c) The arrears are incorrect because of a failure to account for all child support payments, an incorrect computation of the balance due, or a failure to give effect to a prior suspension or modification of the support obligation; or
- (d) The existence of an affirmative defense to enforcement of the judgment authorized by applicable law.

12206.3 Neither the support order nor the underlying money judgment may be modified in response to an obligor's contest of the Notice of Lien.

12206.4 Upon receipt of a request for an agency review from an obligor, CSSD shall review the case and notify the obligor in writing of the agency's decision within ten (10) days of the date the request for review was received by CSSD.

12206.5 At the conclusion of the agency review, CSSD shall:

- (a) Release the Notice of Lien, and notify the insurer and obligor that the lien has been released, and return the funds to the obligor; or

- (b) Adjust arrearages and return any overpayment to the obligor if obligor demonstrates that the arrearages are incorrect because of a failure to account for all child support payments, an incorrect computation of the balance due, or a failure to give effect to a prior suspension or modification of the support obligation. After the adjustment, CSSD shall file with the Recorder of Deeds a new Notice of Lien reflecting the updated arrearage balance and send a copy of the new Notice of Lien to the obligor and the insurer; or
- (c) Inform the obligor of CSSD's intent to retain levied funds and the obligor's right to request an administrative hearing with OAH.

## **12207 ADMINISTRATIVE HEARING**

- 12207.1 Regardless of whether the obligor has sought agency review of the Notice of Lien, the obligor may seek legal review of the agency's action by requesting an administrative hearing with OAH within sixty (60) days from the date of the Notice of Lien.
- 12207.2 Grounds for contesting the Notice of Lien before OAH shall be the same as the grounds stated in § 12206.02.
- 12207.3 Notice of the right to an administrative hearing shall be included with the Notice of Lien.
- 12207.4 The request for administrative hearing shall be made in writing, and remitted either by mailing, faxing, or delivering it to OAH. The hearing request must be received by OAH within sixty (60) days after the date of the Notice of Lien. The obligor may not request the hearing via e-mail.
- 12207.5 If the obligor requests an administrative hearing, CSSD shall retain the levied funds until a decision is rendered by the administrative law judge. After the decision is rendered, CSSD shall either disburse the levied funds to the obligor or the obligee as required by the Court's order.
- 12207.6 After all arrearages owed by obligor are satisfied, or the Court finds that the Notice of Lien is inappropriate, CSSD shall file a Release of Lien with the Recorder of Deeds for the District of Columbia, and notify CSLN and the obligor that the lien has been released.

## **12208 APPEAL PROCEDURE**

- 12208.1 The obligor may seek judicial review of the administrative hearing decision at the D.C. Court of Appeals in accordance with Section 11 of the District of Columbia Administrative Procedure Act, approved October 21, 1968 (82 Stat. 1209; D.C.



Official Code § 2-510) and Section 19 of the Office of Administrative Hearings Establishment Act of 2001, effective March 6, 2002 (D.C. Law 14-76; D.C. Official Code § 2-1831.16).

12208.2 If the Court of Appeals reverses OAH's order denying the obligor's objections to the Notice of Lien, CSSD shall credit the obligor's child support obligation for the amount that was distributed, or send payment to the obligor as required by the Court's order.

## 12209 CONFIDENTIALITY

CSSD shall maintain the confidentiality of information and records concerning an obligor's financial information and shall only release information or records as permitted by applicable provisions of District or federal law.

## 12299 DEFINITIONS

The following terms and phrases shall have the meanings ascribed here:

**Arrears** – past due child support payments.

**Child Support Lien Network (CSLN)** – a national database that is matched daily with personal injury and workers' compensation claims registered by insurers with the ISO ClaimSearch database to identify obligors with child support arrears who are awaiting settlement of personal injury and workers' compensation claims.

**Data match** – the process of comparing customers with insurance claims in the Child Support Lien Network against CSSD's caseload consisting of obligors who have a child support case and owe arrears.

**District of Columbia Child Support Enforcement System (DCCSES)** – the automated system used by CSSD to manage child support cases.

**Levy** – the seizure of a debtor's specific asset or property to satisfy a judgment, debt, or claim.

**Lien** – a qualified right to property which a creditor has in or over specific real or personal property of a debtor as security for the debt.

**Notice of Lien** -- a document that states the CSSD's secured interest in the obligor's settlement funds after the lien has been filed with the Recorder of Deeds.

**Obligee** – the person or entity that is entitled to receive child support pursuant to a court or administrative order.

**Obligor** – a person who is required pay child support pursuant to a court or administrative order.

**Release of Lien** – a document that relinquishes the encumbrance of the obligor's property or settlement funds created by the Notice of Perfected Lien.

**Settlement funds** – an award of money damages paid by an insurer to a claimant to indemnify or make claimant whole after injury.

**Workers' Compensation** – benefit paid to employee who is injured or killed as a result of or in the course of employment.

All persons desiring to comment on the subject matter of this proposed rulemaking should file comments in writing within thirty (30) days after the date of publication of this notice in the *D.C. Register*. Hand-delivered comments should be delivered, and mailed comments should be postmarked, no later than thirty (30) days after publication of this notice in the *D.C. Register*. Comments should be filed with Magda Benfield, Trial Attorney, Office of the Attorney General, Child Support Services Division, 441 4th Street N.W., Suite 550N, Washington, DC 20001. Copies of these proposed rules may be obtained without charge at this address. Questions should be directed to Magda Benfield at (202) 724-2131 or [Magda.Benfield@dc.gov](mailto:Magda.Benfield@dc.gov).

**DISTRICT DEPARTMENT OF TRANSPORTATION****NOTICE OF PROPOSED RULEMAKING**

The Director of the District Department of Transportation (DDOT), pursuant to the authority set forth in Sections 5(3)(D) (allocating and regulating on-street parking and curb regulations) and 6(c) (transferring to the Department the authority and function to make traffic rules and regulations previously delegated to the Department of Public Works under Section IV(A) of the Reorganization Plan No. 4 of 1983, the Department of Transportation under Section IV(G) of Reorganization Plan No. 2 of 1975, and the Director of Highways and Traffic under Commissioner Order No. 68-554) of the Department of Transportation Establishment Act of 2002, effective May 21, 2002 (D.C. Law 14-137; D.C. Official Code §§ 50-921.04(3)(D) and 50-921.05(c) (2014 Repl.)), hereby gives notice of this proposed action to adopt rules that amend Chapters 22 (Moving Violations), 24 (Stopping, Standing, Parking, and Other Non-Moving Violations), 26 (Civil Fines for Moving and Non-Moving Infractions), 40 (Traffic Signs and Restrictions at Specific Locations), and 99 (Definitions) of Title 18 of the District of Columbia Municipal Regulations (DCMR).

The proposed regulations clarify the operation and enforcement of bus lanes in the District of Columbia. The regulations will prescribe authorized users, enforcement times, and violations and associated penalties for moving and non-moving violations by unauthorized vehicles of the bus lanes. Regulations pertaining to “play streets” are clarified and the term “local access streets” is defined. Additionally, errata changes are made to remove expired provisions referencing the Adams Morgan Taxicab Zone.

**Title 18 DCMR, VEHICLES AND TRAFFIC, is amended as follows:**

**Chapter 22, MOVING VIOLATIONS, is amended as follows:**

**Section 2217, CLOSED STREETS, PLAY STREETS, BUS STREETS, BUS RESTRICTED STREETS, is amended to read as follows:**

**2217           CLOSED STREETS, LOCAL ACCESS STREETS, PLAY STREETS, BUS LANES, AND BUS RESTRICTED STREETS**

2217.1       Whenever authorized signs are erected indicating a street or portion of a street is a local access street, no person shall drive a vehicle upon such street or portion of the street except drivers of vehicles whose destination or origin is on or within two (2) blocks of such street or portion of the street.

2217.2       No person shall drive a vehicle on a street that has been designated a play street or closed to vehicular traffic except as specifically permitted by an official traffic control device.

- 2217.3 No person shall drive any vehicle across or over any public street at which there is an official barrier, sign, or authorized person indicating that the street is closed, except as otherwise provided.
- 2217.4 When the driving of a vehicle on a street described in §§ 2217.1, 2217.2, or 2217.3 is authorized, the maximum speed at which a person shall drive a vehicle shall be fifteen (15) miles per hour.
- 2217.5 No vehicle shall travel on those portions of streets designated as bus lanes by pavement markings or signage, except:
- (a) transit buses, tour buses, charter buses, and school buses;
  - (b) taxicabs that are in active passenger service;
  - (c) bicycles except pedicabs;
  - (d) paratransit service vehicles;
  - (e) authorized emergency vehicles; or
  - (f) as provided in § 2217.6.
- 2217.6 A vehicle may enter a designated bus lane within forty feet (40 ft.) of an intersection or driveway, to engage in a turn at that intersection or driveway.
- 2217.7 Whenever authorized signs are erected to restrict buses from a street or portion of street, no person shall operate a bus upon such street or portion of the street at any time except as specifically directed to do so by a police officer or other law enforcement or public safety official or by an official traffic control device.

**Chapter 24, STOPPING, STANDING, PARKING, AND OTHER NON-MOVING VIOLATIONS, is amended as follows:**

**Section 2405, STOPPING, STANDING, OR PARKING PROHIBITED: NO SIGN REQUIRED, is amended as follows:**

**Subsection 2405.1 is amended as follows:**

**Paragraph (h)(3) is amended by striking the word “or” at the end.**

**Paragraph (i) is amended by striking the period at the end and inserting the phrase “; or” in its place.**

**A new paragraph (j) is added to read as follows:**

- (j) In a bus lane.

**Section 2409, RESTRICTED USE OF VALET PARKING, VALET STAGING, BUS, TAXICAB, AND SIGHTSEEING ZONES AND STANDS, is amended to read as follows:**

**2409 RESTRICTED USE OF VALET STAGING ZONES, TAXICAB STANDS, AND PUBLIC TRANSIT BUS STOPS, ZONES, AND STANDS**

2409.1 The Director may:

- (a) Prohibit parking and/or standing at public transit bus stops, zones, and stands; taxicab stands; and valet staging zones;
- (b) Determine the dimensions of the area where parking and/or standing at such stops, zones, and stands will be prohibited; and
- (c) Erect signs designating the areas where such parking and/or standing are prohibited.

2409.2 At locations where a bus stop sign is posted by WMATA or DC Circulator, but signs restricting parking at the bus stop are not posted, there shall be no parking or standing by vehicles other than a bus within eighty feet (80 ft.) of the approach side of a bus stop sign; provided, that a vehicle may stop momentarily to pick up or discharge a passenger or passengers; provided further, that the loading or unloading of materials is prohibited.

2409.3 Except as provided in Subsection 2409.4, no person shall stand or park a vehicle in a valet staging zone unless authorized to do so; in a public transit bus stop, zone, or stand, other than a public transit bus authorized to use the bus stop, zone, or stand; or in a taxicab stand, other than a taxicab authorized to use the taxicab stand.

2409.4 A driver of a passenger vehicle may stand in an area described in § 2409.3 for the purpose of and while actually picking up or discharging passengers, as long as such standing does not interfere with any vehicle, public transit bus, or taxicab, about to enter or exit the stop, stand, or zone designated for the use of such vehicle.

2409.5 The driver of a vehicle stopping in a stand, stop, or zone designated for public transit buses, taxicabs, or valet staging in accordance with § 2409.4, shall at all times remain with his or her vehicle.

2409.6 The prohibition against parking or standing at stops, zones, and stands designated for public transit buses, taxicabs, or valet staging shall be effective at all times, unless a less restricted time period is designated by an official sign.

**Section 2418, MISCELLANEOUS NON-MOVING VIOLATIONS, is amended as follows:**

**Subsection 2418.8 is added to read as follows:**

2418.8 No person shall stop, stand, or park a vehicle on a street that has been designated a play street or closed to vehicular traffic except as specifically directed to do so by a police officer or other law enforcement or public safety official or by an official traffic control device.

**Chapter 26, CIVIL FINES FOR MOVING AND NON-MOVING INFRACTIONS is amended as follows:**

**Section 2600, CIVIL FINES FOR MOTOR VEHICLE MOVING INFRACTIONS is amended as follows:**

**The following category, infraction and fine are added after Bumper: Unsafe bumper [ §§ 733.5, 733.6]:**

Bus lane		
Unauthorized vehicle driving in a	[ §§ 2217.5,	
4006.1]		\$200.00

**The following category, infraction and fine are repealed:**

No bus streets		
Driving through [ § 2217.8]		\$150

**Section 2601, PARKING AND OTHER NON-MOVING INFRACTIONS, is amended as follows:**

**The following infraction and fine are added before Bus stand or zone [ § 2409.3]:**

Bus lane, unauthorized vehicle parked in [ § 2405.1(j)]	\$ 200.00
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**The infraction labeled “Taxicab, bus, sightseeing or other vehicle for hire on stand, driver not within 5 feet of [ § 2409.4]” is amended to read as follows:**

Taxicab, bus, or other vehicle for hire on stand, driver not with [ § 2409.5]

**Chapter 40, TRAFFIC SIGNS AND RESTRICTIONS AT SPECIFIC LOCATIONS is amended as follows:**

**Section 4006, BUS STREETS, is repealed.**

**Chapter 99, DEFINITIONS is amended as follows:**

**Section 9901, DEFINITIONS is amended to read as follows:**

**The following definition is added after the definition of “Bus”:**

**Bus lane** - a lane of a roadway designated for the exclusive use of public transit buses and other authorized users as defined in §2217.5.

**The following definition is added after the definition of “Loading Zone”:**

**Local access street** – a street or portion of a street designated for access only to drivers of vehicles whose destination or origin is on or within two (2) blocks of such street or portion of the street.

**The following definition is added after the definition of “Owner”**

**Paratransit service vehicle** – a vehicle used as part of a demand response service of transporting individuals unable to use fixed route transit buses, including services provided by public entities, nonprofits, and private providers.

**The following definition is added after the definition of “Personal Mobility Device”**

**Play street** - a street or portion of a street closed to traffic and parking for a specified amount of time so as to provide a space for school age children to participate in recreational activities.

**The following definition is added after the definition of “Public Space”:**

**Public transit bus** - a bus operated by WMATA or DC Circulator, which provides general transit service to the public on a regular and continuing basis, including but not limited to Metrobuses, Circulator buses, commuter buses, and intercity buses. The term “public transit bus” does not include buses that provide restricted service to a specific group of individuals or destination.

All persons interested in commenting on the subject matter in this proposed rulemaking may file comments in writing, not later than thirty (30) days after the publication of this notice in the *D.C. Register*, with Samuel D. Zimbabwe, Associate Director, District Department of Transportation, 55 M Street, S.E., 5th Floor, Washington, D.C. 20003. An interested person may also send comments electronically to [publicspace.policy@dc.gov](mailto:publicspace.policy@dc.gov). Copies of this proposed rulemaking are available, at cost, by writing to the above address, and are also available electronically, at no cost, on the District Department of Transportation’s website at [www.ddot.dc.gov](http://www.ddot.dc.gov).

## OFFICE OF DOCUMENTS AND ADMINISTRATIVE ISSUANCES

ERRATA NOTICE

The Administrator of the Office of Documents and Administrative Issuances (ODAI), pursuant to the authority set forth in Section 309 of the District of Columbia Administrative Procedure Act, approved October 21, 1968, as amended (82 Stat. 1203; D.C. Official Code § 2-559 (2012 Repl.)), hereby gives notice of corrections to the Notice of Emergency Rulemaking issued by the Director of the District of Columbia Department of Consumer and Regulatory Affairs and published in the *D.C. Register* on February 27, 2015 at 62 DCR 2598.

The emergency rulemaking amends Sections 3306 and 3309 of Chapter 33 (Department of Consumer & Regulatory Affairs (DCRA) Infractions), and Section 3401 of Chapter 34 (Fire and Emergency Medical Services (EMS) Department Infractions), of Title 16 (Consumers, Commercial Practices, and Civil Infractions) of the District of Columbia Municipal Regulations (DCMR), in order to address a gap in the enforcement of compliance with the District of Columbia Construction Code Supplements of 2013 (the “2013 Construction Codes”), adopted March 28, 2014 (61 DCR 2782). The fourth paragraph of the Notice preamble mistakenly listed the adoption and expiration dates in 2014 instead of 2015.

The paragraph is amended to read as follows, with the correction in underlined text:

This emergency rulemaking was adopted on January 23, 2015, to become effective immediately. This emergency rulemaking will remain in effect for up to one hundred twenty (120) days from the date of effectiveness. The rules will expire on May 23, 2015.

This Errata Notice’s correction to the Notice of Emergency Rulemaking is non-substantive in nature and does not alter the intent, application, or purpose of the proposed rules.

Any questions or comments regarding this notice shall be addressed by mail to Victor L. Reid, Esq., Administrator, Office of Documents and Administrative Issuances, 441 4<sup>th</sup> Street, N.W., Suite 520 South, Washington, D.C. 20001, email at [victor.reid@dc.gov](mailto:victor.reid@dc.gov), or via telephone at (202) 727-5090.



## DEPARTMENT OF HUMAN SERVICES

**NOTICE OF FOURTH EMERGENCY RULEMAKING**

The Acting Director of the Department of Human Services (Department), pursuant to the authority set forth in Sections 7(e) and 31 of the Homeless Services Reform Act of 2005 (HSRA), effective October 22, 2005 (D.C. Law 16-35; D.C. Official Code §§ 4-753.01(e) and 4-756.02 (2012 Repl.)), and pursuant to Mayor's Order 2006-20, dated February 13, 2006, and Mayor's Order 2007-80, dated April 2, 2007, hereby gives notice of the adoption of the following new Chapter 78 of Title 29 (Public Welfare) of the District of Columbia Municipal Regulations, entitled "Family Re-Housing and Stabilization Program" as an emergency rulemaking to become effective immediately.

The purpose of the new chapter is to establish rules to administer the District of Columbia's Family Re-Housing and Stabilization Program (FRSP). FRSP will provide District residents with financial assistance for purposes of helping them to become rehoused. FRSP is available for up to twelve (12) months and may include assistance with security deposits, move-in costs, time-limited rental subsidies, and utility cost, in accordance with the family's approved budget plan.

These rules were first published as emergency and proposed in the *D. C. Register* on July 27, 2012, at 59 DCR 8831 [EXPIRED]. Emergency rules were subsequently published on January 18, 2013, at 60 DCR 415 [EXPIRED]. A Second Notice of Emergency Rulemaking was published on May 31, 2013, at 60 DCR 7631 [EXPIRED]. The Department then published the Notice of Second Emergency and Proposed Rulemaking on June 27, 2014, at 61 DCR 6562 [EXPIRED]. In accordance with Section 31 of the HSRA, the Department submitted the proposed rules to the Council of the District of Columbia (Council) for review. The Council's forty-five (45)-day review period expired on October 31, 2014, and they were deemed approved at that time. *See* PR 20-898. The Department most recently published the Notice of Third Emergency Rulemaking on November 14, 2014, at 61 DCR 11889. The emergency rules expired on January 30, 2015; thereby, necessitating these emergency rules.

Emergency rulemaking action, pursuant to Section 6(c) of the District of Columbia Administrative Procedure Act, approved October 21, 1968 (82 Stat. 1206; D.C. Official Code § 2-505(c) (2012 Repl.)), is necessary so as to allow the Department to continue to operate the FRSP Program as the agency continues to review the comments it received in response to previous proposed rulemakings, and to finalize the proposed rules. Therefore, taking emergency action under these circumstances will promote the immediate preservation of the health, safety, and welfare of homeless District residents by permitting the Department to continue to support their rapid return to permanent housing. These emergency rules are substantively identical to the emergency rules published on November 14, 2014 at 61 DCR 11889.

The emergency rules were adopted on February 12, 2015, and went into effect at that time. The emergency rules shall expire on June 12, 2015, one hundred twenty (120) days from the effective date of these emergency rules, or upon publication of a Notice of Final Rulemaking in the *D.C. Register*, whichever occurs first.

**Add the following new Chapter 78, FAMILY RE-HOUSING AND STABILIZATION PROGRAM, to Title 29 DCMR, PUBLIC WELFARE, to read as follows:**

**CHAPTER 78            FAMILY RE-HOUSING AND STABILIZATION PROGRAM**

**7800            SCOPE**

- 7800.1            The purpose of the Family Re-Housing and Stabilization Program (“FRSP” or “Program”) is to provide assistance to rapidly re-house families who are homeless and have the capacity to quickly achieve stable housing independent of FRSP assistance.
- 7800.2            The provisions of this chapter shall provide the application process, eligibility criteria, assistance determination, and appeal procedures for the Program.
- 7800.3            Nothing in these rules shall be interpreted to mean that FRSP assistance is an entitlement. This Program shall be subject to annual appropriations and the availability of funds.
- 7800.4            The Department of Human Services (Department) may execute contracts, grants, and other agreements as necessary to carry out the Program.

**7801            APPLICATION PROCESS**

- 7801.1            Each FRSP application shall be in writing on a form prescribed by the Department and signed by the applicant, under the penalty of perjury. An authorized representative may apply on behalf of the applicant, if the applicant provides a written and signed statement stating why he or she cannot apply in person and the name and address of the person authorized to act on his or her behalf. If the applicant is married or in a domestic partnership and living with his or her spouse or domestic partner, both persons shall sign the application.
- 7801.2            If requested by an applicant with a disability, or the authorized representative of an applicant with a disability, the Provider shall assist such applicant or authorized representative with any aspect of the application process necessary to ensure that the applicant with a disability has an equal opportunity to submit an application.
- 7801.3            The Department shall provide application forms, and the Provider shall accept applications from each applicant who requests assistance.
- 7801.4            At the time of application, each applicant shall be provided with a clear, concise, written notice about the program, and shall be required, personally or through an authorized representative, to sign a document acknowledging receipt of this

notice. This notice shall contain a description of the program, the Provider's responsibilities, the applicant's rights and responsibilities, and the program requirements, including that receipt of FRSP assistance is conditioned upon:

- (a) Selecting an FRSP-approved housing unit in a timely manner;
- (b) Completing the steps necessary to lease and move into an FRSP-approved housing unit within thirty (30) days of the date of the Notice of Eligibility, absent a good cause reason for the delay. For purposes of this section, "good cause" shall include delays caused by actions or inactions of persons outside of the applicant's control; and
- (3) Signing the FRSP Notice of Rental Subsidy Terms and Conditions form and FRSP Program Rules.

7801.5 As part of the application process, all applicants, personally or through an authorized representative, shall sign a release form authorizing the Provider to obtain or verify information necessary for processing the application.

7801.6 Each applicant shall cooperate fully in establishing his or her eligibility, including the basis of the applicant's homelessness and how the household reasonably expects to be able to sustain housing independent of the Program at the end of FRSP assistance period. This shall include, but not be limited to, providing documentation or collateral proof of:

- (a) Household composition;
- (b) Employment status and employment history;
- (c) Income and assets;
- (d) Household expenses;
- (e) Facts and circumstances surrounding homelessness, including rental and other relevant housing history;
- (f) Financial and other assets available or obtainable in the short and long term to support housing stability;
- (g) Facts and circumstances surrounding financial and other barriers to housing stability; and
- (h) Facts and circumstances surrounding work experience, education, or training that can contribute to the household's ability to meet its housing costs by the end of the Program period.

7801.7 The Provider shall give to each applicant a written request specifying the information needed to complete the application, and the Provider shall discuss with the applicant how to obtain the information. The application shall be considered complete when all required information is furnished to the Provider. A documentation requirement may be waived provided the applicant signs a declaration containing the necessary information.

7801.8 The Provider may use, among other things, documents, telephone conversations, personal and collateral interviews, reports, correspondence, and conferences to verify applicant information.

7801.9 An application may be considered abandoned if the applicant has not obtained and provided to the Provider the required information for eligibility determination within thirty (30) calendar days of the date of application.

## **7802 APPLICANT UNIT**

7802.1 The applicant unit shall be composed of each individual who lives in the same household and whose needs, assets, and income are combined to determine eligibility.

7802.2 The applicant unit shall include:

- (a) Persons related by full or half blood;
- (b) Persons related by legal adoption;
- (c) Persons related by marriage or domestic partnership, including stepchildren and unmarried parents of a common child who live together; and
- (d) Persons with a legal responsibility for an unrelated minor child or an unrelated adult with a disability.

7802.3 The applicant unit may include any person not included by § 7802.2, regardless of blood relationship, age, or marriage, whose history and statements reasonably tend to demonstrate that the individuals intend to remain together as a family unit.

7802.4 A person temporarily away from home due to employment, hospitalization, vacation, or a visit shall be considered to be living in the household. A minor child who is away at school is considered to be living in the household, if he or

she returns to the home on occasional weekends, holidays, school breaks, or during summer vacations.

### **7803 ELIGIBILITY CRITERIA**

7803.1 An applicant shall be eligible to receive FRSP assistance if the applicant unit is a family, as defined in § 7899, that:

- (a) Is currently homeless, because the applicant:
  - (1) Lacks a fixed, regular residence that provides safe housing, and lacks the financial means to acquire such a residence immediately, including any individual or family who is fleeing, or is attempting to flee, domestic violence and who has no other residence and lacks the resources and support networks to obtain safe housing; or
  - (2) Has a primary nighttime residence that is:
    - (A) A supervised publicly or privately operated shelter or transitional housing facility designed to provide temporary living accommodations; or
    - (B) A public or private place not designed for, or ordinarily used as, a regular sleeping accommodation for human beings; and
  - (3) Has no other housing options identified;
- (b) Is a resident of the District of Columbia as defined by Section 2 of the HSRA (D.C. Law 16-35; D.C. Official Code § 4-751.01(32)); and
- (c) Demonstrates that there is a reasonable expectation that the applicant will have the financial capacity to pay the full rental amount at the end of the FRSP assistance period. Failure to demonstrate that the household will be reasonably likely to sustain stable housing following FRSP assistance may result in a denial of eligibility. Relevant factors for determining whether a household can reasonably be expected to have the financial means to pay the full rental costs following FRSP assistance include, but are not limited to:
  - (1) Current income;
  - (2) Expected future income;

- (3) Rental history;
- (4) Employment history;
- (5) Employment potential based on job skills, certifications, or participation in a training or employment program;
- (6) Previous receipt of emergency rental assistance, including Emergency Rental Assistance Program or Homelessness Prevention and Rapid Re-Housing Program assistance within the last eighteen (18) months, whether applying for the same or a different financial assistance;
- (7) Assessment on a uniform tool as selected by the Department, such as the Service Prioritization Decision Assistance Tool, that identifies Rapid Re-Housing as the appropriate housing assistance option given the acuity of needs; or
- (8) Identification by the District of Columbia Housing Authority (DCHA) or other subsidized housing provider, as a household that is reasonably likely to receive DCHA or other subsidized housing within approximately twelve (12) months.

7803.2 Eligible applicants or recipients that are subject to sanction or are currently sanctioned under the Temporary Assistance for Needy Families (TANF) program shall be considered to have failed to demonstrate that the household will be reasonably able to sustain stable housing following the FRSP assistance period, unless the applicant or recipient can demonstrate that they are actively working to have the sanction lifted, or have or will have the financial means and/or resources necessary for sustaining housing independent of receipt of TANF benefits.

7803.3 A FRSP applicant or participant determined eligible under this section shall be subject to a re-determination of eligibility at least once every four (4) months, and may apply for an additional period of assistance, subject to the limitations set forth in Subsection 7805.7.

7803.4 Factors to be considered as part of the re-determination of eligibility shall include whether the recipient:

- (a) Has timely paid their share of the housing costs during the previous subsidy period;
- (b) Has fully complied with their TANF Individual Responsibility Plan, or other applicable plan; and

- (c) Has the ability to pay an increasing share of the housing costs as part of receiving additional rental assistance.

7803.5 A household unable to meet one (1) or more of the requirements in § 7803.4 at the re-determination of eligibility shall be considered to have failed to demonstrate that the household will be reasonably able to sustain stable housing following the FRSP period, unless the applicant or recipient can demonstrate that they are actively working to correct the deficiency, or have or will have the financial means and/or resources necessary for sustaining housing independent of receipt of TANF benefits.

7803.6 The Provider shall complete the eligibility determination or re-determination in as short a time as possible, but not later than ten (10) calendar days after receipt of a completed application or completed re-determination of eligibility request form. The Provider shall not be responsible for delays caused by:

- (a) The applicant's failure to supply information to document facts stated in the completed application or re-determination of eligibility request form without which eligibility and type or amount of assistance cannot be determined;
- (b) The inability to contact the applicant;
- (c) Evidence of misrepresentation in the application;
- (d) Delay by a third party from whom the Provider has requested information and over whom the Provider has no control; or
- (e) Any other delay in receipt of information or documentation necessary to complete the application or re-determination of eligibility request over which the Provider has no control.

7803.7 The Provider shall create and maintain in the applicant's or participant's file clear and detailed documentation of the Program's eligibility and re-eligibility determinations, particularly as it relates to how the household expects to be able to pay the full rental amount after the FRSP assistance period ends and, for re-determination of eligibility, the factors required to be considered in § 7803.4.

7803.8 If an applicant is determined eligible for FRSP assistance pursuant to § 7803.1, the Provider shall give to the applicant, personally or through an authorized representative, a Notice of Eligibility Determination which shall include:

- (a) A clear statement of the eligibility determination;

- (b) A clear and detailed statement that receipt of FRSP assistance is conditioned upon selecting an FRSP-approved housing unit and completing steps to lease-up and move into the unit within thirty (30) days of the date of the Notice of Eligibility Determination, absent good cause. For purposes of this section, "good cause" shall include delays caused by actions or inactions of persons outside of the applicant's control;
- (c) A clear statement that all FRSP participants shall actively and satisfactorily participate in case management or risk termination of FRSP assistance; and
- (d) A clear and complete statement of the client's right to appeal the eligibility determination through fair hearing and administrative review proceedings in accordance with § 7808, including the appropriate deadlines for instituting the appeal.

7803.9 If an applicant is re-determined eligible for FRSP assistance pursuant to § 7803.3, the Provider shall give to the recipient, personally or through an authorized representative, a Notice of Re-Determination of Eligibility which shall include:

- (a) A clear statement of the re-determination of eligibility;
- (b) A clear statement that all FRSP participants shall actively and satisfactorily participate in case management or risk termination of FRSP assistance; and
- (c) A clear and complete statement of the client's right to appeal the re-determination of eligibility through fair hearing and administrative review proceedings in accordance with § 7808, including the appropriate deadlines for instituting the appeal.

7803.10 If an applicant is determined ineligible for an initial application for FRSP assistance, the Provider shall give to the applicant, personally or through an authorized representative, a Notice of Denial of Eligibility which shall include:

- (a) A clear statement of the denial of eligibility;
- (b) A clear statement of the factual basis for the denial;
- (c) A reference to the statute, regulation, or policy pursuant to which the denial was made; and



- (d) A clear and complete statement of the client's right to appeal the denial through fair hearing and administrative review proceedings pursuant to § 7808, including the appropriate deadlines for instituting the appeal.

7803.11 If a recipient is determined ineligible for an additional period of FRSP assistance, the Provider shall give to the recipient, personally or through an authorized representative, a Notice of Denial of Re-Determination of Eligibility which shall include:

- (a) A clear statement of the denial of eligibility;
- (b) A clear statement of the factual basis for the denial;
- (c) A reference to the statute, regulation, or policy pursuant to which the denial was made; and
- (d) A clear and complete statement of the client's right to appeal the denial through fair hearing and administrative review proceedings pursuant to § 7808, including the right to continuation of FRSP assistance pending the outcome of a fair hearing requested within fifteen (15) days of receipt of the written Notice of Denial of Re-Determination of Eligibility, and the appropriate deadlines for instituting the appeal.

7803.12 A denial of re-determination of eligibility under this section shall not be considered a termination of FRSP assistance under § 7807.

7803.13 An adult applicant shall be denied FRSP assistance if the household's housing crisis is the result of his or her refusal, without good cause, to accept employment or training for employment.

7803.14 An applicant shall be considered to have refused employment or training if the applicant has:

- (a) Voluntarily quit employment or a *bona fide* training program within three (3) months prior to application; or
- (b) Rejected an employment or a *bona fide* training program opportunity within the three (3) months prior to the application.

7803.15 "Good cause" reasons for voluntarily quitting a job or not participating in an employment training program include circumstances beyond the individual's control, such as when the applicant can show, with reliable or credible information, that:

- (a) Wages are below the minimum wage;
- (b) The applicant is physically or mentally unable to perform the work or gain access to the worksite;
- (c) Working conditions violate health, safety, or worker's compensation regulations and present a substantial risk to health or safety;
- (d) The employer discriminated against the applicant based on race, color, religion, national origin, sex, age, marital status, personal appearance, sexual orientation, gender identity or expression, familial status, family responsibilities, matriculation, political affiliation, genetic information, disability, source of income, status as a victim of an intra-family offense, or place of residence or business in violation of the D.C. Human Rights Act of 1978, effective December 13, 1978 (D.C. Law 2-38; D.C. Official Code §§ 2-1401.01 *et seq.* (2012 Repl.)), as amended;
- (e) The requirements of the job would be contrary to his or her religious beliefs;
- (f) The resignation is recognized by the employer as retirement;
- (g) Child care, which is necessary for the adult applicant to accept work or training, is not reasonably available; or
- (h) The applicant could not maintain work or participate in a training program because of mitigating circumstances related to a disability, illness, incapacity or emergency of the applicant or a member of the household, including domestic violence.

#### **7804 PRIORITY DETERMINATION**

- 7804.1 Families residing in a Department-funded family hypothermia shelter, temporary shelter, or transitional housing program or determined to be a Priority One for shelter or supportive housing pursuant to 29 DCMR § 2508.1(a)(1), shall receive the first priority for the FRSP.
- 7804.2 Families residing in a non-Department funded family shelter or housing program within the Continuum of Care shall receive the second priority.
- 7804.3 Within each priority group, additional priority determinations may be made based on the following:

- (a) The family's prospective ability to have the financial capacity to pay the full rental amount at the end of the FRSP assistance period, as demonstrated by income, documented work experience, or other relevant factors;
- (b) The length of time the family has resided in such programs since the most recent placement;
- (c) The need to provide a reasonable modification based on a disability; and
- (d) Other relevant factors.

**7805 RE-HOUSING AND STABILIZATION ASSISTANCE**

- 7805.1 FRSP rental assistance is solely for the purpose of assisting eligible households to quickly achieve housing stability by assisting them to obtain a new rental unit.
- 7805.2 FRSP assistance shall be "needs-based," meaning that the assistance provided shall be the minimum amount, as determined by the Provider, needed to re-house the FRSP applicant or participant and prevent them from returning to homelessness in the future.
- 7805.3 The Program shall not be obligated to provide a monetary amount for a requested service if a less costly alternative is available.
- 7805.4 FRSP assistance may consist of a security deposit, move-in assistance, time-limited rental subsidy, and utility assistance, in accordance with the family's approved budget plan.
- 7805.5 The maximum FRSP payment for a security deposit may be limited to the actual amount of the deposit, not to exceed the cost of one (1) month's unsubsidized rent up to two thousand two hundred dollars (\$2,200).
- 7805.6 The initial rental assistance shall not exceed the equivalent of rental costs accrued over a period of four (4) months.
- 7805.7 The total assistance period shall not exceed twelve (12) months except where the Department or the Department's designee determines that the recipient household's need for additional assistance is caused by extraordinary circumstances.
- 7805.8 During the initial four (4) month period of rental assistance, each household shall contribute forty percent (40%) of their monthly adjusted annual income toward housing costs, determined in accordance with the District of Columbia Housing

Choice Voucher Program (HCVP) regulations found at 14 DCMR § 6200 (household contribution). For this period, FRSP rental assistance shall be the difference between the cost of housing and the household contribution. For purposes of this section, the cost of housing shall include the cost of utilities, as determined in accordance with the HCVP regulations found at 14 DCMR § 6200.

7805.9 Receipt of FRSP assistance may be conditioned on the applicant household:

- (a) Selecting an FRSP-approved housing unit in a timely manner and completing steps necessary to lease and move into the selected unit within thirty (30) days of the date of the Notice of Eligibility Determination, absent a good cause reason for the delay. For purposes of this section, “good cause” shall include delays caused by actions or inactions of persons outside of the applicant’s control;
- (b) Signing the FRSP Notice of Rental Subsidy Terms and Conditions form and FRSP Program Rules;
- (c) Timely payment of the FRSP participant’s share of the monthly rent;
- (d) Complying with the FRSP case management requirements set out in the Department-approved program rules, and as applicable, in accordance with the family’s TANF Individual Responsibility Plan; and
- (e) Applying for all applicable public benefits and housing assistance for which the applicant is eligible, including applying for housing assistance from DCHA, if applicable.

7805.10 As part of demonstrating that the household will reasonably be able to sustain stable housing following FRSP assistance, a household requesting additional assistance pursuant to § 7803.3 shall, absent good cause, demonstrate that the recipient:

- (a) Has timely paid their share of the housing costs during the previous subsidy period;
- (b) Has fully complied with their TANF Individual Responsibility Plan or other applicable plan; and
- (c) Has the ability to pay an increasing share of the housing costs during the subsequent subsidy period.

- 7805.11 Households receiving rental assistance shall be required to report to the Provider written notice of any change in the household's monthly income as soon as possible but no later than ten (10) days after the change occurs.
- 7805.12 Upon written notification from the household of a change in the household's monthly income, the FRSP Provider shall determine if there is a need to recalculate the amount of the household's housing cost contribution, based on the following:
- (a) If the household reports a decrease in monthly income of fifty dollars (\$50) or more, the Provider shall recalculate the household's contribution. Conversely, a household reporting a decrease in monthly income of less than fifty dollars (\$50) may request that a recalculation be conducted;
  - (b) If the recalculation pursuant to paragraph (a) results in an increase in the amount of FRSP rental assistance, the change shall be effective the first day of the month or the next day that rent is due if different from the first of the month, whichever is first, following completion of the calculation. The recalculation shall be completed within five (5) business days of receipt of written notice from the household of the decrease in household income and any documentation necessary for the Provider's recalculation;
  - (c) If the household is reporting an increase in monthly income of one hundred dollars (\$100) or more, a Provider shall conduct a recalculation;
  - (d) If the recalculation pursuant to paragraph (c) results in a decrease in the amount of FRSP rental assistance, the change shall be effective the first of the month or on the day that rent is next due if different than the first of the month, whichever is first following the month in which notice of the change in accordance with § 7805.13 is provided to the household. Conversely, if the next day rent is due is less than fifteen (15) calendar days from the date the notice is either hand delivered or postmarked, the change in the FRSP rental assistance shall be effective the second month (or the second date upon which rent is due) following the month in which notice of the change in accordance with § 7805.13 is provided to the household; and
  - (e) Notice of a change in assistance pursuant to this section shall be made in accordance with § 7805.13.
- 7805.13 When a Provider calculates a change in FRSP rental assistance pursuant to a re-determination of eligibility pursuant to § 7803.3 or as a result of a reported change in income pursuant to § 7805.11, the Provider shall give to the participant

household a Notice of Change in FRSP Rental Assistance. This notice shall include:

- (a) A clear statement of the factual basis for the change in rental assistance;
- (b) A reference to the statute, regulation, or policy pursuant to which the change was made;
- (c) A clear and detailed statement of the household's current FRSP rental assistance and the household's current share of the housing costs;
- (d) A clear and detailed computation of the new amount of FRSP rental assistance and the new amount of the household's share of the housing costs;
- (e) The effective date of the new amount of rental assistance in accordance with § 7805.12(b) or § 7805.12(d), whichever is applicable; and
- (f) A clear and complete statement of the client's right to a reconsideration of the recalculation by the Department or the Department's designee, if such reconsideration is requested within five (5) business days of receipt of the Notice of Change in FRSP Rental Assistance; and

7805.14 A request for reconsideration pursuant to § 7805.13(f) shall be completed within five (5) business days of receipt by the designated reviewer of the household's request for a reconsideration. The five (5) business day timeframe may be tolled if the reviewer has requested documentation necessary to the review, and receipt of such documentation is pending and not within the control of the reviewer.

7805.15 Notice required by § 7805.13 shall be either hand-delivered to an adult member of the applicant household or mailed to the household by first class mail within twenty-four (24) hours of the Provider's calculation of the change in the household's rental assistance share. The date from which the timeliness of the notice is measured is either the date of hand delivery, or if mailed, the date the notice is postmarked.

7805.16 Only in the rare circumstance where required by a vendor or a controlling government authority, including but not limited to a court or federal marshal, may the assistance payment be made in the form of cash. In all other cases, all FRSP assistance payments shall be in the form of non-cash direct vendor payments.

7805.17 FRSP assistance not utilized within thirty (30) days of approval shall be considered abandoned, absent a showing that the applicant or recipient has made

reasonable efforts to use the assistance or good cause as to why the applicant or recipient could not expend the assistance.

## **7806 UNIT SELECTION**

- 7806.1 Participation in the FRSP is conditioned upon selecting a unit that passes the FRSP required housing inspection and meets the Rent Reasonableness Standard, except that the Department or the Department's designee may authorize selection of a housing unit that exceeds the maximum allowable rent for purposes of ensuring the program is readily accessible to and usable by large families and individuals with disabilities.
- 7806.2 A FRSP eligible applicant shall be required to make a good faith effort to identify and secure a housing unit that meets their needs and meets the FRSP Rent Reasonableness and inspection requirements in a timely manner.
- 7806.3 If the applicant is unable to secure a housing unit in a timely manner, despite good faith efforts, the applicant shall be offered at least one (1) unit from the available housing inventory to the extent that units are available in the housing inventory.
- 7806.4 To facilitate timely unit selection and entry into the FRSP, the eligible applicant shall:
- (a) Identify a unit that meets the Rent Reasonableness Standard and passes the FRSP required housing inspection or accepts a unit from the FRSP unit inventory list.
  - (b) Make a reasonable effort to meet with the Program's representative in a timely manner in order to complete the unit selection and leasing process. For purposes of this paragraph, refusing to meet with the Provider's representative two (2) times without good cause shall constitute the applicant's failure to make a reasonable effort to meet with the Program's representative in a timely manner for purpose of completing the unit selection and leasing process.
- 7806.5 Failure to accept a unit after having been offered or having identified two (2) units that were available and met the applicant's stated needs and preferences, may be a basis for termination from the Program pursuant to § 7807.1(f) and Section 22(2)(F) of the HSRA (D.C. Law 16-35; D.C. Official Code § 4-754.36(a)(2)(F)).
- 7806.6 FRSP assistance shall be provided only for housing units located within the District of Columbia, unless otherwise approved by the Department or the Department's designee. Any unit constructed before 1978 in which a child under the age of six (6) will be residing must comply with Section 302 of the Lead-

Based Paint Poisoning Prevention Act, effective November 9, 1973 (Pub. L. 91-695; 42 U.S.C. § 4822), as amended, and implementing regulations at 24 C.F.R. part 35, subparts A, B, M, and R.

7806.7 A FRSP Provider may not approve or issue FRSP assistance for a housing unit that is owned by the FRSP Provider, its parent, subsidiary, or an affiliated organization of the FRSP Provider.

**7807 TERMINATION OF FAMILY RE-HOUSING AND STABILIZATION ASSISTANCE**

7807.1 A Provider may terminate payment of a FRSP security deposit or rental subsidy, if a member of the household:

- (a) Possesses a weapon illegally on the premises of the property subsidized by the FRSP;
- (b) Possesses or sells illegal drugs on the premises of the property subsidized by the FRSP;
- (c) Assaults or batters any person on the premises of the property subsidized by the FRSP;
- (d) Endangers the safety of oneself or the safety of others on the premises of the property subsidized by the FRSP;
- (e) Intentionally or maliciously vandalizes or destroys or steals the property of any person on the premises of the property subsidized by the FRSP;
- (f) Fails to accept an offer of appropriate permanent housing or supportive housing that better serves the household's needs after being offered two (2) appropriate permanent or supportive housing opportunities in accordance with Section 22(2)(F) of the HSRA (D.C. Law 16-35; D.C. Official Code § 4-754.36(a)(2)(F)); or
- (g) Knowingly engages in repeated violations of the FRSP program rules.

7807.2 For purposes of § 7807.1(f), two (2) offers of appropriate permanent or supportive housing shall include being offered or having identified two (2) units that are available and meet the requirements of the FRSP, or any other supportive or permanent housing program for which the client has been determined eligible, including but not limited to the Local Rent Supplement Program, Housing Choice Voucher Program (HCVP), or public housing.



- 7807.3 In the case of terminations pursuant to § 7807.1(f) or (g), the Provider must have made reasonable efforts to help the client overcome obstacles to obtaining or maintaining permanent housing.
- 7807.4 The Provider shall give written and oral notice to a FRSP participating household of their termination from services pursuant to this section at least thirty (30) days before the effective date of the termination.
- 7807.5 If a recipient is terminated from FRSP services, the Provider shall give to the recipient, personally or through an authorized representative, a Notice of Termination, which shall include:
- (a) A clear statement of the effective date of the termination;
  - (b) A clear and detailed statement of the factual basis for the termination, including the date or dates on which the basis or bases for the termination occurred;
  - (c) A reference to the statute, regulation, or program rule(s) pursuant to which the termination is being implemented;
  - (d) A clear and complete statement of the client's right to appeal the termination through a fair hearing and administrative review, including deadlines for instituting the appeal; and
  - (e) A statement of the client's right to continuation of FRSP services pending the outcome of any fair hearing requested within fifteen (15) days of receipt of written notice of a termination.
- 7807.6 Termination pursuant to this section refers to a termination of the Program security deposit, rental subsidy, or case management services only and does not provide FRSP with any authority to interfere with a client's tenancy rights under the lease agreement as governed by Title 14 of the District of Columbia Municipal Regulations.
- 7807.7 For purposes of this section, the requirement set forth in Section 22 of the HSRA (D.C. Law 16-35; D.C. Official Code § 4-754.36), which requires a Provider to first consider suspending the client in accordance with Section 21 of the HSRA (D.C. Law 16-35; D.C. Official Code § 4-754.35) or to have made a reasonable effort, in light of the severity of the act or acts leading to the termination, to transfer the client in accordance with Section 20 of the HSRA (D.C. Law 16-35; D.C. Official Code § 4-754.34), shall be interpreted to mean that the Provider shall have made a reasonable effort to provide the FRSP household with a transfer to another case manager, as a means of assisting the household to meet their

budget plan and comply with the FRSP approved program rules, prior to taking steps to terminate FRSP assistance, if appropriate under the circumstances, and if there is reason to believe that the Provider could have foreseen that such a transfer could have been of assistance to the household in complying with the FRSP requirements.

## **7808 FAIR HEARING AND ADMINISTRATIVE REVIEW**

7808.1 An applicant or participating FRSP household shall have ninety (90) calendar days following the receipt of a notice described in §§ 7803.8, 7803.9, 7803.10, 7803.11 or 7807.5 to request a fair hearing, in accordance with the hearing provisions of Section 26 of the HSRA (D.C. Law 16-35; D.C. Official Code § 4-754.41 (2012 Repl.)), for the action that is the subject of the notice.

7808.2 Upon receipt of a fair hearing request, the Department shall offer the appellant or his or her authorized representative an opportunity for an administrative review in accordance with Section 27 of the HSRA (D.C. Law 16-35; D.C. Official Code § 4-754.42 (2012 Repl.)), except that if an eviction is imminent, the Department shall take all reasonable steps to provide an expedited administrative review to maximize resolution of the appeal in time to resolve the housing emergency and prevent the eviction.

7808.3 In accordance with Section 9(18) of the HSRA (D.C. Law 16-35; D.C. Official Code § 4-754.11(18) (2012 Repl.)), any recipient who requests a fair hearing within fifteen (15) days of receipt of written notice of a termination pursuant to § 7807 shall have the right to continuation of FRSP services pending a final decision from the fair hearing proceedings.

## **7899 DEFINITIONS**

7899.1 The terms and definitions in 29 DCMR § 2599 are incorporated by reference in this chapter.

7899.2 For the purposes of this chapter, the following additional terms shall have the meanings ascribed:

**Authorized representative** – an individual who is at least eighteen (18) years of age, who is acting responsibly on behalf of the applicant, and has sufficient knowledge of the applicant’s circumstances to provide or obtain necessary information about the applicant, or a person who has legal authorization to act on behalf of the applicant.

**Housing stability** – the ability to pay housing costs, including rent and utilities, necessary to retain housing without FRSP assistance.

**Individual Responsibility Plan** – the self-sufficiency plan that the FSRP participant has entered into with the shelter, housing, Temporary Assistance for Needy Families, or other service provider that sets out the steps and goals necessary for the participant to achieve greater housing and economic self-sufficiency.

**Minor** – a child, including those by adoption, eighteen (18) years of age or younger.

**Provider** – an organization that receives Family Re-Housing and Stabilization Program funds and is authorized to administer and deliver Family Re-Housing and Stabilization Program services.

**Rapid Re-Housing** – is a supportive housing program that provides a homeless individual or family with financial assistance as a bridge to permanent housing, by providing some or all of a security deposit, first month's rent, short-term rental subsidy, and supportive services in order to help the recipient become self-sufficient.

**Rent Reasonableness Standard** – Rent reasonableness, as defined by the United States Department of Housing and Urban Development to mean that the total rent charged for a unit must be reasonable in relation to the rents being charged during the same time period for comparable units in the private unassisted market and must not be in excess of rents being charged by the owner during the same time period for comparable non-luxury unassisted units.

**Rental payment** – a regular payment made by a tenant to an owner or landlord for the right to occupy or use property.

**Security deposit** – a sum of money paid in advance that is required by the owner or landlord for leasing property as security against the tenant's failure to fulfill the lease or security to cover damage to the rental premises.

**Vendor** – a provider of a service or product, including but not limited to landlords.

**GOVERNMENT OF THE DISTRICT OF COLUMBIA**

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**ADMINISTRATIVE ISSUANCE SYSTEM**

Mayor's Order 2015-093  
March 18, 2015

**SUBJECT:** Appointments – Commission to Commemorate and Recognize the Honorable Marion S. Barry, Jr. and to Recognize his Contributions to the District of Columbia

**ORIGINATING AGENCY:** Office of the Mayor

By virtue of the authority vested in me as Mayor of the District of Columbia by section 422(2) and (11) of the District of Columbia Home Rule Act, approved December 24, 1973, 87 Stat. 790, Pub. L. 93-198, D.C. Official Code §§ 1-204.22(2), (11) (2014 Repl.), and pursuant to Mayor's Order 2015-081, effective March 6, 2015, establishing the District of Columbia Commission to Commemorate and Recognize the Honorable Marion S. Barry, Jr. (the "**Commission**"), it is hereby **ORDERED** that:

1. **MICHAEL ROGERS** is appointed to serve in the capacity of former City Administrator and is appointed Chairperson of the Commission, serving at the pleasure of the Mayor.
2. **HONORABLE ANITA BONDS** is appointed to serve in the capacity of current member of District of Columbia City Council as a voting member on the Commission, serving at the pleasure of the Mayor.
3. **HONORABLE SHARON PRATT** is appointed to serve in the capacity of former Mayor as a voting member on the Commission, serving at the pleasure of the Mayor.
4. **HONORABLE FRANK SMITH** is appointed to serve in the capacity of former City Councilmember as a voting member on the Commission, serving at the pleasure of the Mayor.
5. **CORA MASTERS BARRY** is appointed to serve in the capacity of Barry Family representative as a voting member on the Commission, serving at the pleasure of the Mayor.
6. **JANETTE HOSTON HARRIS** is appointed to serve in the capacity of District of Columbia Historian as a voting member on the Commission, serving at the pleasure of the Mayor.

- 7. **KAY KENDALL** is appointed to serve in the capacity of District of Columbia Arts Community representative as a voting member on the Commission, serving at the pleasure of the Mayor.
- 8. **PHINIS JONES** is appointed to serve in the capacity of District of Columbia community leader as a voting member on the Commission, serving at the pleasure of the Mayor.
- 9. **BISHOP GLEN STAPLES** is appointed to serve in the capacity of faith community representative as a voting member on the Commission, serving at the pleasure of the Mayor.
- 10. **HERB MILLER** is appointed to serve in the capacity of local business leader as a voting member on the Commission, serving at the pleasure of the Mayor.
- 11. **CATHY HUGHES** is appointed to serve in the capacity of former District of Columbia government representative as a voting member on the Commission, serving at the pleasure of the Mayor.
- 12. **BEVERLY PERRY** is appointed as an ex-officio non-voting member on the Commission, serving at the pleasure of the Mayor.
- 13. **CHRISTOPHER BARRY** is appointed as an ex-officio non-voting member on the Commission, serving at the pleasure of the Mayor.
- 14. **EFFECTIVE DATE:** This Order shall become effective immediately.


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**MURIEL E. BOWSER**  
**MAYOR**

**ATTEST:**   


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**LAUREN C. VAUGHAN**  
**ACTING SECRETARY OF THE DISTRICT OF COLUMBIA**

GOVERNMENT OF THE DISTRICT OF COLUMBIA

ADMINISTRATIVE ISSUANCE SYSTEM

Mayor's Order 2015-094  
March 20, 2015

**SUBJECT:** Designation of Special Event Area - Monseñor Romero Building  
Dedication Ceremony

**ORIGINATING AGENCY:** Office of the Mayor


By virtue of the authority vested in me as the Mayor of the District of Columbia by section 422(11) of the District of Columbia Home Rule Act, approved December 24, 1973, 87 Stat. 790, Pub. L. 93-198, D.C. Official Code § 1-204.22(11) (2012 Repl.), and pursuant to 19 DCMR § 1301.8, it is hereby **ORDERED** that:

1. On Saturday, March 21, 2015, between the hours of 1:00 p.m. and 4:00 p.m., Kenyon Street NW between Mt. Pleasant Street and 17<sup>th</sup> Street shall be designated as a Special Event Area to accommodate activities associated with the Monseñor Romero Building Dedication Ceremony.
2. The designated area shall be operated and overseen by the Office of Latino Affairs of the Executive Office of the Mayor.
3. This Order is an authorization for the use of the designated street only, and the named operator shall secure and maintain all other licenses and permits applicable to the activities associated with the operation of the event. All building, health, safety, ADA, and use of public space requirements shall remain applicable to the Special Event Area designated by this Order.
4. **EFFECTIVE DATE:** This Order shall be effective immediately.




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MURIEL E. BOWSER  
MAYOR

ATTEST: 

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LAUREN C. VAUGHAN  
ACTING SECRETARY OF THE DISTRICT OF COLUMBIA

ALCOHOLIC BEVERAGE REGULATION ADMINISTRATION  
ALCOHOLIC BEVERAGE CONTROL BOARD

NOTICE OF PUBLIC HEARINGS  
CALENDAR

WEDNESDAY, APRIL 1, 2015  
2000 14<sup>TH</sup> STREET, N.W., SUITE 400S  
WASHINGTON, D.C. 20009

Ruthanne Miller, Chairperson  
Members: Nick Alberti, Donald Brooks, Herman Jones  
Mike Silverstein, Hector Rodriguez, James Short

- Protest Hearing (Status)** **9:30 AM**  
**Case # 15-PRO-00009;** BTS TWO, LLC, t/a Burger Tap & Shake, 4445  
Wisconsin Ave NW, License #97478, Retailer CR, ANC 3E  
**Application for a New License**
- Protest Hearing (Status)** **9:30 AM**  
**Case # 15-PRO-00008;** Toran Investment Group, Inc., t/a Risky Ventures, 1824  
Columbia Road NW, License #97484, Retailer CR, ANC 1C  
**Application for a New License**
- Protest Hearing (Status)** **9:30 AM**  
**Case # 15-PRO-00006;** La Cucina Biologica, LLC, t/a Coppi's Organic  
Restaurant, 3321 Connecticut Ave NW, License #96458, Retailer CR, ANC 3C  
**Substantial Change (Entertainment Endorsement and Change of Hours)**
- Protest Hearing (Status)** **9:30 AM**  
**Case # 15-PRO-00005;** H2, LLC, t/a Satellite Room, 2047 9th Street NW  
License #87296, Retailer CR, ANC 1B  
**Substantial Change (24-Hour Operation & Increase in Summer Garden  
Hours)**
- Show Cause Hearing (Status)** **9:30 AM**  
**Case # 14-CMP-00468;** Barcelona 14th Street, LLC, t/a Barcelona Wine Bar  
1622 14th Street NW, License #89785, Retailer CR, ANC 2F  
**No ABC Manager on Duty, Operating After Hours**

Board's Calendar

April 1, 2015

**Show Cause Hearing\***

**10:00 AM**

**Case # 14-CMP-00325;** 2461 Corporation, t/a Madam's Organ, 2461 18th Street NW, License #25273, Retailer CR, ANC 1C

**Violation of Settlement Agreement**

**BOARD RECESS AT 12:00 PM**

**ADMINISTRATIVE AGENDA**

**1:00 PM**

**Show Cause Hearing\***

**2:30 PM**

**Case # 14-AUD-00089;** Kovaler, LLC, t/a Veranda, 1100 P Street NW, License #73443, Retailer CR, ANC 2F

**Failed to File Quarterly Statements (2nd Quarter 2014)**

**Fact Finding Hearing\***

**3:30 PM**

**Case # 15-251-00057;** Mahogany, LLC, t/a Liv Nightclub, 2001 11th Street NW License #74894, Retailer CN, ANC 1B

**Chief of Police Hearing Request, Assault with a Deadly Weapon**

**Fact Finding Hearing\***

**4:00 PM**

**Case # 14-251-00324;** Bar 9, LLC, t/a DC9, 1940 9th Street NW, License #71156, Retailer CN, ANC 1B

**Simple Assault and Sexual Abuse**

**Fact Finding Hearing\***

**4:30 PM**

**Case # 15-251-00037, # 15-CMP-00004 and # 15-251-00038;** Hak, LLC, t/a Midtown, 1219 Connecticut Ave NW, License #72087, Retailer CR, ANC 2B

**Assault With Intent to Kill**

**\*The Board will hold a closed meeting for purposes of deliberating these hearings pursuant to D.C. Official Code §2-574(b)(13).**



**ALCOHOLIC BEVERAGE REGULATION ADMINISTRATION  
ALCOHOLIC BEVERAGE CONTROL BOARD**

**NOTICE OF MEETING  
CANCELLATION AGENDA**

**WEDNESDAY, APRIL 1, 2015  
2000 14<sup>TH</sup> STREET, N.W., SUITE 400S, WASHINGTON, D.C. 20009**

The Board will be cancelling the following licenses for the reasons outlined below:

ABRA-089396 – **Lawson’s** – Retail – D – Restaurant – 601 13TH STREET NW  
[Establishment appears to have ceased operations. The Licensee was advised in a letter dated 1/14/15 to place license in Safekeeping within 10 days and the Licensee did not respond. Internet resources also indicate that the Establishment is closed.]

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ALCOHOLIC BEVERAGE REGULATION ADMINISTRATION  
ALCOHOLIC BEVERAGE CONTROL BOARD

NOTICE OF MEETING  
INVESTIGATIVE AGENDA

WEDNESDAY, APRIL 1, 2015  
2000 14<sup>TH</sup> STREET, N.W., SUITE 400S, WASHINGTON, D.C. 20009

On April 1, 2015 at 4:00 pm, the Alcoholic Beverage Control Board will hold a closed meeting regarding the matters identified below. In accordance with Section 405(b) of the Open Meetings Amendment Act of 2010, the meeting will be closed “to plan, discuss, or hear reports concerning ongoing or planned investigations of alleged criminal or civil misconduct or violations of law or regulations.”

1. Case#15-251-00034 Ultrabar/Chroma, 911 F ST NW Retailer C Nightclub, License#: ABRA-074767

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2. Case#15-CMP-00128 La Tasca, 722 7TH ST NW Retailer C Restaurant, License#: ABRA-060735

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3. Case#14-251-00342 Mad Hatter, 1321 Connecticut Avenue NW Retailer C Tavern, License#: ABRA-082646

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4. Case#15-CMP-00130 Bar Louie, 701 7th ST NW Retailer C Restaurant, License#: ABRA-084428

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5. Case#15-CC-00006 Cities, 919 19th ST NW Retailer C Restaurant, License#: ABRA-086319

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6. Case#15-CMP-00095 Teddy, 1200 19TH ST NW Retailer C Restaurant, License#: ABRA-089980

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7. Case#15-CMP-00129 STK, 1250 CONNECTICUT AVE NW Retailer C Restaurant, License#: ABRA-092844

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8. Case#15-CMP-00131 DBGB Kitchen and Bar, 931 H ST NW Retailer C Restaurant, License#: ABRA-094697

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ALCOHOLIC BEVERAGE REGULATION ADMINISTRATION  
ALCOHOLIC BEVERAGE CONTROL BOARD

NOTICE OF MEETING  
LEGAL AGENDA

WEDNESDAY, APRIL 1, 2015 AT 1:00 PM  
2000 14<sup>th</sup> STREET, N.W., SUITE 400S, WASHINGTON, D.C. 20009

1. Review of Settlement Agreement between ANC 2B and Parlay, dated February 24, 2015. *Parlay*, 1827 M Street, Retailer Class CR, License No. 097074.
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\* In accordance with D.C. Official Code §2-574(b) Open Meetings Act, this portion of the meeting will be closed for deliberation and to consult with an attorney to obtain legal advice. The Board's vote will be held in an open session, and the public is permitted to attend.

ALCOHOLIC BEVERAGE REGULATION ADMINISTRATION  
ALCOHOLIC BEVERAGE CONTROL BOARD

NOTICE OF MEETING  
LICENSING AGENDA

WEDNESDAY, APRIL 1, 2015 AT 1:00 PM  
2000 14th STREET, N.W., SUITE 400S, WASHINGTON, D.C. 20009

1. Review Application for Safekeeping of License – Original Request. ANC 6E. SMD 6E02. No outstanding fines/citations. No outstanding violations. No pending enforcement matters. No conflict with Settlement Agreement. *Beau Thai Restaurant*, 1700 New Jersey Avenue NW, Retailer CR, License No. 086393.

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2. Review Application for Safekeeping of License – Original Request. ANC 1C. SMD 1C03. No outstanding fines/citations. No outstanding violations. No pending enforcement matters. No Settlement Agreement. *New Orleans Cafe*, 2412 18<sup>th</sup> Street NW, Retailer CR, License No. 021784.

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3. Review Application for Safekeeping of License – Original Request. ANC 1C. SMD 1C07. No outstanding fines/citations. No outstanding violations. No pending enforcement matters. No Settlement Agreement. *De Vinos*, 2001 18<sup>th</sup> Street NW, Retailer B Grocery, License No. 074817.

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4. Review Letter from Attorney Andrew J. Kline conceding a Substantial Change in the nature of operations of the Establishment, to include an expansion of the premises and additional requests below. ANC 6E. SMD 6E01. No outstanding fines/citations. No outstanding violations. No pending enforcement matters. No conflict with Settlement Agreement. *Dacha Beer Garden*, 1600 7<sup>th</sup> Street NW, Retailer DT, License No. 092773.

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5. Review Request for Class Change from Retailer DT to Retailer CT. ANC 6E. SMD 6E01. No outstanding fines/citations. No outstanding violations. No pending enforcement matters. Conflict with Settlement Agreement. *Dacha Beer Garden*, 1600 7<sup>th</sup> Street NW, Retailer DT, License No. 092773.

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6. Review Request for Change of Hours. **Approved Hours of Operation:** Sunday-Thursday 7am to 10:30pm, Friday-Saturday 7am to 11:59pm. **Approved Hours of Alcoholic Beverage Sales and Consumption:** Sunday-Thursday 8am to 10:30pm, Friday-Saturday 8am to 11:59pm. **Proposed Hours of Operation:** Sunday-Thursday 7am to 2am, Friday-Saturday 7am to 3am. **Proposed Hours of Alcoholic Beverage Sales and Consumption:** Sunday-Thursday 8am to 2am, Friday-Saturday 8am to 3am. ANC 8D. SMD 8D04. No outstanding fines/citations. No ANC 6E. SMD 6E01. No outstanding fines/citations. No outstanding violations. No pending enforcement matters. Conflict with Settlement Agreement. **Dacha Beer Garden**, 1600 7<sup>th</sup> Street NW, Retailer DT, License No. 092773.
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7. Review Application for Entertainment Endorsement. Entertainment to include live music and vocal performances on weekdays and a DJ on weekend nights. ANC 6E. SMD 6E01. No outstanding fines/citations. No outstanding violations. No pending enforcement matters. No conflict with Settlement Agreement. **Dacha Beer Garden**, 1600 7<sup>th</sup> Street NW, Retailer DT, License No. 092773.
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8. Review Request for Change of Hours. **Approved Hours of Operation:** Sunday-Saturday 12am to 12am (24-hour operations). **Approved Hours of Alcoholic Beverage Sales and Consumption:** Sunday -Saturday 9am to 10pm. **Proposed Hours of Alcoholic Beverage Sales and Consumption:** Sunday -Saturday 9am to 12am. ANC 4C. SMD 4C05. Outstanding Citation and Fine: Case #14-CMP-00740, 11/7/2014, Provided Go-Cups, Citation #4925, \$250 fine.. No pending enforcement matters. No Settlement Agreement. **Super Saver Grocery & Deli**, 4413 14<sup>th</sup> Street NW, Retailer B Grocery, License No. 011247.
- 
9. Review Request for Change of Hours to Entertainment Endorsement. **Approved Hours of Operation and Alcoholic Beverage Sales and Consumption:** Sunday 10am to 2am, Monday-Thursday 4:30pm to 2am, Friday 4:30pm to 3am, Saturday 9am to 3am. **Approved Hours of Live Entertainment:** Wednesday 8pm to 12am. **Proposed Hours of Live Entertainment:** Sunday-Saturday 6:30pm to 1am. ANC 2B. SMD 2B08. No outstanding fines/citations. No outstanding violations. No pending enforcement matters. No conflict with Settlement Agreement. **Stetsons**, 1610 U Street NW, Retailer CT, License No. 060455.
- 
10. Review Application for Entertainment Endorsement. Entertainment to include live vocal performances, primarily on holidays and long weekends. ANC 1A. SMD 1A10. No outstanding fines/citations. Pending Enforcement Matters: Case #15-CMP-00105, 2/7/2015, License Endorsements; Importation Permit; Entertainment Endorsement; Retailers Books and Records. Case #14-AUD-00105, 8/8/2014, On-premise retailer's license (audit); Retailer's Books and Records; Restaurant and Hotel Qualifications. Referred for Staff Settlement on

10/22/2014. Forwarded to OAG for Show Cause Hearing on 10/22/2014. No Settlement Agreement. **Kokeb**, 3013 Georgia Avenue NW, Retailer CR, License No. 089933.

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11. Review Application for New Retailer B Grocery Store with accompanying Retailer C Restaurant. ANC 2C. SMD 2C01. No outstanding fines/citations. No outstanding violations. No pending enforcement matters. No Settlement Agreement. **Centrolina**, 974 Palmer Alley NW, Retailer B Grocery/Retailer CR, License Nos. 098356/098364.
- 

12. Review Application for Manager's License. **Garry Matthew Bridges**-ABRA 098355.
- 

**\*In accordance with D.C. Official Code §2-574(b) of the Open Meetings Amendment Act, this portion of the meeting will be closed for deliberation and to consult with an attorney to obtain legal advice. The Board's vote will be held in an open session, and the public is permitted to attend.**

**APPLETREE EARLY LEARNING PUBLIC CHARTER SCHOOL****REQUEST FOR PROPOSALS****Playground**

AppleTree Early Learning PCS is seeking proposals for a playground within a 25ft x 36ft surface area. Please contact Rita Hackel Chapin, Chief Operating Officer, for details on the RFP. The deadline for responding to the RFP is March 31st, 2015 at 4pm Eastern. Contact - Rita Hackel Chapin, Chief Operating Officer, 415 Michigan Avenue NE, Washington, DC 20017, (202) 488-3990, Rita.Chapin@appletreeinstitute.org

**DEPARTMENT OF CONSUMER AND REGULATORY AFFAIRS  
OCCUPATIONAL AND PROFESSIONAL LICENSING DIVISION**

**DC Board of Accountancy  
1100 4<sup>th</sup> Street SW, Room E300  
Washington, DC 20024**

**AGENDA**

**April 3rd, 2015, 9:00 A.M.**

- 1) Meeting Call to Order
- 2) Attendees
- 3) Executive Session - Pursuant to § 2-575(4) (a), (9) and (13) the Board will enter executive session to receive advice from counsel, review application(s) for licensure and discuss disciplinary matters.
  - NASBA – Regional Directors Focus Questions – Response requested April 1, 2015.
- 4) Comments from the Public
- 5) Minutes: Review draft
- 6) Old Business
  - Conduct comparison of Maryland, Virginia and New Jersey statutes addressing CPA licensure lapse.
- 7) New Business
  - NASBA *EDigital* (Executive Directors Electronic Newsletter) - Request for content: “State Highlights” – Submitted in preparation for the Annual Conference for Executive Directors and Staff
  - Complaint. Anonymous vs. Jane E. Thompson. Alleged unlicensed activity.
- 8) Action on matters discussed in executive session
- 9) Correspondence
- 10) Adjournment

Next Scheduled Meeting – Friday, May 1st, 2015  
Location: 1100 4<sup>th</sup> Street SW, Conference Room E300



**DEPARTMENT OF CONSUMER AND REGULATORY AFFAIRS  
OCCUPATIONAL AND PROFESSIONAL LICENSING DIVISION**

**NOTICE OF PUBLIC MEETING**

**Board of Architecture & Interior Design, 1100 4<sup>th</sup> Street, SW, Room 300B,  
Washington, DC 20024**

**AGENDA**

**April 10th, 2015**

1. Call to Order - 9:30 a.m.
2. Attendees
3. Comments from the Public
4. Executive Session (Closed to the Public) – Roll Call of Board Members
  - A. Review of Applications
  - B. Legal Counsel Report
  - C. Review – Commentary on Proposed Legislation (Chapter 28 of Title 47).
5. Minutes – Review Draft, January 9th, 2015
6. Approval of Applications
7. Review of Complaints/Legal Matters
  - Anonymous vs. Sandra Hambley – Décor and You DC. Alleged Unlicensed Activity
8. Review of Interior Design Continuing Education Provider Submissions
9. Old Business
  - a) NCARB –2015 Regional Summit, Hilton Long Beach, CA, on 3/12/15
  - b) NCARB –Chairman’s letter addressing “Scope of Practice”
  - c) CIDQ – (None)
10. New Business
  - a) NCARB – Review licensee/consumer responses to Proposed Legislation
  - a) NCARB – Review NCARB response to Chairman’s letter
11. Review of Correspondence
12. Adjourn

Next Scheduled Regular Meeting, May 22nd, 2015  
1100 4<sup>th</sup> Street, SW, Room 300B, Washington, DC 20024

**DEPARTMENT OF CONSUMER AND REGULATORY AFFAIRS  
OCCUPATIONAL AND PROFESSIONAL LICENSING DIVISION**

**NOTICE OF PUBLIC MEETING**

**Board of Barber and Cosmetology  
1100 4<sup>th</sup> Street SW, Room E300  
Washington, DC 20024**

**Meeting Agenda**

**April 6, 2015  
10:00 A.M.**

1. Call to Order – 10:00 a.m.
2. Members Present
3. Staff Present
4. Comments from the Public
5. Review of Correspondence
6. Applications for Licensure
7. Executive Session (Closed to the Public)
8. Old Business
9. New Business
10. Adjourn
11. Next Scheduled Board Meeting – May 4, 2015 at 10:00 a.m.

**DEPARTMENT OF CONSUMER AND REGULATORY AFFAIRS  
OCCUPATIONAL AND PROFESSIONAL LICENSING DIVISION**

**NOTICE OF PUBLIC MEETING**

**Board of Funeral Directors  
1100 4<sup>th</sup> Street SW, Room E300  
Washington, DC 20024**

**Meeting Agenda**

**April 2, 2015  
11:00 A.M.**

1. Call to Order – 11:00 a.m.
2. Members Present
3. Staff Present
4. Comments from the Public
5. Executive Session (Closed to the Public)
6. Review of Correspondence
7. Draft Minutes, March 12, 2015
8. Old Business
9. New Business
10. Adjourn
11. Next Scheduled Board Meeting – May 7, 2015 at 11:00 a.m.

**DEPARTMENT OF CONSUMER AND REGULATORY AFFAIRS  
OCCUPATIONAL AND PROFESSIONAL LICENSING DIVISION**

**NOTICE OF PUBLIC MEETING**

**District of Columbia Board of Industrial Trades  
1100 4<sup>th</sup> Street, S.W., Room 300  
Washington, D.C. 20024**

**AGENDA  
April 21, 2015**

1. Call to Order – 1:00 p.m.
2. Executive Session (Closed to the Public) – 1:00 p.m. -1:30 p.m.
  - A. Review – Applications for Licensure
3. Attendance (Start of Public Session) – 1:30 p.m.
4. Introduction – New Member – Keith Jones
5. Comments from the Public
6. Minutes - Draft, March 4, 2015
7. Recommendations
  - A. Review - Applications for Licensure
  - B. Correspondence
8. Old Business
9. New Business
10. Adjourn

Next Scheduled Regular Meeting, May 19, 2015  
1100 4<sup>th</sup> Street, SW, Room 300B, Washington, DC 20024

**DEPARTMENT OF CONSUMER AND REGULATORY AFFAIRS  
OCCUPATIONAL AND PROFESSIONAL LICENSING DIVISION**

**Board of Professional Engineering  
1100 4<sup>th</sup> Street SW, Room E300  
Washington, DC 20024**

**Agenda**

**April 23, 2015  
9:30 A.M.**

- 1) Meeting Call to Order
- 2) Attendees
- 3) Comments from the Public
- 4) Minutes: Review draft of 26 March 2015
- 5) Old Business
- 6) New Business
- 7) Executive Session
  - a) Pursuant to § 2-575(13) the Board will enter executive session to review application(s) for licensure
  - b) Pursuant to § 2-575(9) the Board will enter executive session to discuss a possible disciplinary action
- 8) Application Committee Report
- 9) Adjournment

Next Scheduled Meeting – Thursday, May 28, 2015  
Location: 1100 4<sup>th</sup> Street SW, Conference Room E300

**DEPARTMENT OF CONSUMER AND REGULATORY AFFAIRS  
D.C. BOXING AND WRESTLING COMMISSION**

**1100 4<sup>th</sup> Street SW-Suite E500, SW  
Washington, DC. 20024  
APRIL 14, 2015  
7:00 P.M.**

Website: [http://www.pearsonvue.com/dc/boxing\\_wrestling/](http://www.pearsonvue.com/dc/boxing_wrestling/)

**AGENDA**

**CALL TO ORDER & ROLL CALL**

**COMMENTS FROM THE PUBLIC & GUEST INTRODUCTIONS**

- March 14, 2015 Pro-Boxing Event: Gene Molovinsky-Keystone Boxing

**REVIEW OF MINUTES**

- Approval of Minutes

**OLD BUSINESS**

1. Draft Rule Making
2. U.S. Junior Olympic Boxing
- 3.

**NEW BUSINESS**

1. Dr. McKnight Event
2. Upcoming Amateur Events
- 3.

**ADJORNMENT**

NEXT REGULAR SCHEDULED MEETING IS MAY 12, 2015

**D.C. DEPARTMENT OF CONSUMER AND REGULATORY AFFAIRS  
BUSINESS AND PROFESSIONAL LICENSING ADMINISTRATION**

**SCHEDULED MEETINGS OF BOARDS AND COMMISSIONS**

**April 2015**

<b>CONTACT PERSON</b>	<b>BOARDS AND COMMISSIONS</b>	<b>DATE</b>	<b>TIME/ LOCATION</b>
Jason Sockwell	Board of Accountancy	3	8:30 am-12:00pm
Patrice Richardson	Board of Appraisers	15	8:30 am-4:00 pm
Jason Sockwell	Board Architects and Interior Designers	10	8:30 am-1:00 pm
Cynthia Briggs	Board of Barber and Cosmetology	6	10:00 am-2:00 pm
Sheldon Brown	Boxing and Wrestling Commission	14	7:00 pm-8:30 pm
Kevin Cyrus	Board of Funeral Directors	2	9:30am-2:00 pm
Lori Fowler	Board of Professional Engineering	23	9:30 am-1:30 pm
Leon Lewis	Real Estate Commission	14	8:00 pm-4:00 pm
Pamela Hall	Board of Industrial Trades	21	1:00 pm-4:00 pm
	Asbestos Electrical Elevators Plumbing Refrigeration/Air Conditioning Steam and Other Operating Engineers		

Dates and Times are subject to change. All meetings are held at 1100 4<sup>th</sup> St., SW, Suite E-300 A-B Washington, DC 20024. For further information on this schedule, please contact the front desk at 202-442-4320.

**DEPARTMENT OF CONSUMER AND REGULATORY AFFAIRS  
OCCUPATIONAL AND PROFESSIONAL LICENSING DIVISION**

**NOTICE OF PUBLIC MEETING**

**District of Columbia Real Estate Appraisers  
1100 4<sup>th</sup> Street SW, Room 300 B  
Washington, DC 20024**

**AGENDA**

**April 15, 2015  
10:00 A.M.**

1. Call to Order – 10:00 a.m.
2. Attendance (Start of Public Session) – 10:30 a.m.
3. Executive Session (Closed to the Public) – 10:00 – 10:30 a.m.
  - A. Legal Recommendations
  - B. Legal Report
  - C. Application Review
4. Comments from the Public
5. Minutes - Draft
6. Recommendations
  - A. Review - Applications for Licensure
  - B. Legal Report
  - C. Education Report
  - D. Budget Report
  - E. 2015 Calendar
  - F. Correspondence
7. Old Business
8. New Business
9. Adjourn

Next Scheduled Regular Meeting, May 20, 2015  
1100 4<sup>th</sup> Street, SW, Room 300B, Washington, DC 20024



**DEPARTMENT OF CONSUMER AND REGULATORY AFFAIRS  
OCCUPATIONAL AND PROFESSIONAL LICENSING DIVISION**

**NOTICE OF PUBLIC MEETING**

**District of Columbia Real Estate Commission  
1100 4<sup>th</sup> Street, S.W., Room 300B  
Washington, D.C. 20024**

**AGENDA  
April 14, 2015**

1. Call to Order - 9:30 a.m.
  2. Executive Session (Closed to the Public) – 9:30 am-10:30 am
    - A. Legal Committee Recommendations
    - B. Review – Applications for Licensure
    - C. Legal Counsel Report
  3. Attendance (Start of Public Session) – 10:30 a.m.
  4. Comments from the Public
  5. Minutes - Draft, March 10, 2015
  6. Recommendations
    - A. Review - Applications for Licensure
    - B. Legal Committee Report
    - C. Education Committee Report
    - D. Budget Report
    - E. 2015 Calendar
    - F. Correspondence
  7. Old Business
  8. New Business
  9. Adjourn
- Next Scheduled Regular Meeting, May 12, 2015  
1100 4<sup>th</sup> Street, SW, Room 300B, Washington, DC 20024

**DC INTERNATIONAL SCHOOL  
Invitation for Bid**

**RFP for Student Furniture:** DC International School is seeking competitive bids for Student Furniture. Bids must include brands available. Bids must include evidence of experience in field, qualifications and estimated fees. Please send information about showroom availability in the DMV area. Please send proposals to [rfp@dcinternationalschool.org](mailto:rfp@dcinternationalschool.org). Proposals must be received no later than the close of business Friday, April 10, 2015.

**RFP for Chromebooks:** DC International School is seeking competitive bids for Google Chromebooks. Bids can be for purchase or lease. Bids must include evidence of experience in field, qualifications and estimated fees. Please include price for hardware and management console. Please send proposals to [rfp@dcinternationalschool.org](mailto:rfp@dcinternationalschool.org). Proposals must be received no later than the close of business Friday, April 10, 2015.

DC International School is seeking competitive bids for Google Chromebooks. Please include make and model and price per item. We will be looking to purchase approximately 210 Chromebooks. Bids must include evidence of experience in field, qualifications and estimated fees. Please include price for hardware and management console. We are non-profit. Please make note of any education discounts.

**E.L. HAYNES PUBLIC CHARTER SCHOOL****REQUEST FOR PROPOSALS****Construction Services**

E.L. Haynes Public Charter School (“ELH”) is remodeling existing finished space to add one classroom. The work will require both demolition and construction on a very tight timeframe. The property is located at 4501 Kansas Avenue, NW. The school is requesting proposals from qualified vendors for the design and construction of the new space.

Proposals are due via email to Richard Pohlman no later than 5:00 PM on Friday, April 17, 2015. We will notify the final vendor of selection by April 27 and the work to be completed by July 17, 2015. The RFP with bidding requirements can be obtained by contacting:

Richard Pohlman  
E.L. Haynes Public Charter School  
Phone: 202.706.5838x1041  
Email: rpohlman@elhaynes.org

**OFFICE OF THE STATE SUPERINTENDENT OF EDUCATION  
EDUCATION LICENSURE COMMISSION**

**REVISED NOTICE OF MEETING SCHEDULE**

Pursuant to the Education Licensure Commission Act of 1976, effective April 6, 1977 (D.C. Law 1-104; 23 D.C. Reg. 8734; D.C. Official Code § 38-1301 *et seq.*), and the District of Columbia Administrative Procedure Act, effective October 21, 1968 (82 Stat. 1203; D.C. Official Code § 2-501 *et seq.*), the Education Licensure Commission (“Commission”) hereby gives notice of a revision to the schedule for the Commission’s March 2015 Executive and Public meetings, which was last published in the D.C. Register on February 13, 2015.

The meeting, which was originally scheduled to take place on Thursday, March 5, 2015, was rescheduled as a result of inclement weather and will take place as follows:

DATE	START TIME	END TIME	LOCATION	MEETING TYPE	REASON FOR CLOSURE (if applicable)
March 19, 2015	9:30 AM	10:30 AM	441 4 <sup>th</sup> Street, NW, 1 <sup>st</sup> Floor, Old Council Chamber	Executive (closed)	D.C. Official Code §§2-575(b)(1), (4); 5 DCMR §A8204.1(b)
March 19, 2015	10:30 AM	1:00 PM	441 4 <sup>th</sup> Street, NW, 1 <sup>st</sup> Floor, Old Council Chamber	Public	N/A

If you have questions regarding this schedule of Commission meetings and/or New Applicant Workshops, please contact the Executive Director of the Education Licensure Commission, Angela Lee at (202) 724-2095 or at [Angela.Lee@dc.gov](mailto:Angela.Lee@dc.gov).

**ELSIE WHITLOW STOKES COMMUNITY FREEDOM PUBLIC CHARTER SCHOOL**  
**REQUEST FOR PROPOSALS**

The Elsie Whitlow Stokes Community Freedom Public Charter School solicits expressions of interest in the form of proposals with references from qualified vendors, payment and fee schedule, and experience of key personnel for each of the services listed below.

1. Auditing services – DCPCSB approved auditor to perform annual audit and OBM Circular A-133 Audit for the School and its QALICB.
2. Legal services- general legal consulting services
3. Cleaning services—daily cleaning services of 30,000 sq. ft., after school and one Saturday a month
4. Office supplies
5. Instructional Materials
6. Employee Benefits – provide health and life insurance for 50+ employees

Please e-mail proposals and supporting documents to [ewsprocurement@gmail.com](mailto:ewsprocurement@gmail.com), specifying the RFP service request type in the subject heading. Deadline for submissions is **12pm EST April 10, 2015**. No phone calls please.

**DISTRICT DEPARTMENT OF THE ENVIRONMENT  
NOTICE OF FUNDING AVAILABILITY**

**GRANTS FOR  
Stormwater Management Training**

The District Department of the Environment (“DDOE”) is seeking eligible entities, as defined below, to evaluate, revise, and expand existing training sessions and materials, develop new educational courses, facilitate training sessions, and work with DDOE to advertise the training inside and outside the District government. The amount available for the project in this RFA is approximately \$120,000. This amount is subject to continuing availability of funding and approval by the appropriate agencies.

Beginning 3/27/2015, the full text of the Request for Applications (“RFA”) will be available online at DDOE’s website. It will also be available for pickup. A person may obtain a copy of this RFA by any of the following means:

**Download** from DDOE’s website, [www.ddoe.dc.gov](http://www.ddoe.dc.gov). Select “Resources” tab. Cursor over the pull-down list; select “Grants and Funding;” then, on the new page, cursor down to the announcement for this RFA. Click on “Read More,” then download and related information from the “attachments” section.

**Email** a request to [DCSWMTrainingRFA.grants@dc.gov](mailto:DCSWMTrainingRFA.grants@dc.gov) with “Request copy of RFA 2015-1508-WPD” in the subject line;

**Pick up a copy in person** from the DDOE reception desk, located at 1200 First Street NE, 5th Floor, Washington, DC 20002. Call Julienne Bautista at (202) 299-3345 to make an appointment and mention this RFA by name; or

**Write** DDOE at 1200 First Street NE, 5th Floor, Washington, DC 20002, “Attn: Julienne Bautista RE:2015-1508-WPD” on the outside of the letter.

**The deadline for application submissions is 4/27/2015, at 4:30 p.m.** Five hard copies must be submitted to the above address and a complete electronic copy must be e-mailed to [DCSWMTrainingRFA.grants@dc.gov](mailto:DCSWMTrainingRFA.grants@dc.gov).

**Eligibility:** All the checked institutions below may apply for these grants:

- Nonprofit organizations, including those with IRS 501(c)(3) or 501(c)(4) determinations;
- Faith-based organizations;
- Government agencies; and
- Universities/educational institutions.

**For additional information** regarding this RFA, please contact DDOE as instructed in the RFA document, at [DCSWMTrainingRFA.grants@dc.gov](mailto:DCSWMTrainingRFA.grants@dc.gov).

**DISTRICT DEPARTMENT OF THE ENVIRONMENT**

FISCAL YEAR 2015

**PUBLIC NOTICE**

Notice is hereby given that, pursuant to 40 C.F.R. Part 51.161, D.C. Official Code §2-505, and 20 DCMR § 210, the Air Quality Division (AQD) of the District Department of the Environment (DDOE), located at 1200 First Street NE, 5<sup>th</sup> Floor, Washington, DC, intends to issue an air quality permit (#6828) to Georgetown University to construct and operate an 80 kWe emergency generator set with a 131 hp diesel fired engine at the DPS Com Center Village C Tunnel of Georgetown University, located at 3700 O Street NW, Washington, DC 20057. The contact person for facility is Gregory Simmons, Associate Vice President, Facilities Operations, Design and Construction, at 202 594-6523. The applicant's mailing address is 3700 O Street NW, Washington, DC 20057.

Emissions:

Maximum emissions from the 80 kW emergency generator, operating five hundred (500) hours per year, is expected to be as follows:

<b>Pollutant</b>	<b>Maximum Annual Emissions (tons/yr)</b>
Total Particulate Matter (PM Total)	0.07
Sulfur Dioxide (SO <sub>2</sub> )	0.07
Nitrogen Oxides (NO <sub>x</sub> )	1.02
Volatile Organic Compounds (VOC)	0.08
Carbon Monoxide (CO)	0.22

The proposed overall emission limits for the equipment are as follows:

- a. Visible emissions shall not be emitted into the outdoor atmosphere from this generator, except that discharges not exceeding forty percent (40%) opacity (unaveraged) shall be permitted for two (2) minutes in any sixty (60) minute period and for an aggregate of twelve (12) minutes in any twenty-four hour (24 hr.) period during start-up, cleaning, adjustment of combustion controls, or malfunction of the equipment [20 DCMR 606.1]
- b. An emission into the atmosphere of odorous or other air pollutants from any source in any quantity and of any characteristic, and duration which is, or is likely to be injurious to the public health or welfare, or which interferes with the reasonable enjoyment of life or property is prohibited. [20 DCMR 903.1]

The permit application and supporting documentation, along with the draft permit are available for public inspection at AQD and copies may be made available between the hours of 8:15 A.M. and 4:45 P.M. Monday through Friday. Interested parties wishing to view these documents

should provide their names, addresses, telephone numbers and affiliation, if any, to Stephen S. Ours at (202) 535-1747.

Interested persons may submit written comments or may request a hearing on this subject within 30 days of publication of this notice. The written comments must also include the person's name, telephone number, affiliation, if any, mailing address and a statement outlining the air quality issues in dispute and any facts underscoring those air quality issues. All relevant comments will be considered in issuing the final permit.

Comments on the proposed permit and any request for a public hearing should be addressed to:

Stephen S. Ours  
Chief, Permitting Branch  
Air Quality Division  
District Department of the Environment  
1200 First Street NE, 5<sup>th</sup> Floor  
Washington, DC 20002  
[Stephen.Ours@dc.gov](mailto:Stephen.Ours@dc.gov)

**No written comments or hearing requests postmarked after April 27, 2015 will be accepted.**

For more information, please contact Stephen S. Ours at (202) 535-1747.



**DISTRICT DEPARTMENT OF THE ENVIRONMENT**

FISCAL YEAR 2015

**PUBLIC NOTICE**

Notice is hereby given that, pursuant to 40 C.F.R. Part 51.161, D.C. Official Code §2-505, and 20 DCMR §210, the Air Quality Division (AQD) of the District Department of the Environment (DDOE), located at 1200 First Street NE, 5<sup>th</sup> Floor, Washington, DC, intends to issue an air quality permit (#6829) to Georgetown University to construct and operate a 125e kW emergency generator set with a 207 hp diesel fired engine at the ICC Mech Room of Georgetown University, located at 3700 O Street NW, Washington, DC 20057. The contact person for facility is Gregory Simmons, Associate Vice President, Facilities Operations, Design and Construction, at 202 594-6523. The applicant's mailing address is 3700 O Street NW, Washington, DC 20057.

Emissions:

Maximum emissions from the 125 kW emergency generator, operating five hundred (500) hours per year, is expected to be as follows:

<b>Pollutant</b>	<b>Maximum Annual Emissions (tons/yr)</b>
Total Particulate Matter (PM Total)	0.06
Sulfur Dioxide (SO <sub>2</sub> )	0.11
Nitrogen Oxides (NO <sub>x</sub> )	0.78
Volatile Organic Compounds (VOC)	0.13
Carbon Monoxide (CO)	0.26

The proposed overall emission limits for the equipment are as follows:

- a. Visible emissions shall not be emitted into the outdoor atmosphere from this generator, except that discharges not exceeding forty percent (40%) opacity (unaveraged) shall be permitted for two (2) minutes in any sixty (60) minute period and for an aggregate of twelve (12) minutes in any twenty-four hour (24 hr.) period during start-up, cleaning, adjustment of combustion controls, or malfunction of the equipment [20 DCMR 606.1]
- b. An emission into the atmosphere of odorous or other air pollutants from any source in any quantity and of any characteristic, and duration which is, or is likely to be injurious to the public health or welfare, or which interferes with the reasonable enjoyment of life or property is prohibited. [20 DCMR 903.1]

The permit application and supporting documentation, along with the draft permit are available for public inspection at AQD and copies may be made available between the hours of 8:15 A.M. and 4:45 P.M. Monday through Friday. Interested parties wishing to view these documents should provide their names, addresses, telephone numbers and affiliation, if any, to Stephen S. Ours at (202) 535-1747.

Interested persons may submit written comments or may request a hearing on this subject within 30 days of publication of this notice. The written comments must also include the person's name, telephone number, affiliation, if any, mailing address and a statement outlining the air quality issues in dispute and any facts underscoring those air quality issues. All relevant comments will be considered in issuing the final permit.

Comments on the proposed permit and any request for a public hearing should be addressed to:

Stephen S. Ours  
Chief, Permitting Branch  
Air Quality Division  
District Department of the Environment  
1200 First Street NE, 5<sup>th</sup> Floor  
Washington, DC 20002  
[Stephen.Ours@dc.gov](mailto:Stephen.Ours@dc.gov)

**No written comments or hearing requests postmarked after April 27, 2015 will be accepted.**

For more information, please contact Stephen S. Ours at (202) 535-1747.

**DISTRICT DEPARTMENT OF THE ENVIRONMENT**

FISCAL YEAR 2015

**PUBLIC NOTICE**

Notice is hereby given that, pursuant to 40 C.F.R. Part 51.161, D.C. Official Code §2-505, and 20 DCMR §210, the Air Quality Division (AQD) of the District Department of the Environment (DDOE), located at 1200 First Street NE, 5<sup>th</sup> Floor, Washington, DC, intends to issue an air quality permit (#6836) to Georgetown University to construct and operate a 400 kWe emergency generator set with a 602 hp diesel fired engine at the Preclinical Indoor Mech. Room of Georgetown University, located at 3700 O Street NW, Washington, DC 20057. The contact person for facility is Gregory Simmons, Associate Vice President, Facilities Operations, Design and Construction, at 202 594-6523. The applicant's mailing address is 3700 O Street NW, Washington, DC 20057.

Emissions:

Maximum emissions from the 400 kW emergency generator, operating five hundred (500) hours per year, is expected to be as follows:

<b>Pollutant</b>	<b>Maximum Annual Emissions (tons/yr)</b>
Total Particulate Matter (PM Total)	0.05
Sulfur Dioxide (SO <sub>2</sub> )	0.31
Nitrogen Oxides (NO <sub>x</sub> )	1.59
Volatile Organic Compounds (VOC)	0.37
Carbon Monoxide (CO)	0.87

The proposed overall emission limits for the equipment are as follows:

- a. Visible emissions shall not be emitted into the outdoor atmosphere from this generator, except that discharges not exceeding forty percent (40%) opacity (unaveraged) shall be permitted for two (2) minutes in any sixty (60) minute period and for an aggregate of twelve (12) minutes in any twenty-four hour (24 hr.) period during start-up, cleaning, adjustment of combustion controls, or malfunction of the equipment [20 DCMR 606.1]
- b. An emission into the atmosphere of odorous or other air pollutants from any source in any quantity and of any characteristic, and duration which is, or is likely to be injurious to the public health or welfare, or which interferes with the reasonable enjoyment of life or property is prohibited. [20 DCMR 903.1]

The permit application and supporting documentation, along with the draft permit are available for public inspection at AQD and copies may be made available between the hours of 8:15 A.M. and 4:45 P.M. Monday through Friday. Interested parties wishing to view these documents

should provide their names, addresses, telephone numbers and affiliation, if any, to Stephen S. Ours at (202) 535-1747.

Interested persons may submit written comments or may request a hearing on this subject within 30 days of publication of this notice. The written comments must also include the person's name, telephone number, affiliation, if any, mailing address and a statement outlining the air quality issues in dispute and any facts underscoring those air quality issues. All relevant comments will be considered in issuing the final permit.

Comments on the proposed permit and any request for a public hearing should be addressed to:

Stephen S. Ours  
Chief, Permitting Branch  
Air Quality Division  
District Department of the Environment  
1200 First Street NE, 5<sup>th</sup> Floor  
Washington, DC 20002  
[Stephen.Ours@dc.gov](mailto:Stephen.Ours@dc.gov)

**No written comments or hearing requests postmarked after April 27, 2015 will be accepted.**

For more information, please contact Stephen S. Ours at (202) 535-1747.

**DISTRICT DEPARTMENT OF THE ENVIRONMENT**

FISCAL YEAR 2015

**PUBLIC NOTICE**

Notice is hereby given that, pursuant to 40 C.F.R. Part 51.161, D.C. Official Code §2-505, and 20 DCMR § 210, the Air Quality Division (AQD) of the District Department of the Environment (DDOE), located at 1200 First Street NE, 5<sup>th</sup> Floor, Washington, DC, intends to issue an air quality permit (#6839) to Georgetown University to construct and operate a 125 kWe emergency generator set with a 207 hp diesel fired engine at the North Side of the White Gravenor Building of Georgetown University, located at 3700 O Street NW, Washington, DC 20057. The contact person for facility is Gregory Simmons, Associate Vice President, Facilities Operations, Design and Construction, at 202 594-6523. The applicant's mailing address is 3700 O Street NW, Washington, DC 20057.

Emissions:

Maximum emissions from the 125 kWe emergency generator, operating five hundred (500) hours per year, is expected to be as follows:

<b>Pollutant</b>	<b>Maximum Annual Emissions (tons/yr)</b>
Total Particulate Matter (PM Total)	0.06
Sulfur Dioxide (SO <sub>2</sub> )	0.11
Nitrogen Oxides (NO <sub>x</sub> )	0.78
Volatile Organic Compounds (VOC)	0.02
Carbon Monoxide (CO)	0.26

The proposed overall emission limits for the equipment are as follows:

- a. Visible emissions shall not be emitted into the outdoor atmosphere from this generator, except that discharges not exceeding forty percent (40%) opacity (unaveraged) shall be permitted for two (2) minutes in any sixty (60) minute period and for an aggregate of twelve (12) minutes in any twenty-four hour (24 hr.) period during start-up, cleaning, adjustment of combustion controls, or malfunction of the equipment [20 DCMR 606.1]
- b. An emission into the atmosphere of odorous or other air pollutants from any source in any quantity and of any characteristic, and duration which is, or is likely to be injurious to the public health or welfare, or which interferes with the reasonable enjoyment of life or property is prohibited. [20 DCMR 903.1]

The permit application and supporting documentation, along with the draft permit are available for public inspection at AQD and copies may be made available between the hours of 8:15 A.M. and 4:45 P.M. Monday through Friday. Interested parties wishing to view these documents

should provide their names, addresses, telephone numbers and affiliation, if any, to Stephen S. Ours at (202) 535-1747.

Interested persons may submit written comments or may request a hearing on this subject within 30 days of publication of this notice. The written comments must also include the person's name, telephone number, affiliation, if any, mailing address and a statement outlining the air quality issues in dispute and any facts underscoring those air quality issues. All relevant comments will be considered in issuing the final permit.

Comments on the proposed permit and any request for a public hearing should be addressed to:

Stephen S. Ours  
Chief, Permitting Branch  
Air Quality Division  
District Department of the Environment  
1200 First Street NE, 5<sup>th</sup> Floor  
Washington, DC 20002  
[Stephen.Ours@dc.gov](mailto:Stephen.Ours@dc.gov)

**No written comments or hearing requests postmarked after April 27, 2015 will be accepted.**

For more information, please contact Stephen S. Ours at (202) 535-1747.

**FRIENDSHIP PUBLIC CHARTER SCHOOL****NOTICE OF REQUEST FOR PROPOSAL**

Friendship Public Charter School is seeking bids from prospective vendors to provide;

- Technology Hardware and Software
- Classroom and Office [Materials and Supplies](#)
- Uniform [Apparel](#)
- Design & Print Services
- [Printer and Copier Lease](#) and Management
- Transportation
- Consulting Services
- Event Support Services
- Food Services
- Facilities Management
- Instructional Materials and Supplies
- [Design & Print Services](#)
- [Translation Services](#)
- [Moving and labor services](#)
- Online Curriculum
- Signage
- Inventory Management
- Environmental Inspection
- Furniture and Fixture

The competitive Request for Proposal can be found on FPCS website at

<http://www.friendshipschools.org/procurement>. Proposals are due no later than 4:00 P.M., EST, April 20th, 2015. No proposal will be accepted after the deadline. Questions can be addressed to: [ProcurementInquiry@friendshipschools.org](mailto:ProcurementInquiry@friendshipschools.org)

**HIGH SPEED WAN & INTERNET SERVICE:** Friendship Public Charter School is soliciting proposals from qualified vendors for **HIGH SPEED WAN & INTERNET SERVICE**. The competitive Request for Proposal can be found on FPCS website at <http://www.friendshipschools.org/procurement>. The deadline has been extended and the proposals are due no later than 4:00 P.M., EST, April 6th, 2015. No proposal will be accepted after the deadline. Questions can be addressed to: [ProcurementInquiry@friendshipschools.org](mailto:ProcurementInquiry@friendshipschools.org). -- **Bids not addressing all areas as outlined in the RFP will not be considered.**

**FINANCIAL AUDITOR:** Friendship Public Charter School is soliciting proposals from qualified vendors for **FINANCIAL AUDITING SERVICES**. The competitive Request for Proposal can be found on FPCS website at <http://www.friendshipschools.org/procurement>. Proposals are due no later than 4:00 P.M., EST, April 6th, 2015. No proposal will be accepted after the deadline. Questions can be addressed to: [ProcurementInquiry@friendshipschools.org](mailto:ProcurementInquiry@friendshipschools.org). -- **Bids not addressing all areas as outlined in the RFP will not be considered.**

**DISTRICT OF COLUMBIA DEPARTMENT OF HEALTH  
COMMUNITY HEALTH ADMINISTRATION**

**NOTICE OF FUNDING AVAILABILITY  
Request for Applications # CHA\_PHBG041015**

**FY 2015 Preventive Health and Health Services Block Grant**

The Government of the District of Columbia, Department of Health (DOH) Community Health Administration (CHA) is soliciting applications to provide innovative services utilizing the Preventive Health and Health Services Block Grant (PHHSBG) funding to improve chronic disease outcomes. The programs will address education and awareness for proper nutrition, weight reduction, physical activity, and tobacco control and cessation to District of Columbia residents.

This funding is provided through a grant (B01DP009009) received from the Centers for Disease Control and Prevention (CDC) pursuant to the authority of Department of Health and Human Services, Public Health Services, and Centers for Disease Control and Prevention, Title XIX, Section 1901, PHS Act as amended.

In FY 2015, approximately \$ 650,000 in funding is expected to be available for up to 3 awards. Resulting grant awards are projected to begin July 2015.

The following entities are eligible to apply for grant funds under this RFA: not-for profit, public and private organizations located in and licensed to conduct business within the District of Columbia.

**The release date for RFA # CHA\_PHBG041015 is Friday, April 10, 2015.** RFA #CHA\_PHBG041015 will be available on the DC Grants Clearinghouse website <http://opgs.dc.gov/page/opgs-district-grants-clearinghouse> on **Friday, April 10, 2015**. A **limited number of copies will also be available** at the Community Health Administration, 899 North Capitol Street NE, Washington, DC on the 3<sup>rd</sup> floor.

**The Request for Application (RFA#)** submission deadline is 4:00 pm Monday, May 11, 2015. The Pre-Application Conference will be held in the District of Columbia at 899 North Capitol St., NE, 3rd Floor Conference Room, 306, Washington, DC 20002 on Tuesday, April 21, 2015 at 1:30p.m. - 3:30p.m.

Applicants are encouraged to e-mail their questions to [sherry.billings@dc.gov](mailto:sherry.billings@dc.gov) prior to the Pre-Application Conference date of Tuesday, April 21, 2015. For assistance, contact Sherry Billings at (202) 442-9173.



**DEPARTMENT OF HEALTH  
HEALTH PROFESSIONAL LICENSING ADMINISTRATION**

**NOTICE OF MEETING**

Board of Medicine  
March 25, 2015

On MARCH 25, 2015 at 8:30 am, the Board of Medicine will hold a meeting to consider and discuss a range of matters impacting competency and safety in the practice of medicine.

In accordance with Section 405(b) of the Open Meetings Amendment Act of 2010, the meeting will be closed from 8:30 am until 10:30 am to plan, discuss, or hear reports concerning licensing issues, ongoing or planned investigations of practice complaints, and or violations of law or regulations.

The meeting will be open to the public from 10:30 am to 11:30 am to discuss various agenda items and any comments and/or concerns from the public. After which the Board will reconvene in closed session to continue its deliberations until 2:00 pm.

The meeting location is 899 North Capitol Street NE, 2<sup>nd</sup> Floor, Washington, DC 20002.

Meeting times and/or locations are subject to change – please visit the Board of Medicine website [www.doh.dc.gov/bomed](http://www.doh.dc.gov/bomed) and select BoMed Calendars and Agendas to view the agenda and any changes that may have occurred.

Executive Director for the Board – Jacqueline A. Watson, DO, MBA.

**DEPARTMENT OF HEALTH****PUBLIC NOTICE**

The District of Columbia Board of Dentistry hereby gives notice, pursuant to § 405 of the District of Columbia Health Occupation Revision Act of 1985, effective March 25, 1986 (D.C. Law 6-99; D.C. Official Code § 3-1204.05 (b)) (2012 Repl.), of the change of its regularly scheduled monthly dates for the months of April and May 2015 as follows:

The District of Columbia Board of Dentistry will meet on Wednesday, April 22, 2015 at 10:00 a.m. The open (public) session will begin at 10:30 a.m.

The District of Columbia Board of Dentistry will meet on Wednesday, May 13, 2015 at 10:00 a.m. The open (public) session will begin at 10:30 a.m.

The District of Columbia Board of Dentistry regularly meets on the third Wednesday of each month at 899 North Capitol Street, NE, 2<sup>nd</sup> Floor, Washington, D.C. 20002.

**THE NOT-FOR-PROFIT HOSPITAL CORPORATION  
BOARD OF DIRECTORS  
NOTICE OF PUBLIC MEETING**

The monthly Governing Board meeting of the Board of Directors of the Not-For-Profit Hospital Corporation, an independent instrumentality of the District of Columbia Government, will be held at 9:00am on Thursday, March 26, 2015. The meeting will be held at 1310 Southern Avenue, SE, Washington, DC 20032, in Conference Room 2/3. Notice of a location, time change, or intent to have a closed meeting will be published in the D.C. Register, posted in the Hospital, and/or posted on the Not-For-Profit Hospital Corporation's website ([www.united-medicalcenter.com](http://www.united-medicalcenter.com)).

**DRAFT AGENDA**

- I. CALL TO ORDER**
  
- II. DETERMINATION OF A QUORUM**
  
- III. APPROVAL OF AGENDA**
  
- IV. CONSENT AGENDA**
  - A. READING AND APPROVAL OF MINUTES**
    - 1. February 26, 2015 – Board of Directors General Meeting
  
  - B. EXECUTIVE REPORTS**
    - 1. Dr. Cyril Allen, Chief Medical Officer
    - 2. Thomas E. Hallisey, Chief Information Officer
    - 3. Jim Hobbs, VP of Business Development & Physician Recruitment
    - 4. Jackie Johnson, VP of Human Resources
    - 5. Pamela Lee, EVP of Hospital Operations & CQO
    - 6. David Thompson, Interim Director of Public Relations and Communications
    - 7. Maribel Torres, Chief Nursing Officer
    - 8. Charletta Washington, VP of Ambulatory & Ancillary Services
  
- V. NONCONSENT AGENDA**
  - A. CHIEF EXECUTIVE REPORTS**
    - 1. David Small, Interim CEO
    - 2. Barbara Roberson-Thomas, Interim CFO

**B. MEDICAL STAFF REPORT**

1. Raymond Tu, Vice Chief of Staff

**C. COMMITTEE REPORTS**

1. Governance Committee Report
2. Patient Safety and Quality Committee
3. Finance Committee Report

**D. OTHER BUSINESS**

1. Old Business
2. New Business

**E. ANNOUNCEMENT**

Next Meeting – Thursday, April 23, 2015 at 9:00am in Conference Rooms 2/3.

**F. ADJOURNMENT**

***NOTICE OF INTENT TO CLOSE.*** The NFPHC Board hereby gives notice that it may close the meeting and move to executive session to discuss collective bargaining agreements, personnel, and discipline matters. D.C. Official Code §§2 -575(b)(2)(4A)(5),(9),(10),(11),(14).

## DISTRICT OF COLUMBIA PUBLIC CHARTER SCHOOL BOARD

## NOTIFICATION OF NEW CHARTER SCHOOL APPLICANTS

The District of Columbia Public Charter School Board (“PCSB”) hereby gives notice, dated March 16, 2015, of the applications it received by the March 9, 2015 deadline (please see chart below). A hearing will be held on Monday, April 20, 2015 at 5:30pm to discuss these applications. A vote on the matter will take place on May 18, 2015 at 6:30pm. For questions, please contact Mikayla Lytton, Manager of Strategy and Analysis, at 202-328-2660 or email [applications@dcpsb.org](mailto:applications@dcpsb.org). Public comment on these applications may be submitted by May 11, 2015 at 5:00pm. Please contact 202-328-2660 or email [public.comment@dcpsb.org](mailto:public.comment@dcpsb.org) to submit public comment.

Applicants	Intended Grades	Intended/Preferred Ward
Breakthrough Montessori	EC/ES: PK3-4	1 (~4 or 5)
Legacy Collegiate	EC/ES: PK4	7
Fostering Scholars	ES: 1-4	7 or 8
Creative Minds - MS expansion	MS: 5-6	5
Washington Leadership Academy	HS: 9-12	7 or 8
Sustainable Futures	MS/HS: 14-21	N/A
Goodwill Excel Center	Adult Ed: 9-12	4,5,6,7

**GOVERNMENT OF THE DISTRICT OF COLUMBIA  
PUBLIC EMPLOYEE RELATIONS BOARD**

**2015 MONTHLY MEETING SCHEDULE**

This notice outlines the schedule of the regular Board meetings of the Public Employee Relations Board. The meetings are held in open session and the public is invited to attend. The meetings are held at 1100 4<sup>th</sup> Street, SW, Washington, D.C. A copy of the agenda for each meeting is posted in the reception area of our office and on our website. For further information, please contact the front desk at 202-727-1822. The schedule is subject to change.

<b>DATE</b>	<b>TIME</b>	<b>ROOM NUMBER</b>
Tuesday, April 21, 2015	11:00 AM	Room E630
Thursday, May 21, 2015	11:00 AM	Room E630
Thursday, June 18, 2015	11:00 AM	Room E630
Thursday, July 16, 2015	11:00 AM	Room E630
Thursday, August 20, 2015	11:00 AM	Room E630
Thursday, September 17, 2015	11:00 AM	Room E630
Thursday, October 15, 2015	11:00 AM	Room E630
Thursday, November 19, 2015	11:00 AM	Room E630
Thursday, December 17, 2015	11:00 AM	Room E630

**TWO RIVERS PUBLIC CHARTER SCHOOL****REQUEST FOR PROPOSALS****Videographer**

Two Rivers Public Charter School invites all interested parties to submit proposals to provide videographer services to document best teaching practices. The complete RFP can be obtained by contacting Khizer Husain at [procurement@tworiverspcs.org](mailto:procurement@tworiverspcs.org). All responses will be due by April 17, 2015.

**DISTRICT OF COLUMBIA WATER AND SEWER AUTHORITY**

**BOARD OF DIRECTORS**

**NOTICE OF PUBLIC MEETING**

**Audit Committee**

The Board of Directors of the District of Columbia Water and Sewer Authority (DC Water) Audit Committee will be holding a meeting on Thursday, April 23, 2015 at 9:30 a.m. The meeting will be held in the Board Room (4<sup>th</sup> floor) at 5000 Overlook Avenue, S.W., Washington, D.C. 20032. Below is the draft agenda for this meeting. A final agenda will be posted to DC Water's website at [www.dcwater.com](http://www.dcwater.com).

For additional information, please contact Linda R. Manley, Board Secretary at (202) 787-2332 or [لمانley@dcwater.com](mailto:لمانley@dcwater.com).

**DRAFT AGENDA**

- |    |   |                  |
|----|---|------------------|
| 1. | Call to Order   | Chairman         |
| 2. | Summary of Internal Audit Activity -<br>Internal Audit Status | Internal Auditor |
| 3. | Executive Session   | Chairman         |
| 4. | Adjournment   | Chairman         |



## DISTRICT OF COLUMBIA WATER AND SEWER AUTHORITY

## BOARD OF DIRECTORS

## NOTICE OF PUBLIC MEETING

The Board of Directors of the District of Columbia Water and Sewer Authority (DC Water) will be holding a meeting on Thursday, April 2, 2015 at 9:30 a.m. The meeting will be held in the Board Room (4<sup>th</sup> floor) at 5000 Overlook Avenue, S.W., Washington, D.C. 20032. Below is the draft agenda for this meeting. A final agenda will be posted to DC Water's website at [www.dewater.com](http://www.dewater.com).

For additional information, please contact Linda R. Manley, Board Secretary at (202) 787-2332 or [linda.manley@dewater.com](mailto:linda.manley@dewater.com).

## DRAFT AGENDA

- |    |   |                       |
|----|---|-----------------------|
| 1. | <b>Call to Order</b>                              | Board Chairman        |
| 2. | <b>Roll Call</b>                                  | Board Secretary       |
| 3. | <b>Approval of March 19, 2015 Meeting Minutes</b> | Board Chairman        |
| 4. | <b>Committee Reports</b>                          | Committee Chairperson |
| 5. | <b>General Manager's Report</b>                   | General Manager       |
| 6. | <b>Action Items</b><br>Joint-Use<br>Non Joint-Use | Board Chairman        |
| 7. | <b>Other Business</b>                             | Board Chairman        |
| 8. | <b>Adjournment</b>                                | Board Chairman        |

## DISTRICT OF COLUMBIA WATER AND SEWER AUTHORITY

## BOARD OF DIRECTORS

## NOTICE OF PUBLIC MEETING

## Environmental Quality and Sewerage Services Committee

The Board of Directors of the District of Columbia Water and Sewer Authority (DC Water) Environmental Quality and Sewerage Services Committee will be holding a meeting on Thursday, April 16, 2015 at 9:30 a.m. The meeting will be held in the Board Room (4<sup>th</sup> floor) at 5000 Overlook Avenue, S.W., Washington, D.C. 20032. Below is the draft agenda for this meeting. A final agenda will be posted to DC Water's website at [www.dewater.com](http://www.dewater.com).

For additional information, please contact Linda R. Manley, Board Secretary at (202) 787-2332 or [linda.manley@dewater.com](mailto:linda.manley@dewater.com).

## DRAFT AGENDA

- |    |                               |  |
|----|-------------------------------|--|
| 1. | Call to Order                 | Committee Chairperson                          |
| 2. | AWTP Status Updates           | Assistant General Manager,<br>Plant Operations |
|    | 1. BPAWTP Performance         |  |
| 3. | Status Updates                | Chief Engineer                                 |
| 4. | Project Status Updates        | Director, Engineering &<br>Technical Services  |
| 5. | Action Items                  | Chief Engineer                                 |
|    | - Joint Use                   |  |
|    | - Non-Joint Use               |  |
| 6. | Emerging Items/Other Business |  |
| 7. | Executive Session             |  |
| 8. | Adjournment                   | Committee Chairperson                          |

**DISTRICT OF COLUMBIA WATER AND SEWER AUTHORITY****BOARD OF DIRECTORS****NOTICE OF PUBLIC MEETING****Finance and Budget Committee**

The Board of Directors of the District of Columbia Water and Sewer Authority (DC Water) Finance and Budget Committee will be holding a meeting on April 23, 2015 at 11:00 a.m. The meeting will be held in the Board Room (4<sup>th</sup> floor) at 5000 Overlook Avenue, S.W., Washington, D.C. 20032. Below is the draft agenda for this meeting. A final agenda will be posted to DC Water's website at [www.dcwater.com](http://www.dcwater.com).

For additional information please contact: Linda R. Manley, Board Secretary at (202) 787-2332 or [lmanley@dcwater.com](mailto:lmanley@dcwater.com).

**DRAFT AGENDA**

- |    |                                  |                              |
|----|----------------------------------|------------------------------|
| 1. | Call to Order                    | Chairman                     |
| 2. | March 2015 Financial Report      | Director of Finance & Budget |
| 3. | Agenda for May Committee Meeting | Chairman                     |
| 4. | Adjournment                      | Chairman                     |

**DISTRICT OF COLUMBIA WATER AND SEWER AUTHORITY**

**BOARD OF DIRECTORS**

**NOTICE OF PUBLIC MEETING**

**Retail Water and Sewer Rates Committee**

The Board of Directors of the District of Columbia Water and Sewer Authority (DC Water) Retail Water and Sewer Rates Committee will be holding a meeting on Tuesday, April 28, 2015 at 9:30 a.m. The meeting will be held in the Board Room (4<sup>th</sup> floor) at 5000 Overlook Avenue, S.W., Washington, D.C. 20032. Below is the draft agenda for this meeting. A final agenda will be posted to DC Water’s website at [www.dcwater.com](http://www.dcwater.com).

For additional information, please contact Linda R. Manley, Board Secretary at (202) 787-2332 or [lmanley@dcwater.com](mailto:lmanley@dcwater.com).

**DRAFT AGENDA**

- |           |  |                         |
|-----------|--|-------------------------|
| <b>1.</b> | Call to Order                              | Committee Chairman      |
| <b>2.</b> | Monthly Updates                            | Chief Financial Officer |
| <b>3.</b> | Committee Work plan                        | Chief Financial Officer |
| <b>4.</b> | Other Business                             | Chief Financial Officer |
| <b>5.</b> | Agenda for June 23, 2015 Committee Meeting | Committee Chairman      |
| <b>6.</b> | Adjournment                                | Chief Financial Officer |

**DISTRICT OF COLUMBIA WATER AND SEWER AUTHORITY****BOARD OF DIRECTORS****NOTICE OF PUBLIC MEETING****Water Quality and Water Services Committee**

The Board of Directors of the District of Columbia Water and Sewer Authority (DC Water) Water Quality and Water Services Committee will be holding a meeting on Thursday, April 16, 2015 at 11:00 a.m. The meeting will be held in the Board Room (4<sup>th</sup> floor) at 5000 Overlook Avenue, S.W., Washington, D.C. 20032. Below is the draft agenda for this meeting. A final agenda will be posted to DC Water's website at [www.dewater.com](http://www.dewater.com).

For additional information, please contact Linda R. Manley, Board Secretary at (202) 787-2332 or [linda.manley@dewater.com](mailto:linda.manley@dewater.com).

**DRAFT AGENDA**

- |    |                                |  |
|----|--------------------------------|--|
| 1. | Call to Order                  | Committee Chairperson                    |
| 2. | Water Quality Monitoring       | Assistant General Manager, Consumer Ser. |
| 3. | Action Items                   | Assistant General Manager, Consumer Ser. |
| 4. | Emerging Issues/Other Business | Assistant General Manager, Consumer Ser  |
| 5. | Executive Session              |  |
| 6. | Adjournment                    | Committee Chairperson                    |

**GOVERNMENT OF THE DISTRICT OF COLUMBIA  
BOARD OF ZONING ADJUSTMENT**

**Appeal No. 18677 of James Hill and Edward Hanlon**, pursuant to 11 DCMR §§ 3100 and 3101, from a decision on July 26, 2013, by the Zoning Administrator, Department of Consumer and Regulatory Affairs, to issue a building permit (B1309278) allowing construction of a rear deck addition at premises 1536 T Street, N.W. (Square 0191, Lot 0098).

**HEARING DATES:** December 17, 2013, February 25, 2014

**DECISION DATE:** February 25, 2014

**ORDER DISMISSING APPEAL**

**INTRODUCTION**

This appeal was filed by James Hill and Edward Hanlon with the Board of Zoning Adjustment (the “Board”) on October 2, 2013, challenging the Department of Consumer and Regulatory Affairs’ (“DCRA”) issuance of a building permit approving construction of a rear deck addition to an existing semi-detached dwelling at premises 1536 T Street, N.W. That building permit was later revoked by DCRA. For this reason, the Board voted to dismiss the appeal as moot. A full explanation of the factual and legal basis for the Board’s conclusion follows.

**PRELIMINARY MATTERS**

Notice of Appeal and Notice of Hearing

This Appeal was filed with the Board on October 2, 2013 by James Hill and Edward Hanlon (the “Appellants”). (Exhibit 1- Appeal, and Exhibit 2- Appellants’ Statement.) The filings detailed several claims of zoning error, including non-conforming lot occupancy and rear yard. Accordingly, the Office of Zoning scheduled a public hearing for December 17, 2013. Notice of the hearing was provided to the Appellant (Exhibit 16), the property owner, Rafael B. Romeu (the “Owner”) (Exhibit 17), DCRA (Exhibit 18), and the Advisory Neighborhood Commission (“ANC”) 2E (Exhibit 19).

Appearance and Representation

DCRA was represented by John Postulka, Esq., of DCRA’s Office of the General Counsel. The Appellants appeared at the public hearing, as did the Owner, and Mr. Postulka. The ANC did not participate during the proceedings.

DCRA’s Motion to Dismiss

On December 13, 2013, DCRA filed its prehearing statement in which it moved to dismiss the

**BZA APPEAL NO. 18677****PAGE NO. 2**

case, on the basis that it had issued a notice to revoke the building permit at issue. DCRA requested that the Board dismiss the case, or alternatively, hold the case in abeyance until the time for appealing DCRA's building permit revocation passed. (Exhibit 27.) Attached to DCRA's submission was a copy of DCRA's Notice to Revoke Building Permit No. 1309278, dated December 6, 2013, and signed by Rabbiah Sabbakhan, Chief Building Official of DCRA's Inspection and Compliance Administration & Permit Operations Division. (Exhibit 28.) The Notice stated that the revocation would become effective 60 days after the date of service of the Notice unless the revocation was appealed to the Board within that same period.

Continuance

On December 17, 2013, the Board considered DCRA's motion. The Appellants requested that the Board hold the Appeal in abeyance until the property owner's 60-day time period to appeal DCRA's decision to revoke the building permit expired. The Board decided to hold the matter in abeyance, and continued the hearing to February 25, 2014.

**FINDINGS OF FACT**The Building Permit

1. The subject property is located at 1536 T Street, N.W., in the DC/R-4 Zone District.
2. The subject property consists of a three-story, semi-detached building and is used as a two-family flat.
3. On or about July 25, 2013, the Owner applied to DCRA for a building permit to "construct [a] rear deck addition".
4. On July 26, 2013, Building Permit No. B1309278 was issued to the Owner.

The Appeal

5. On October 2, 2013, the Appellants filed an appeal challenging DCRA's issuance of the building permit. The Appellants contended, among other things, that the approval was contrary to the lot occupancy and rear yard requirements of the Zoning Regulations.

DCRA's Post-Permit Review and Revocation

6. After the appeal was filed, DCRA on December 6, 2013 issued a Notice to Revoke Building Permit No. B1309278. As basis for the revocation, the notice stated, "DCRA's Zoning Administrator reviewed the matter again and has determined that Building Permit B1309278 was issued in error because it allows for construction that violates the ... Zoning Regulations. Your permit approved the construction of a rear deck addition at 1536 T St., N.W. After

**BZA APPEAL NO. 18677****PAGE NO. 3**

additional review, the Zoning Administrator has determined that the addition will encroach into the required rear yard setback and will result in the lot occupancy exceeding the permissible maximum lot occupancy.”

7. The Notice to Revoke Building Permit indicated that it would become effective unless the Owner filed an appeal with the Board within 60 days. No appeal was filed within that period.
8. As a consequence, DCRA is deemed to have revoked Building Permit No. B1309278 on February 4, 2014.
9. In issuing the revocation, DCRA took the action sought by the Appellants. By virtue of that revocation becoming effective there is no longer any controversy between the Appellants and DCRA, the instant appeal is moot.

**CONCLUSIONS OF LAW**

Section 8 of the Zoning Act authorizes appeals to the Board “... by any person aggrieved, or organization authorized to represent that person, ... affected by any decision of an administrative officer granting or refusing a building permit ... based in whole or in part upon any Zoning Regulations ...” D.C. Official Code § 6-641.07(f) (2008.) The Appellants challenged DCRA’s issuance of a building permit on the ground that the zoning analysis undertaken by DCRA was in error and the building permit should not have issued.

The Board’s Rules of Practice prohibit it from considering “moot” questions. (11 DCMR § 3100.7.) As the Court of Appeal has stated:

A case is moot when the legal issues present are no longer ‘live’ or when the parties lack a legally cognizable interest in the outcome... The central question is ... whether the decision of a once living dispute continues to be justified by a sufficient prospect that the decision will have an impact on the parties.”

*N Street Follies Limited Partnership v. DC Bd. of Zoning Adjustment*, 949 A.2d 584 (D.C. 2008) (other citations omitted).

In accordance with these principles, the Board has dismissed several appeals as moot; for example, *Appeal No. 18321 of the Citizens Association of Georgetown* (May 2, 2013) (appeal moot when DCRA revoked the building permit that was the subject of the appeal because the plans submitted with the building permit application did not form an adequate basis for the Zoning Administrator to conclude that the proposed construction complied with the Zoning Regulations); *Appeal No. 18249 of Larry Heyman* (February 21, 2012) (portion of appeal based upon incorrect lot number rendered moot when DCRA issued a revised building permit with a



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corrected lot number); *Appeal No. 17085 of Louise and Larry Smith and Mary Ann Snow and James Marsh* (February 28, 2005) (appeal challenging construction on substandard lots rendered moot by owners' obtaining variances of lot size and lot width requirements); *Appeal No. 16984 of Advisory Neighborhood Commission 2A* (March 22, 2004) (appeal challenging portion of permit approving expansion became moot when renovation approved under revised permit which eliminated the expansion); and *Appeal No. 16752 of Advisory Neighborhood Commission 4A* (December 12, 2001) (appeal challenging certificate of occupancy became moot when new certificate of occupancy issued and original certificate of occupancy voided).

Here, DCRA gave notice of its revocation of the building permit by letter dated December 6, 2013. The revocation became effective on February 4, 2014. Thus, when the Board held the continued hearing on February 25, 2014, the Building Permit that was the subject of the appeal had been revoked by DCRA. Therefore, there was no longer any "live" controversy between Appellant and DCRA as to whether the permit was properly issued.

Accordingly, the Board hereby **ORDERS BZA Appeal No. 18677 DISMISSED as moot.**

**VOTE:**           **3-0-2**           (Lloyd J. Jordan, Jeffrey L. Hinkle, and Peter G. May voting to Dismiss the appeal; S. Kathryn Allen, not present, not voting; one Board seat vacant.)

**BY ORDER OF THE D.C. BOARD OF ZONING ADJUSTMENT**

A majority of the Board members approved the issuance of this order.

**FINAL DATE OF ORDER:** March 13, 2015

PURSUANT TO 11 DCMR § 3125.9, NO ORDER OF THE BOARD SHALL TAKE EFFECT UNTIL TEN (10) DAYS AFTER IT BECOMES FINAL PURSUANT TO § 3125.6.

**GOVERNMENT OF THE DISTRICT OF COLUMBIA  
BOARD OF ZONING ADJUSTMENT**

**Application No. 18710 of Michael Y. Chung**, pursuant to 11 DCMR § 3103.2 for a variance from the use provisions of § 701.1 to allow a fast food establishment<sup>1</sup> in the C-1 District at premises 607 Chesapeake Street, S.E. (Square 6208, Lot 106).

**HEARING DATE:** February 25, 2014  
**DECISION DATES:** April 1, 2014 and April 8, 2014

**DECISION AND ORDER**

On November 27, 2013, Michael Y. Chung (the “Applicant” or “Owner”) filed an application with the Board of Zoning Adjustment (the “Board”) requesting a use variance to allow a fast food establishment at the subject property. The Board determined that the Applicant had not met the legal test for granting a use variance. Thus, the Board voted to deny the variance. A full discussion of the facts and law supporting this conclusion is found below.

**PRELIMINARY MATTERS**

**Authorization**

The Applicant in this case is the property owner, Michael Y. Chung. Mr. Chung authorized Henry Akinuoye as his authorized agent. (Exhibit 23.) Mr. Akinuoye is a “Managing Consultant” with the NDS Construction Management firm. (Attachment to Exhibit 1.)

**The Application**

The application was for a use variance from § 701.1 of the Zoning Regulations to allow a fast food establishment in the C-1 zone district.

**Referral by the Zoning Administrator**

The application was referred to the Board by the Zoning Administrator (“ZA”) of the District Department of Consumer and Regulatory Affairs (“DCRA”). (Exhibit 2.) The relief sought was consistent with the relief recommended by the ZA.

**Notice of Public Hearing**

Notice

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<sup>1</sup> The relief sought was for a “fast food restaurant”. However, the caption was amended to reflect the proper use classification, a “fast food establishment”.

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Pursuant to 11 DCMR 3113.13, notice of the hearing was sent by the Office of Zoning to the Applicant, all owners of property within 200 feet of the subject site, Advisory Neighborhood Commission (“ANC”) 8D, and the District of Columbia Office of Planning (“OP”).

**Posting**

The Applicant posted placards at the property regarding the application and public hearing in accordance with 11 DCMR §§ 3113.14 through 3113.20. He also submitted an affidavit to this effect in accordance with 11 DCMR §§ 3113.19 and 3113.20. (Exhibit 24.)

**ANC 8D**

The subject site is located within the jurisdiction of ANC 8D, which is automatically a party to this application. However, in this case, the ANC did not file a report regarding the application and did not participate in the Board proceedings.

**Requests for Party Status**

The Board received no requests for party status.

**Persons in Support/Opposition**

No persons appeared at the hearing to testify in support of the application or in opposition to the application. Nor were any letters received from persons in support of or in opposition to the application.

**Government Reports**

**OP Report**

OP reviewed the application and prepared a report recommending support of the application, noting that DCRA mistakenly authorized a fast food establishment by a Certificate of Occupancy issued in 2008 and that granting the variance would permit the continuation of a neighborhood service use. (Exhibit 22.) OP’s representative, Stephen J. Mordfin, also testified to this effect at the public hearing. (Transcript (“Tr.”) February 25, 2014, p. 31-32.)

**District of Columbia Department of Transportation (“DDOT”) Report**

DDOT submitted a report stating that it had no objection to the requested variance. (Exhibit 21.)

**BZA APPLICATION NO. 18710****PAGE NO. 3****FINDINGS OF FACT**

1. The subject property is located at 607 Chesapeake Street, S.E., in Square 6208, Lot 106, in the C-1 zone district.
2. The property is improved with a one-story building with three commercial spaces and was built in 1956.
3. While a “restaurant” use is allowed in the C-1 zone, the Zoning Regulations expressly prohibit “fast food establishments” in the zone. (11 DCMR § 701.4(w).)
4. A fast food establishment is first permitted in a C-2-B District. (11 DCMR § 721.3 (f).)
5. The property has been used as a fast food establishment named “Harry’s Wings & Things” for approximately 10 years.
6. The record contains no evidence that the use was established pursuant to a Certificate of Occupancy.
7. DCRA issued a change of ownership Certificate of Occupancy (“C of O”) on August 24, 2006 (the “2006 C of O”) to a previous owner. (Exhibit 7.) In the portion of the 2006 C of O that describes prior and approved uses, the C of O indicated “other – see description.”
8. Under “description” the C of O stated “fast food restaurant no seats”. The description further stated that the premises was an existing fast food restaurant and that the C of O was being issued to permit the owner to seek a use variance for such a restaurant.
9. Although the description indicated “certificate expires 08.07.07,” within the 2006 C of O box labelled “expiration date” there is the word “none.”
10. There is no evidence that a use variance was ever granted for the property to be operated as a fast food restaurant or establishment.
11. DCRA issued a second change of ownership C of O in 2008, (the “2008 C of O”) to the Vineyard, LLC. (Exhibit 7.) The 2008 C of O described the occupancy as “carryout no seats” and the type of occupancy as “ownership change”.
12. As with the 2006 C of O, the 2008 C of O indicated “none” within the box labelled “expiration date.”
13. The present owner of the property purchased it in 2013 in reliance upon its existing use as a fast food establishment and the existence of a Certificate of Occupancy that permitted it to operate as a carry out with no seats, which is an equivalent use.

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14. The present owner's application for a change of ownership C of O was denied by the Zoning Administrator by letter dated November 5, 2013. The ZA indicated that the use applied for, "fast food establishment," was not permitted in the C-1 zone and therefore a use variance was required.
15. A large number of service and retail uses are permitted in the C-1 zone as a matter-of-right. (11 DCMR §§ 701.1 and 701.4.)
16. The C-1 zone also permits several other uses as special exceptions, if approved by the Board. (11 DCMR § 704.1 and §§ 706-712.)
17. The Applicant presented no evidence as to any difficulty in converting the space to a use that is allowed under the Zoning Regulations and there is nothing exceptional about the property itself to suggest that any difficulty exists.

**CONCLUSIONS OF LAW**

The Board is authorized under § 8 of the Zoning Act of 1938, approved June 20, 1938 (52 Stat. 797; D.C. Official Code § 6-641.07(g)(3)(2001)), to grant variances from the strict application of any Zoning Regulations. In order to grant the use variance relief needed to establish the fast food establishment, the Applicant must satisfy the three-prong test set out in the Zoning Act and re-stated at 11 DCMR § 3103.2, that (1) its property has an exceptional size, shape, topography, or other extraordinary or exceptional situation or condition inherent in the property; (2) the applicant will encounter practical difficulties or undue hardship if the Zoning Regulations are strictly applied; and (3) the requested variance will not result in substantial detriment to the public good or the zone plan.

Here, the Applicant must meet the stricter "undue hardship" test for a use variance for the fast food establishment. *See, Palmer v. D.C. Bd. of Zoning Adjustment*, 287 A.2d 535 (D.C. 1972) ("A use variance cannot be granted unless a situation arises where reasonable return cannot be made of the property in a manner consistent with the Zoning Regulations."); *Bernstein v. D.C. Bd. of Zoning Adjustment*, 376 A.2d 816 (D.C. 1977) ("[I]t must be shown that strict application of the Zoning Regulations would preclude the use of the property for any purpose to which it may reasonably be used.")

Turning to the first prong of the variance test, the Board finds that DCRA's erroneous issuance of the 2008 C of O and the Applicant's reliance upon that action in purchasing the property constituted an exceptional condition. The District of Columbia Court of Appeals has recognized that an exceptional situation or condition "need not be inherent in the land, but can be caused by subsequent events extraneous to the land." *De Azcarate v. D. C. Bd. of Zoning Adjustment*, 388 A.2d 1233, 1237 (D.C. 1978). The zoning history of a property, including past actions of governmental authorities, can constitute the "events extraneous to the land" which create the requisite exceptional situation or condition. *Monaco v. D.C. Bd. of Zoning Adjustment*, 407 A.2d

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1091, 1097 (D.C. 1979). In *Monaco*, a zoning history that implicitly approved a use and thereby gave rise to good faith, detrimental reliance by the property owner, helped to establish the necessary exceptional situation.

In this case, the zoning history includes an explicit unconditional approval of a fast food establishment use on the property. In that sense, this case is very much like *Application No. 17960 of Lucia and Claudio Rosan* (2009), affirmed, *Oakland Condominium v. District of Columbia Bd. Oakland Condominium v. District of Columbia Bd. of Zoning Adjustment*, 22 A.3d 748 (D.C. 2011). In *Rosan* the Board granted a use variance to permit the expansion of a nonconforming rooming house from eight to 12 rooms. Prior to purchasing the property the applicants in *Rosan* observed 15 rooms in use and a Certificate of Occupancy that permitted the operation on all floors without a room limitation. After purchasing the property, the applicants sought an ownership change C of O to permit 12 rooms. DCRA denied the request, believing that the existing C of O was intended to limit the number of rooms to eight. The Board concluded that these facts and the “troubled regulatory history ... constitute the exceptional situation necessary to meet the first prong of the use variance test.” In this case, based upon the 2008 C of O and the long-standing operation of a fast food establishment on the property, the Applicant, when purchasing the property, reasonably concluded that continuation of the fast food use would be permitted.

However, the Applicant never established that this reliance on the 2008 C of O resulted in an undue hardship. Unlike the applicants in *Rosan*, who proved that the four additional rooms could not be put to any permitted use, the Applicant here never established why the property could not be used for any of the uses allowed by right or by special exception in a C-1 zone district. The Applicant had opportunities to present such evidence at the public hearing on February 25, 2014 and was even allowed to supplement the record after the hearing. Yet the Applicant failed to produce any additional documentation. The burden of proof rested with the Applicant. Since the Applicant failed to meet his burden of proof, the Board had no choice but to deny the request for relief.

Section 13(d) of the Advisory Neighborhood Commissions Act of 1975, effective March 26, 1976 (D.C. Law 1-21; D.C. Official Code § 1-309.10 (d)(3)(B)) requires that the Board’s written orders give “great weight” to the issues and concerns raised in the recommendations of the affected ANC. In this case, the ANC did not submit a report. Therefore, there is nothing for the Board to give great weight to.

The Board is also required under D.C. Official Code § 6-623.04(2001) to give “great weight” to OP recommendations. The Office of Planning Report relied upon the unique zoning history in finding both an exceptional circumstance and what it characterized as “a “practical difficulty,” even though the correct standard was “undue hardship.” However a unique zoning history cannot be used to show undue hardship. As noted, the Board in the *Rosan* case still required demonstration that the additional rooms could not be used for any use permitted in the zone district in which the property was located. Because OP did not undertake that same analysis in

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this application, its report was incomplete and for that reason its recommendation of approval is not persuasive.

Therefore, for the reasons stated above, it is hereby **ORDERED** that the application is hereby **DENIED** for a use variance for a fast food establishment.

**VOTE:**       **4-0-1** (Lloyd J. Jordan, Marnique Y. Heath, Jeffrey L. Hinkle, and Peter G. May voting to DENY the variance, and S. Kathryn Allen, not present, not voting.)

**BY ORDER OF THE D.C. BOARD OF ZONING ADJUSTMENT**

A majority of the Board members approved the issuance of this order.

**FINAL DATE OF ORDER:** March 13, 2015

PURSUANT TO 11 DCMR § 3125.9, NO ORDER OF THE BOARD SHALL TAKE EFFECT UNTIL TEN (10) DAYS AFTER IT BECOMES FINAL PURSUANT TO § 3125.6.

**GOVERNMENT OF THE DISTRICT OF COLUMBIA  
BOARD OF ZONING ADJUSTMENT**

**Application No. 18799 of PNC Bank National Assoc.**, pursuant to 11 DCMR § 3104.1, for a special exception under 11 DCMR § 214 to allow continued use of the accessory parking spaces in the R-2 zoned western portion of property located at 3808-16 Morrison Street, N.W. (Square 1859, Lot 95) (the "Site"), to serve the PNC Bank branch located on the C-1 zoned eastern portion of the Site.

**HEARING DATE:** July 22, 2014

**DECISION DATE:** July 22, 2014

**DECISION AND ORDER**

**SELF-CERTIFIED**

PNC Bank National Assoc. (the "Applicant"), the owner of the Site, submitted a self-certified application on May 13, 2014, seeking a special exception from § 214 of the Zoning Regulations to allow continued use of the accessory parking spaces in the R-2 zoned western portion of the Site, to serve the PNC Bank branch located on the C-1 zoned eastern portion of the Site. The use was last approved by the Board of Zoning Adjustment ("Board" or "BZA") in Application No. 16359 for a ten-year term subject to seven additional conditions. Following a public hearing on July 22, 2014, the Board voted to approve the application, subject to conditions.

**PRELIMINARY MATTERS**

Notice of Application and Notice of Hearing. By memoranda dated May 13, 2014, the Office of Zoning provided notice of the application to the Office of Planning ("OP"); the District Department of Transportation ("DDOT"); the Councilmember for Ward 3; Advisory Neighborhood Commission ("ANC") 3G, the ANC in which the Site is located; and Single Member District/ANC 3G06. Pursuant to 11 DCMR § 3112.14, on May 20, 2014, the Office of Zoning mailed letters providing notice of the hearing to the Applicant, ANC 3G, and the owners of all property within 200 feet of the Site. Notice was published in the *D.C. Register* on May 23, 2014.

Party Status. In addition to the Applicant, ANC 3G was automatically a party in this proceeding. The Board also granted three requests for party status in opposition to the application submitted by Mara Verheyden-Hilliard and Carl Messineo; Annemarie Maguire and William E. Scheurch; and Janet Shenk. Mara Verheyden-Hilliard and Carl Messineo own property located at 3825 Livingston Street, N.W.; Annemarie Maguire and William E. Scheurch own property located at 3819 Livingston Street, N.W.; and Janet Shenk owns property located at 3821 Livingston Street, N.W., all of which are located across the public alley to the south of the Site. The Board consolidated the individual party status requests to a single party (the "Party in Opposition").



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The Board denied a request for party status submitted by Chevy Chase Arcade, LLC ("CCA"), which is located at 5520 Connecticut Avenue, N.W., based on the finding that CCA's party status request related exclusively to issues outside of those related to the application for the continuation of the accessory parking use on the Site. The Board also denied the CCA's request to amend the special exception application to include consideration of CCA's storage of its trash on a portion of the Applicant's property.

Applicant's Case. The Applicant provided evidence and testimony from Lynn Osman, Vice President of Realty Services for the Applicant, and Wayne Fortune, Branch Manager for the PNC Bank branch located on the Site. Ms. Osman and Mr. Fortune described the prior BZA approvals for the accessory parking use on the Site, the bank's hours of operation, the present and historic use of the accessory parking both for the bank and as a community resource, community engagement and ANC review of the application, and their personal history and dealings with the Site and its uses. The Applicant's witnesses also asserted that the application satisfied all requirements for approval of the requested zoning relief.

OP Report. By memorandum dated July 15, 2014, OP recommended approval of the application. OP also recommended the Board grant the use for the same ten-year term as permitted in the prior approval and subject to six of the seven conditions of that approval. The condition proposed not to be carried forward merely repeated a requirement of the Zoning Regulations. OP also noted that it was no longer necessary to require the "erection" of bumper stops, since those already had been constructed.

ANC Report. By resolution dated July 14, 2014, ANC 3G indicated that at a regularly scheduled public meeting held on July 14, 2014, with a quorum present, ANC 3G voted 6-0 to support the special exception to allow the continued use of the R-2 zoned portion of the subject property for accessory parking uses, subject to certain conditions. Like OP, the ANC recommended that the prior conditions of approval be maintained, but also requested additional conditions that will be discussed as part of the "great weight" discussion portion of this Order. The ANC recommended a five-year term.

Persons in Support. Mike Abbariki, the owner of CCA, testified generally in support of PNC's application. Tony Brown, the owner of a restaurant business in CCA, also testified in support of the application. He stated that the community is well served by having PNC's parking lot available on evenings and weekends.

Persons and Party in Opposition. The Board received letters and heard testimony in opposition to the application from members of the Party in Opposition. The Party in Opposition generally contended that use of the parking lot on the subject site after banking hours was causing disruptive noise and light, and asked that the Applicant be required to lock the gates to the parking lot and restrict its use at the close of the business day.

**BZA APPLICATION NO. 18799****PAGE NO. 3****FINDINGS OF FACT**

1. The Board has approved accessory parking on the Site for use by the bank on a number of occasions, beginning in 1948. The most recent renewal expired in 2008.
2. The bank building is open for business until 5:00 p.m. on weekdays and 1:00 p.m. on Saturdays. The ATM machines are open 24 hours a day, seven days a week. The ATM machine on the Morrison Street side of the bank building is programmed to accept large commercial deposits until 10:00 p.m. The Applicant also testified that other customers prefer to use the ATM machine after the bank building is closed, rather than using the drive-up ATM machine, because they cannot reach the ATM machine from their vehicle. These ATM customers who do not use the drive-up ATMs park in the bank parking lot, and use the ATM machines.
3. The Applicant has continued to operate the accessory parking in accordance with all applicable conditions. The Applicant acknowledged that the recent updating of the lighting on the lot has caused the direct rays of the lighting to extend beyond the surface of the parking lot. The Applicant will make adjustments to the lighting.
4. Since the time of the last approval by this Board, the Applicant has allowed the lot to be available for parking on evenings and weekends, as a community resource, to alleviate parking congestion on the neighborhood streets. Both the ANC representative and one of the persons in support testified in support of continuation of this arrangement. OP stated in their report that they have no objection to this arrangement.
5. The ANC representative testified that accessory parking lots for other businesses in the neighborhood are open until 10:00 p.m.
6. The party in opposition, and the persons in opposition, testified that persons using the parking lot after the bank building is closed for business are loud and disruptive. The party in opposition stated that the disruption generally begins at 6:00 p.m. The Board notes that it is not uncommon for residents of areas that abut a busy commercial corridor such as this to experience some degree of noise, but also finds that an appropriate limit on the use of this parking lot should be set. Although the Board finds that there is a valid business reason for the parking lot to be open until 10:00 p.m. for bank business, the rights of nearby neighbors to the peaceful enjoyment of the properties require the lot's closure after that time until 7:00 a.m.

**CONCLUSIONS OF LAW**

The Board is authorized under the Zoning Act of June 20, 1938 (52 Stat. 797, as amended, D.C. Code § 6-641.07(g)(2) (2001)), to grant special exceptions as provided in the Zoning Regulations. The Applicant applied under 11 DCMR § 3104.1 for a special exception pursuant

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to 11 DCMR § 214 to allow continued use of the accessory parking spaces in the R-2 zoned western portion of property located at 3808-16 Morrison Street, N.W. (Square 1859, Lot 95), to serve the PNC Bank branch located on the C-1 zoned eastern portion of the same property.

The Board can grant a special exception where, in its judgment, two general tests are met and the special conditions for the particular exception are met. First, the requested special exception must “be in harmony with the general purpose and intent of the Zoning Regulations and Zoning Maps.” (11 DCMR § 3104.1.) Second, it must “not tend to affect adversely the use of neighboring property in accordance with the Zoning Regulations and Zoning Map.” (11 DCMR § 3104.1.)

The Board concludes that the continued use of the accessory parking spaces, as conditioned, will not tend to adversely affect the use of neighboring property in accordance with the Zoning Regulations and Map. The Board agrees with the Applicant that the continued use is appropriate for the Site and complies with the applicable provisions of §§ 3104.1 and 214 of the Zoning Regulations.

The prior approval granted in Application 16359 was for a ten year period. The Office of Planning recommended the use of the same period, ANC 3G recommended a five year term, and the Applicant at the decision meeting indicated it would defer to the Board.

A term limit provides an antidote to the inherent uncertainty in granting a first-time special exception. *See, e.g., Woodbury v. Zoning Board of Review of City of Warwick*, 82 A.2d 164, 167 (R.I. 1951). (A two-year term imposed, at the end of which, “the board would be in a position, according to the facts then appearing, either to renew the exception if requested, or to permit the property to again be used as a tourist home.”). Although this case involves the renewal of a special exception use that has been in the community for decades, the Board concluded that a relatively short term is needed to ascertain whether the closing of the parking lot at 10:00 p.m. is sufficient to mitigate the potential impacts of noise in the adjacent residential neighborhood. Therefore, the Board is imposing a three year limit on its approval.

The Board is required under § 13(d) of the Advisory Neighborhood Commissions Act of 1975, effective March 26, 1976 (D.C. Law 1-21; D.C. Official Code § 1-309.10(d)) to give “great weight” to the issues and concerns raised in the written report of the affected ANC, which in this case is ANC 3G. To satisfy the great weight requirement, District agencies must articulate with particularity and precision the reasons why an affected ANC does or does not offer persuasive advice under the circumstances. Similarly, the Board is required under § 5 of the Office of Zoning Independence Act of 1990, effective September 20, 1990, (D.C. Law 8-163; D.C. Official Code § 6-623.04) to give great weight to OP recommendations.

As noted, by resolution dated July 14, 2014, ANC 3G voted to support the special exception subject to certain conditions. Most of these conditions were included in the prior Board approval. As to one of these, the ANC recommended that “three spaces of the five spaces on the

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east side of the parking area, closest to the entrance to the bank, shall continue” to be marked for and reserved for persons with disabilities. The prior approval only requires two spaces, so it is unclear whether the ANC may have been mistaken as to the number being continued. In any event, the ANC has not offered persuasive advice as to why this number must be increased.

The ANC also requested that the Applicant be required to remove snow along the sidewalk on Morrison Street. An adjacent property owner’s responsibility to remove snow is stated in legislation adopted by the Council and is not a proper subject of the Zoning Regulations or of any order granting a special exception under such regulations.

Proposed ANC Condition No. 10 would permit the Applicant to leave the lot open for the use of the public after banking hours provided it erect signs requesting the public to be quiet and respect the peace of the adjacent neighbors. This order now specifies that the lot must be closed and access prohibited through a gate or other device between 10:00 p.m. and 7:00 a.m., thus obviating the need for the ANC’s proposed condition. As noted, the Board has imposed a three year term in order for it to later determine whether the operation of the lot past normal banking hours was consistent with the peaceful enjoyment of nearby residential properties. The Board is confident that the Applicant will take the measures needed to ensure this is the case without the Board having to require the posting of the requested signs.

Finally, the ANC requested that the Board’s approval include permission for the Applicant to permit the Chevy Chase Arcade to locate a solid waste dumpster on a portion of the site that is purportedly the subject of an easement by proscriptio. The Applicant has not requested this flexibility and the Board concludes it is speculative to include it.

As to OP, that Office, through its report dated July 15, 2014, recommended approval of the application subject to most of the substantive conditions of the prior order and for a ten year term. The Board included the conditions substantially as recommended by OP and, for the reasons stated above, concluded that a three year term was the appropriate length of its approval.

It is therefore **ORDERED** that the application to allow continued use of the accessory parking spaces, pursuant to Exhibit No. 35B (Revised Plans), is hereby **GRANTED WITH THE FOLLOWING CONDITIONS**:

1. Approval shall be for a period of **THREE (3) YEARS** from the effective date of this Order.
2. Two spaces of the five spaces on the east side of the parking area, closest to the entrance to the bank, shall continue to be marked for and reserved for persons with disabilities.
3. Bumper stops shall be maintained for the protection of all buildings.
4. No vehicle or any part thereof shall be permitted to project over any lot or building line or on or over the public space.

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5. All parts of the lot shall be kept free of refuse or debris and shall be paved or landscaped. Landscaping shall be maintained in a healthy growing condition and in a neat and orderly appearance.
6. No other use shall be conducted from or upon the premises and no structure other than attendant's shelter and facilities associated with drive-in tellers and ATMs shall be erected or used upon the premises unless such use or structure is otherwise permitted in the zoning district in which the parking lot is located.
7. Within 90 days of the final date of this Order, the Applicant shall make adjustments as necessary to ensure that any lighting used to illuminate the parking lot or its accessory building is arranged so that all direct rays of such lighting are confined to the surface of the parking lot.
8. All areas devoted to driveways, access lanes, and parking areas shall be maintained with a paving material forming an all-weather impervious surface, except that if the Applicant resurfaces or repaves the lot, it shall consider using other all-weather surfaces, including porous (or pervious) concrete, porous asphalt, and/or mechanically-reinforced grass, excluding grass or gravel, as permitted by § 2303.1(a).
9. The Applicant shall prohibit use of the parking lot between the hours of 10:00 p.m. and 7:00 a.m., seven days per week, by use of an automatic or manual gate, or other appropriate enforcement mechanism.

**VOTE:**       **4-0-1** (Lloyd J. Jordan, Anthony J. Hood, Marnique Y. Heath, and Jeffrey L. Hinkle to Approve; S. Kathryn Allen not present, not voting.)

**BY ORDER OF THE D.C. BOARD OF ZONING ADJUSTMENT**

A majority of the Board members approved the issuance of this order.

**FINAL DATE OF ORDER:** March 17, 2015

PURSUANT TO 11 DCMR § 3125.9, NO ORDER OF THE BOARD SHALL TAKE EFFECT UNTIL TEN (10) DAYS AFTER IT BECOMES FINAL PURSUANT TO § 3125.6.

PURSUANT TO 11 DCMR § 3130, THIS ORDER SHALL NOT BE VALID FOR MORE THAN TWO YEARS AFTER IT BECOMES EFFECTIVE UNLESS, WITHIN SUCH TWO-YEAR PERIOD, THE APPLICANT FILES PLANS FOR THE PROPOSED STRUCTURE WITH THE DEPARTMENT OF CONSUMER AND REGULATORY AFFAIRS FOR THE PURPOSE OF SECURING A BUILDING PERMIT, OR THE APPLICANT FILES A

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REQUEST FOR A TIME EXTENSION PURSUANT TO § 3130.6 AT LEAST 30 DAYS PRIOR TO THE EXPIRATION OF THE TWO-YEAR PERIOD AND THAT SUCH REQUEST IS GRANTED. NO OTHER ACTION, INCLUDING THE FILING OR GRANTING OF AN APPLICATION FOR A MODIFICATION PURSUANT TO §§ 3129.2 OR 3129.7, SHALL EXTEND THE TIME PERIOD.

PURSUANT TO 11 DCMR § 3125, APPROVAL OF AN APPLICATION SHALL INCLUDE APPROVAL OF THE PLANS SUBMITTED WITH THE APPLICATION FOR THE CONSTRUCTION OF A BUILDING OR STRUCTURE (OR ADDITION THERETO) OR THE RENOVATION OR ALTERATION OF AN EXISTING BUILDING OR STRUCTURE. AN APPLICANT SHALL CARRY OUT THE CONSTRUCTION, RENOVATION, OR ALTERATION ONLY IN ACCORDANCE WITH THE PLANS APPROVED BY THE BOARD AS THE SAME MAY BE AMENDED AND/OR MODIFIED FROM TIME TO TIME BY THE BOARD OF ZONING ADJUSTMENT.

PURSUANT TO 11 DCMR § 3205, THE PERSON WHO OWNS, CONTROLS, OCCUPIES, MAINTAINS, OR USES THE SUBJECT PROPERTY, OR ANY PART THERETO, SHALL COMPLY WITH THE CONDITIONS IN THIS ORDER, AS THE SAME MAY BE AMENDED AND/OR MODIFIED FROM TIME TO TIME BY THE BOARD OF ZONING ADJUSTMENT. FAILURE TO ABIDE BY THE CONDITIONS IN THIS ORDER, IN WHOLE OR IN PART SHALL BE GROUNDS FOR THE REVOCATION OF ANY BUILDING PERMIT OR CERTIFICATE OF OCCUPANCY ISSUED PURSUANT TO THIS ORDER.

IN ACCORDANCE WITH THE D.C. HUMAN RIGHTS ACT OF 1977, AS AMENDED, D.C. OFFICIAL CODE § 2-1401.01 *ET SEQ.* (ACT), THE DISTRICT OF COLUMBIA DOES NOT DISCRIMINATE ON THE BASIS OF ACTUAL OR PERCEIVED: RACE, COLOR, RELIGION, NATIONAL ORIGIN, SEX, AGE, MARITAL STATUS, PERSONAL APPEARANCE, SEXUAL ORIENTATION, GENDER IDENTITY OR EXPRESSION, FAMILIAL STATUS, FAMILY RESPONSIBILITIES, MATRICULATION, POLITICAL AFFILIATION, GENETIC INFORMATION, DISABILITY, SOURCE OF INCOME, OR PLACE OF RESIDENCE OR BUSINESS. SEXUAL HARASSMENT IS A FORM OF SEX DISCRIMINATION WHICH IS PROHIBITED BY THE ACT. IN ADDITION, HARASSMENT BASED ON ANY OF THE ABOVE PROTECTED CATEGORIES IS PROHIBITED BY THE ACT. DISCRIMINATION IN VIOLATION OF THE ACT WILL NOT BE TOLERATED. VIOLATORS WILL BE SUBJECT TO DISCIPLINARY ACTION.

**GOVERNMENT OF THE DISTRICT OF COLUMBIA  
BOARD OF ZONING ADJUSTMENT**

**Application No. 18872 of Kami Quinn and Maurion Knight**, pursuant to 11 DCMR § 3103.2 for variances from the requirements regarding nonconforming structures (§ 2001.3) and lot occupancy (§ 403), to allow the construction of a rear addition to a one-family row dwelling in the CAP/R-4 District at 510 Independence Avenue S.E. (Square 842, Lot 800).<sup>1</sup>

**HEARING DATES:** December 9, 2014, January 27, 2015, and March 3, 2015<sup>2</sup>  
**DECISION DATE:** March 3, 2015

**SUMMARY ORDER**

**SELF-CERTIFIED**

The zoning relief requested in this case was self-certified, pursuant to 11 DCMR § 3113.2. (Exhibits 7 and 35.)

The Board of Zoning Adjustment ("Board" or "BZA") provided proper and timely notice of the public hearing on this application by publication in the *D.C. Register* and by mail to Advisory Neighborhood Commission ("ANC") 6B and to owners of property located within 200 feet of the site. The site of this application is located within the jurisdiction of ANC 6B, which is automatically a party to this application. The ANC submitted a report, dated January 15, 2015, which indicated that at a duly noticed and scheduled public meeting on January 13, 2015, at which a quorum was in attendance, the ANC voted unanimously (10-0-0) in support of the application. (Exhibit 31.)

The Office of Planning ("OP") submitted a timely report on January 20, 2015, which stated that while OP was supportive of the concept in general, it could not make a recommendation.<sup>3</sup> (Exhibit 34.) The District Department of Transportation ("DDOT") submitted a timely report, dated January 21, 2015, indicating that it had no objection to the Applicant's requests for variance and special exception relief. (Exhibits 30 and 31.) Letters of support from both adjacent neighbors were submitted to the record. (Exhibit 32B.)

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<sup>1</sup> The application was amended to reduce the relief requested in lot occupancy and to remove a request for variance relief under § 404.1. The Applicant submitted a revised self-certification form reflecting those changes and requested a waiver to allow the late filing of that revised self-certification. (Exhibit 35.) The Board accepted the revised self-certification into the record and the caption has been amended accordingly.

<sup>2</sup> The hearing was postponed on December 9, 2014 and January 27, 2015 at the request of the Applicant.

<sup>3</sup> In its report and in its testimony at the hearing, OP stated that it questioned whether the Applicant had sufficiently addressed the first prong of the variance test. However, the Board, based on the information the Applicant provided at the hearing, found that the Applicant was able to meet the variance test.

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As directed by 11 DCMR § 3119.2, the Board required the Applicant to satisfy the burden of proving the elements that are necessary to establish the case pursuant to § 3103.2 for area variances from 11 DCMR §§ 403.2 and 2001.3. No parties appeared at the public hearing in opposition to the application. Accordingly, a decision by the Board to grant this application would not be adverse to any party.

Based upon the record before the Board, and having given great weight to the ANC and OP reports filed in this case, the Board concludes that in seeking variances from 11 DCMR §§ 403.2 and 2001.3, the Applicant has met the burden of proof under 11 DCMR § 3103.2, that there exists an exceptional or extraordinary situation or condition related to the property that creates a practical difficulty for the owner in complying with the Zoning Regulations, and that the relief can be granted without substantial detriment to the public good and without substantially impairing the intent, purpose, and integrity of the zone plan as embodied in the Zoning Regulations and Map.

Pursuant to 11 DCMR § 3100.5, the Board has determined to waive the requirement of 11 DCMR § 3125.5, that the order of the Board be accompanied by findings of fact and conclusions of law. The waiver will not prejudice the rights of any party and is appropriate in this case.

It is therefore **ORDERED** that the application is hereby **GRANTED SUBJECT TO THE APPROVED REVISED PLANS AT EXHIBIT 32A.**

**VOTE:**           **3-0-2** (Lloyd L. Jordan, Jeffrey L. Hinkle, and Michael G. Turnbull to Approve; Marnique Y. Heath, not participating or voting; one Board seat vacant.)

**BY ORDER OF THE D.C. BOARD OF ZONING ADJUSTMENT**

A majority of the Board members approved the issuance of this order.

**FINAL DATE OF ORDER:** March 13, 2015

PURSUANT TO 11 DCMR § 3125.9, NO ORDER OF THE BOARD SHALL TAKE EFFECT UNTIL TEN (10) DAYS AFTER IT BECOMES FINAL PURSUANT TO § 3125.6.

PURSUANT TO 11 DCMR § 3130, THIS ORDER SHALL NOT BE VALID FOR MORE THAN TWO YEARS AFTER IT BECOMES EFFECTIVE UNLESS, WITHIN SUCH TWO-YEAR PERIOD, THE APPLICANT FILES PLANS FOR THE PROPOSED STRUCTURE WITH THE DEPARTMENT OF CONSUMER AND REGULATORY AFFAIRS FOR THE PURPOSE OF SECURING A BUILDING PERMIT, OR THE APPLICANT FILES A REQUEST FOR A TIME EXTENSION PURSUANT TO § 3130.6 PRIOR TO THE EXPIRATION OF THE TWO-YEAR PERIOD AND THE REQUEST IS GRANTED. PURSUANT TO § 3129.9, NO OTHER ACTION, INCLUDING THE FILING OR GRANTING OF AN



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APPLICATION FOR A MODIFICATION PURSUANT TO §§ 3129.2 OR 3129.7, SHALL TOLL OR EXTEND THE TIME PERIOD.

PURSUANT TO 11 DCMR § 3125, APPROVAL OF AN APPLICATION SHALL INCLUDE APPROVAL OF THE PLANS SUBMITTED WITH THE APPLICATION FOR THE CONSTRUCTION OF A BUILDING OR STRUCTURE (OR ADDITION THERETO) OR THE RENOVATION OR ALTERATION OF AN EXISTING BUILDING OR STRUCTURE. AN APPLICANT SHALL CARRY OUT THE CONSTRUCTION, RENOVATION, OR ALTERATION ONLY IN ACCORDANCE WITH THE PLANS APPROVED BY THE BOARD AS THE SAME MAY BE AMENDED AND/OR MODIFIED FROM TIME TO TIME BY THE BOARD OF ZONING ADJUSTMENT.

IN ACCORDANCE WITH THE D.C. HUMAN RIGHTS ACT OF 1977, AS AMENDED, D.C. OFFICIAL CODE § 2-1401.01 ET SEQ. (ACT), THE DISTRICT OF COLUMBIA DOES NOT DISCRIMINATE ON THE BASIS OF ACTUAL OR PERCEIVED: RACE, COLOR, RELIGION, NATIONAL ORIGIN, SEX, AGE, MARITAL STATUS, PERSONAL APPEARANCE, SEXUAL ORIENTATION, GENDER IDENTITY OR EXPRESSION, FAMILIAL STATUS, FAMILY RESPONSIBILITIES, MATRICULATION, POLITICAL AFFILIATION, GENETIC INFORMATION, DISABILITY, SOURCE OF INCOME, OR PLACE OF RESIDENCE OR BUSINESS. SEXUAL HARASSMENT IS A FORM OF SEX DISCRIMINATION WHICH IS PROHIBITED BY THE ACT. IN ADDITION, HARASSMENT BASED ON ANY OF THE ABOVE PROTECTED CATEGORIES IS PROHIBITED BY THE ACT. DISCRIMINATION IN VIOLATION OF THE ACT WILL NOT BE TOLERATED. VIOLATORS WILL BE SUBJECT TO DISCIPLINARY ACTION.

**GOVERNMENT OF THE DISTRICT OF COLUMBIA  
BOARD OF ZONING ADJUSTMENT**

**Application No. 18877 of Jessica Crane**, pursuant to 11 DCMR § 3103.2, for variances from the lot occupancy (§ 403) and nonconforming structure (§ 2001.3) to allow an addition to an existing one-family semi-detached dwelling in the R-4 District at premises 15 Brown Court, S.E. (Square 870, Lot 853).

**HEARING DATES:** December 9, 2014, February 24, 2015, and March 10, 2015<sup>1</sup>  
**DECISION DATE:** March 10, 2015

**SUMMARY ORDER**

**SELF-CERTIFIED**

The zoning relief requested in this case was self-certified, pursuant to 11 DCMR § 3113.2. (Exhibits 4 and 20.)

The Board of Zoning Adjustment ("Board" or "BZA") provided proper and timely notice of the public hearing on this application by publication in the *D.C. Register* and by mail to Advisory Neighborhood Commission ("ANC") 6B and to owners of property located within 200 feet of the site. The site of this application is located within the jurisdiction of ANC 6B, which is automatically a party to this application. The ANC submitted a report in support of the application, dated November 17, 2014, indicating that at a duly noticed and scheduled public meeting on November 12, 2014, at which a quorum was in attendance, the ANC voted unanimously (8-0-0) in support of the application. (Exhibit 32.)

The Office of Planning ("OP") submitted a timely report on December 2, 2014, indicating that it could not support the requested variance relief. OP noted that the requested relief could be granted without substantial detriment to the public good, but that the Applicant had not adequately explained what unique characteristic of the property created a practical difficulty in this case. (Exhibit 34.) The Applicant provided testimony at the public hearing regarding the first and second prongs of the variance test, and based on that testimony, the Board found that the Applicant demonstrated that the property was subject to an exceptional condition that created a practical difficulty and granted the relief requested. The District Department of Transportation ("DDOT") submitted a timely report indicating that it had no objection to the application. (Exhibit 36.)

A letter in support of the application was submitted to the record by the Capitol Hill Restoration Society. (Exhibit 38.) Three letters in support from neighbors were submitted to the record.

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<sup>1</sup> The public hearing was originally scheduled and advertised for December 9, 2014, but was postponed to February 24, 2015 at the request of the Applicant. The rescheduled hearing date was announced on the record at the Board's public hearing on February 24, 2015. The public hearing was again postponed to March 10, 2015 in order to accommodate an ASL interpreter. The rescheduled hearing date was announced on the record at the Board's public hearing on March 3, 2015.

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(Exhibits 44-45, and 47.) Two neighbors testified in support of the application at the public hearing.

As directed by 11 DCMR § 3119.2, the Board required the Applicant to satisfy the burden of proving the elements that are necessary to establish the case pursuant to § 3103.2 for area variances from 11 DCMR §§ 403 and 2001.3. No parties appeared at the public hearing in opposition to the application. Accordingly, a decision by the Board to grant this application would not be adverse to any party.

Based upon the record before the Board, and having given great weight to the ANC and OP reports filed in this case, the Board concludes that in seeking variances from 11 DCMR §§ 403 and 2001.3, the Applicant has met the burden of proof under 11 DCMR § 3103.2, that there exists an exceptional or extraordinary situation or condition related to the property that creates a practical difficulty for the owner in complying with the Zoning Regulations, and that the relief can be granted without substantial detriment to the public good and without substantially impairing the intent, purpose, and integrity of the zone plan as embodied in the Zoning Regulations and Map.

Pursuant to 11 DCMR § 3100.5, the Board has determined to waive the requirement of 11 DCMR § 3125.3, that the order of the Board be accompanied by findings of fact and conclusions of law. The waiver will not prejudice the rights of any party and is appropriate in this case.

It is therefore **ORDERED** that the application is hereby **GRANTED SUBJECT TO THE APPROVED PLANS AT EXHIBITS 5 AND 14.**

**VOTE: 4-0-1** (Lloyd J. Jordan, Marnique Y. Heath, Jeffrey L. Hinkle, and Peter G. May to APPROVE; one Board seat vacant.)

**BY ORDER OF THE D.C. BOARD OF ZONING ADJUSTMENT**

A majority of the Board members approved the issuance of this order.

**FINAL DATE OF ORDER:** March 18, 2015

PURSUANT TO 11 DCMR § 3125.9, NO ORDER OF THE BOARD SHALL TAKE EFFECT UNTIL TEN (10) DAYS AFTER IT BECOMES FINAL PURSUANT TO § 3125.6.

PURSUANT TO 11 DCMR § 3130, THIS ORDER SHALL NOT BE VALID FOR MORE THAN TWO YEARS AFTER IT BECOMES EFFECTIVE UNLESS, WITHIN SUCH TWO-YEAR PERIOD, THE APPLICANT FILES PLANS FOR THE PROPOSED STRUCTURE WITH THE DEPARTMENT OF CONSUMER AND REGULATORY AFFAIRS FOR THE PURPOSE OF SECURING A BUILDING PERMIT, OR THE APPLICANT FILES A REQUEST FOR A TIME EXTENSION PURSUANT TO § 3130.6 AT LEAST 30 DAYS PRIOR TO THE EXPIRATION OF THE TWO-YEAR PERIOD AND THAT SUCH

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REQUEST IS GRANTED. NO OTHER ACTION, INCLUDING THE FILING OR GRANTING OF AN APPLICATION FOR A MODIFICATION PURSUANT TO §§ 3129.2 OR 3129.7, SHALL EXTEND THE TIME PERIOD.

PURSUANT TO 11 DCMR § 3125, APPROVAL OF AN APPLICATION SHALL INCLUDE APPROVAL OF THE PLANS SUBMITTED WITH THE APPLICATION FOR THE CONSTRUCTION OF A BUILDING OR STRUCTURE (OR ADDITION THERETO) OR THE RENOVATION OR ALTERATION OF AN EXISTING BUILDING OR STRUCTURE. AN APPLICANT SHALL CARRY OUT THE CONSTRUCTION, RENOVATION, OR ALTERATION ONLY IN ACCORDANCE WITH THE PLANS APPROVED BY THE BOARD AS THE SAME MAY BE AMENDED AND/OR MODIFIED FROM TIME TO TIME BY THE BOARD OF ZONING ADJUSTMENT.

IN ACCORDANCE WITH THE D.C. HUMAN RIGHTS ACT OF 1977, AS AMENDED, D.C. OFFICIAL CODE § 2-1401.01 *ET SEQ.* (ACT), THE DISTRICT OF COLUMBIA DOES NOT DISCRIMINATE ON THE BASIS OF ACTUAL OR PERCEIVED: RACE, COLOR, RELIGION, NATIONAL ORIGIN, SEX, AGE, MARITAL STATUS, PERSONAL APPEARANCE, SEXUAL ORIENTATION, GENDER IDENTITY OR EXPRESSION, FAMILIAL STATUS, FAMILY RESPONSIBILITIES, MATRICULATION, POLITICAL AFFILIATION, GENETIC INFORMATION, DISABILITY, SOURCE OF INCOME, OR PLACE OF RESIDENCE OR BUSINESS. SEXUAL HARASSMENT IS A FORM OF SEX DISCRIMINATION WHICH IS PROHIBITED BY THE ACT. IN ADDITION, HARASSMENT BASED ON ANY OF THE ABOVE PROTECTED CATEGORIES IS PROHIBITED BY THE ACT. DISCRIMINATION IN VIOLATION OF THE ACT WILL NOT BE TOLERATED. VIOLATORS WILL BE SUBJECT TO DISCIPLINARY ACTION.

**GOVERNMENT OF THE DISTRICT OF COLUMBIA  
BOARD OF ZONING ADJUSTMENT**

**Application No. 18928 of Jaime Zaldivar**, pursuant to 11 DCMR § 3104.1, for a special exception under § 223, not meeting the lot occupancy requirements under § 403.2 and the nonconforming structure requirements under § 2001.3, to allow the construction of a third-story rear addition to convert an existing single-family dwelling to a flat in the R-4 District at premises 115 V Street N.W. (Square 5021, Lot 8).<sup>1</sup>

**HEARING DATE:** February 3, 2015<sup>2</sup> and March 3, 2015

**DECISION DATE:** March 3, 2015

**SUMMARY ORDER**

**REVIEW BY THE ZONING ADMINISTRATOR**

The application was accompanied by a memorandum, dated November 17, 2014, from the Zoning Administrator, which stated that Board of Zoning Adjustment (“Board” or “BZA”) approval is required for a special exception under § 223.1 to permit an addition to an existing single family dwelling, nonconforming row structure that exceeds maximum lot occupancy in the R-4 District.<sup>3</sup> (Exhibit 3.)

The Board of Zoning Adjustment (“Board” or “BZA”) provided proper and timely notice of the public hearing on this application by publication in the *D.C. Register* and by mail to Advisory Neighborhood Commission (“ANC”) 5E and to owners of property located within 200 feet of the site. The site of this application is located within the jurisdiction of ANC 5E, which is automatically a party to this application. The ANC submitted a report in support of the application. The ANC’s report indicated that at a duly noticed and scheduled public meeting on January 20, 2015, at which a quorum was in attendance, the ANC voted unanimously (9-0) in support of the application. (Exhibit 28.)

The Office of Planning (“OP”) submitted a timely report recommending approval of the application (Exhibit 27) and testified in support of the application at the hearing. The District Department of Transportation (“DDOT”) submitted a timely report indicating

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<sup>1</sup> The application was amended to add special exception relief under § 2001.3. The Applicant submitted a revised self-certification to that effect. (Exhibit 33.) The caption has been amended accordingly.

<sup>2</sup> The case was removed from the Expedited Review calendar from February 3, 2015 and postponed due to notice deficiencies which the Applicant remedied. No testimony was taken on February 3.

<sup>3</sup> The Office of Planning report indicated that it appeared that relief from § 2001.3 was required as the existing row dwelling is nonconforming as to lot occupancy. (Exhibit 27.) The Applicant amended the application to add a request for special exception relief under § 2001.3 and submitted the necessary self-certification form to that effect. (Exhibit 33.)

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that it had no objection to the Applicant's requests for special exception relief. (Exhibit 26.)

A petition signed by 30 neighbors in support of the application was submitted to the record. (Exhibit 25.) Also, a letter in support of the application from the single member district member (ANC 5E08) was submitted to the record. (Exhibit 32.)

As directed by 11 DCMR § 3119.2, the Board required the Applicant to satisfy the burden of proving the elements that are necessary to establish the case for a special exception for a special exception under § 223, not meeting the lot occupancy requirements under § 403.2 and the nonconforming structure requirements under § 2001.3, to allow the construction of a third-story rear addition to convert an existing single-family dwelling to a flat in the R-4 District. No parties appeared at the public hearing in opposition to the application. Accordingly, a decision by the Board to grant this application would not be adverse to any party.

The Board concludes that the Applicant has met the burden of proof for special exception relief, pursuant to 11 DCMR §§ 3104.1, 223, 403.2, and 2001.3, and that the requested relief can be granted as being in harmony with the general purpose and intent of the Zoning Regulations and Map. The Board further concludes that granting the requested relief will not tend to affect adversely the use of neighboring property in accordance with the Zoning Regulations and Map.

Pursuant to 11 DCMR § 3100.5, the Board has determined to waive the requirement of 11 DCMR § 3125.3, that the order of the Board be accompanied by findings of fact and conclusions of law. The waiver will not prejudice the rights of any party and is appropriate in this case.

It is therefore **ORDERED** that the application is hereby **GRANTED SUBJECT TO THE APPROVED PLANS AT EXHIBITS 5-8**.

**VOTE:**           **3-0-2** (Lloyd L. Jordan, Michael G. Turnbull, and Jeffrey L. Hinkle to Approve; Marnique Y. Heath, not participating or voting; one Board seat vacant.)

**BY ORDER OF THE D.C. BOARD OF ZONING ADJUSTMENT**

A majority of the Board members approved the issuance of this order.

**FINAL DATE OF ORDER:** March 12, 2015

PURSUANT TO 11 DCMR § 3125.9, NO ORDER OF THE BOARD SHALL TAKE EFFECT UNTIL TEN (10) DAYS AFTER IT BECOMES FINAL PURSUANT TO § 3125.6.

PURSUANT TO 11 DCMR § 3130, THIS ORDER SHALL NOT BE VALID FOR MORE THAN TWO YEARS AFTER IT BECOMES EFFECTIVE UNLESS, WITHIN

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SUCH TWO-YEAR PERIOD, THE APPLICANT FILES PLANS FOR THE PROPOSED STRUCTURE WITH THE DEPARTMENT OF CONSUMER AND REGULATORY AFFAIRS FOR THE PURPOSE OF SECURING A BUILDING PERMIT, OR THE APPLICANT FILES A REQUEST FOR A TIME EXTENSION PURSUANT TO § 3130.6 PRIOR TO THE EXPIRATION OF THE TWO-YEAR PERIOD AND THE REQUEST IS GRANTED. PURSUANT TO § 3129.9, NO OTHER ACTION, INCLUDING THE FILING OR GRANTING OF AN APPLICATION FOR A MODIFICATION PURSUANT TO §§ 3129.2 OR 3129.7, SHALL TOLL OR EXTEND THE TIME PERIOD.

PURSUANT TO 11 DCMR § 3125, APPROVAL OF AN APPLICATION SHALL INCLUDE APPROVAL OF THE PLANS SUBMITTED WITH THE APPLICATION FOR THE CONSTRUCTION OF A BUILDING OR STRUCTURE (OR ADDITION THERETO) OR THE RENOVATION OR ALTERATION OF AN EXISTING BUILDING OR STRUCTURE. AN APPLICANT SHALL CARRY OUT THE CONSTRUCTION, RENOVATION, OR ALTERATION ONLY IN ACCORDANCE WITH THE PLANS APPROVED BY THE BOARD AS THE SAME MAY BE AMENDED AND/OR MODIFIED FROM TIME TO TIME BY THE BOARD OF ZONING ADJUSTMENT.

IN ACCORDANCE WITH THE D.C. HUMAN RIGHTS ACT OF 1977, AS AMENDED, D.C. OFFICIAL CODE § 2-1401.01 ET SEQ. (ACT), THE DISTRICT OF COLUMBIA DOES NOT DISCRIMINATE ON THE BASIS OF ACTUAL OR PERCEIVED: RACE, COLOR, RELIGION, NATIONAL ORIGIN, SEX, AGE, MARITAL STATUS, PERSONAL APPEARANCE, SEXUAL ORIENTATION, GENDER IDENTITY OR EXPRESSION, FAMILIAL STATUS, FAMILY RESPONSIBILITIES, MATRICULATION, POLITICAL AFFILIATION, GENETIC INFORMATION, DISABILITY, SOURCE OF INCOME, OR PLACE OF RESIDENCE OR BUSINESS. SEXUAL HARASSMENT IS A FORM OF SEX DISCRIMINATION WHICH IS PROHIBITED BY THE ACT. IN ADDITION, HARASSMENT BASED ON ANY OF THE ABOVE PROTECTED CATEGORIES IS PROHIBITED BY THE ACT. DISCRIMINATION IN VIOLATION OF THE ACT WILL NOT BE TOLERATED. VIOLATORS WILL BE SUBJECT TO DISCIPLINARY ACTION.

**GOVERNMENT OF THE DISTRICT OF COLUMBIA  
BOARD OF ZONING ADJUSTMENT**

**Application No. 18931 of Carolina Lopez and Jeffrey Frank**, pursuant to 11 DCMR § 3104.1 for a special exception under § 223, not meeting the lot occupancy requirements under § 403.2, the rear yard setback requirements under § 404.1, and the nonconforming structure requirements under § 2001.3, to convert an existing two-story garage into a second-story apartment and construct a covered walkway in the R-4 District at premises 721 11th Street, N.E. (Square 982, Lot 39).

**HEARING DATE:** March 3, 2015

**DECISION DATE:** March 3, 2015

**SUMMARY ORDER**

**SELF-CERTIFIED**

The zoning relief requested in this case was self-certified, pursuant to 11 DCMR § 3113.2. (Exhibits 5.)

The Board of Zoning Adjustment (the “Board”) provided proper and timely notice of the public hearing on this application by publication in the *D.C. Register* and by mail to Advisory Neighborhood Commission (“ANC”) 6A, and to owners of property within 200 feet of the site. The site of this application is located within the jurisdiction of ANC 6A, which is automatically a party to this application. The ANC submitted a report indicating that at a regularly scheduled and properly noticed meeting on February 12, 2015, at which a quorum was in attendance, ANC 6A voted unanimously (8-0-0) to take no action on the application.<sup>1</sup> (Exhibit 28.) The Office of Planning (“OP”) submitted a timely report and testified at the hearing in support of the application. (Exhibit 25.) The District Department of Transportation (“DDOT”) filed a report expressing no objection to the approval of the application. (Exhibit 26.) Twenty-three letters<sup>2</sup> of support for the application from neighbors were submitted to the record. Also, a letter of support from the Capitol Hill Restoration Society (“CHRS”) was submitted by Gary M. Peterson, Chair of CHRS’s Zoning Committee. (Exhibits 22 and 23.) Janet Garton-Ciarleglio, a neighbor, submitted a letter in opposition to the application. (Exhibit 24.)

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<sup>1</sup> The ANC report stated that the ANC believes that the Applicant has not requested sufficient relief and expressed the view that additional zoning relief would be required in this case including, at a minimum, a variance from the accessory building height limit set forth in § 2500.4. (Exhibit 28.)

<sup>2</sup> One of the 23 neighbors’ letters of support indicated that one of these neighbor’s support for the application was conditioned on adoption of two conditions. (Exhibit 22.) The Board did not adopt the two conditions.



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As directed by 11 DCMR § 3119.2, the Board has required the Applicant to satisfy the burden of proving the elements that are necessary to establish the case pursuant to § 3104.1, for a special exception under §§ 223, 403.2, 404.1, and 2001.3. No parties appeared at the public hearing in opposition to this application. Accordingly, a decision by the Board to grant this application would not be adverse to any party.

Based upon the record before the Board and having given great weight to the ANC<sup>3</sup> and OP reports, the Board concludes that the Applicant has met the burden of proof, pursuant to 11 DCMR §§ 3104.1, 223, 403.2, 404.1, and 2001.3, that the requested relief can be granted as being in harmony with the general purpose and intent of the Zoning Regulations and Map. The Board further concludes that granting the requested relief will not tend to affect adversely the use of neighboring property in the accordance with the Zoning Regulations and Map.

Pursuant to 11 DCMR § 3100.5, the Board has determined to waive the requirement of 11 DCMR § 3125.5, that the order of the Board be accompanied by findings of fact and conclusions of law. It is therefore **ORDERED** that this application is hereby **GRANTED, SUBJECT TO THE APPROVED REVISED PLANS AT EXHIBIT 7.**

**VOTE: 3-0-2** (Lloyd J. Jordan, Michael G. Turnbull, and Jeffrey L. Hinkle to APPROVE; Marnique Y. Heath, not participating, not voting; one Board seat vacant).

**BY ORDER OF THE D.C. BOARD OF ZONING ADJUSTMENT**

A majority of the Board members approved the issuance of this order.

**FINAL DATE OF ORDER:** March 13, 2015

PURSUANT TO 11 DCMR § 3125.9, NO ORDER OF THE BOARD SHALL TAKE EFFECT UNTIL TEN (10) DAYS AFTER IT BECOMES FINAL PURSUANT TO § 3125.6.

PURSUANT TO 11 DCMR § 3130, THIS ORDER SHALL NOT BE VALID FOR MORE THAN TWO YEARS AFTER IT BECOMES EFFECTIVE UNLESS, WITHIN SUCH TWO-YEAR PERIOD, THE APPLICANT FILES PLANS FOR THE PROPOSED STRUCTURE WITH THE DEPARTMENT OF CONSUMER AND REGULATORY AFFAIRS FOR THE PURPOSE OF SECURING A BUILDING PERMIT, OR THE APPLICANT FILES A REQUEST FOR A TIME EXTENSION PURSUANT TO § 3130.6 AT LEAST 30 DAYS PRIOR TO THE EXPIRATION OF THE TWO-YEAR PERIOD AND THAT SUCH REQUEST IS GRANTED. NO

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<sup>3</sup> In its deliberations, the Board acknowledged that the ANC had taken no position as to the application.

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OTHER ACTION, INCLUDING THE FILING OR GRANTING OF AN APPLICATION FOR A MODIFICATION PURSUANT TO §§ 3129.2 OR 3129.7, SHALL EXTEND THE TIME PERIOD.

PURSUANT TO 11 DCMR § 3125, APPROVAL OF AN APPLICATION SHALL INCLUDE APPROVAL OF THE PLANS SUBMITTED WITH THE APPLICATION FOR THE CONSTRUCTION OF A BUILDING OR STRUCTURE (OR ADDITION THERETO) OR THE RENOVATION OR ALTERATION OF AN EXISTING BUILDING OR STRUCTURE. AN APPLICANT SHALL CARRY OUT THE CONSTRUCTION, RENOVATION, OR ALTERATION ONLY IN ACCORDANCE WITH THE PLANS APPROVED BY THE BOARD AS THE SAME MAY BE AMENDED AND/OR MODIFIED FROM TIME TO TIME BY THE BOARD OF ZONING ADJUSTMENT.

IN ACCORDANCE WITH THE D.C. HUMAN RIGHTS ACT OF 1977, AS AMENDED, D.C. OFFICIAL CODE § 2-1401.01 ET SEQ. (ACT), THE DISTRICT OF COLUMBIA DOES NOT DISCRIMINATE ON THE BASIS OF ACTUAL OR PERCEIVED: RACE, COLOR, RELIGION, NATIONAL ORIGIN, SEX, AGE, MARITAL STATUS, PERSONAL APPEARANCE, SEXUAL ORIENTATION, GENDER IDENTITY OR EXPRESSION, FAMILIAL STATUS, FAMILY RESPONSIBILITIES, MATRICULATION, POLITICAL AFFILIATION, GENETIC INFORMATION, DISABILITY, SOURCE OF INCOME, OR PLACE OF RESIDENCE OR BUSINESS. SEXUAL HARASSMENT IS A FORM OF SEX DISCRIMINATION WHICH IS PROHIBITED BY THE ACT. IN ADDITION, HARASSMENT BASED ON ANY OF THE ABOVE PROTECTED CATEGORIES IS PROHIBITED BY THE ACT. DISCRIMINATION IN VIOLATION OF THE ACT WILL NOT BE TOLERATED. VIOLATORS WILL BE SUBJECT TO DISCIPLINARY ACTION.

**GOVERNMENT OF THE DISTRICT OF COLUMBIA  
BOARD OF ZONING ADJUSTMENT**

**Application No. 18944 of Michael Reitz**, pursuant to 11 DCMR § 3104.1, for a special exception under § 223, not meeting the nonconforming structure requirements under § 2001.3, to allow the construction of a third-story addition to an existing single-family dwelling in the D/R-5-B District at premises 1505 Harvard Street, N.W. (Square 2577, Lot 42).

**HEARING DATE:** March 10, 2015

**DECISION DATE:** March 10, 2015

**SUMMARY ORDER**

**REVIEW BY THE ZONING ADMINISTRATOR**

This application was accompanied by a memorandum, dated November 17, 2014, from the Zoning Administrator certifying the required relief. (Exhibit 11.)

The Board of Zoning Adjustment (the “ Board”) provided proper and timely notice of the public hearing on this application by publication in the *D.C. Register* and by mail to Advisory Neighborhood Commission (“ANC”) 1A, and to owners of property within 200 feet of the site. The site of this application is located within the jurisdiction of ANC 1A. The ANC submitted a report indicating that at a regularly scheduled and properly noticed meeting on January 14, 2015, at which a quorum was in attendance, ANC 1A voted 12-0-0 to support the application. (Exhibit 25.) The Office of Planning (“OP”) submitted a timely report and testified at the hearing in support of the application. (Exhibit 30.) The District Department of Transportation (“DDOT”) filed a report expressing no objection to the approval of the application. (Exhibit 31.) Two letters from adjacent neighbors were submitted in opposition to the application. (Exhibits 28 and 29.)

As directed by 11 DCMR § 3119.2, the Board has required the Applicant to satisfy the burden of proving the elements that are necessary to establish the case pursuant to § 3104.1, for a special exception under §§ 223 and 2001.3. No parties appeared at the public hearing in opposition to this application. Accordingly, a decision by the Board to grant this application would not be adverse to any party.

Based upon the record before the Board and having given great weight to the OP and ANC reports, the Board concludes that the Applicant has met the burden of proof, pursuant to 11DCMR §§ 3104.1, 223 and 2001.3, that the requested relief can be granted as being in harmony with the general purpose and intent of the Zoning Regulations and Map. The Board further concludes that granting the requested relief will not tend to affect

**BZA APPLICATION NO. 18944****PAGE NO. 2**

adversely the use of neighboring property in the accordance with the Zoning Regulations and Map.

Pursuant to 11 DCMR § 3100.5, the Board has determined to waive the requirement of 11 DCMR § 3125.5, that the order of the Board be accompanied by findings of fact and conclusions of law. It is therefore **ORDERED** that this application is hereby **GRANTED, SUBJECT TO THE APPROVED PLANS AT EXHIBIT 6-9.**

**VOTE:**           **4-0-1** (Peter G. May, Lloyd J. Jordan, Marnique Y. Heath, and Jeffrey L. Hinkle to APPROVE; one Board seat vacant).

**BY ORDER OF THE D.C. BOARD OF ZONING ADJUSTMENT**

A majority of the Board members approved the issuance of this order.

**FINAL DATE OF ORDER:** March 16, 2015

PURSUANT TO 11 DCMR § 3125.9, NO ORDER OF THE BOARD SHALL TAKE EFFECT UNTIL TEN (10) DAYS AFTER IT BECOMES FINAL PURSUANT TO §3125.6.

PURSUANT TO 11 DCMR § 3130, THIS ORDER SHALL NOT BE VALID FOR MORE THAN TWO YEARS AFTER IT BECOMES EFFECTIVE UNLESS, WITHIN SUCH TWO-YEAR PERIOD, THE APPLICANT FILES PLANS FOR THE PROPOSED STRUCTURE WITH THE DEPARTMENT OF CONSUMER AND REGULATORY AFFAIRS FOR THE PURPOSE OF SECURING A BUILDING PERMIT, OR THE APPLICANT FILES A REQUEST FOR A TIME EXTENSION PURSUANT TO § 3130.6 AT LEAST 30 DAYS PRIOR TO THE EXPIRATION OF THE TWO-YEAR PERIOD AND THAT SUCH REQUEST IS GRANTED. NO OTHER ACTION, INCLUDING THE FILING OR GRANTING OF AN APPLICATION FOR A MODIFICATION PURSUANT TO §§ 3129.2 OR 3129.7, SHALL EXTEND THE TIME PERIOD.

PURSUANT TO 11 DCMR § 3125, APPROVAL OF AN APPLICATION SHALL INCLUDE APPROVAL OF THE PLANS SUBMITTED WITH THE APPLICATION FOR THE CONSTRUCTION OF A BUILDING OR STRUCTURE (OR ADDITION THERETO) OR THE RENOVATION OR ALTERATION OF AN EXISTING BUILDING OR STRUCTURE. AN APPLICANT SHALL CARRY OUT THE CONSTRUCTION, RENOVATION, OR ALTERATION ONLY IN ACCORDANCE WITH THE PLANS APPROVED BY THE BOARD AS THE SAME MAY BE AMENDED AND/OR MODIFIED FROM TIME TO TIME BY THE BOARD OF ZONING ADJUSTMENT.

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IN ACCORDANCE WITH THE D.C. HUMAN RIGHTS ACT OF 1977, AS AMENDED, D.C. OFFICIAL CODE § 2-1401.01 *ET SEQ.* (ACT), THE DISTRICT OF COLUMBIA DOES NOT DISCRIMINATE ON THE BASIS OF ACTUAL OR PERCEIVED: RACE, COLOR, RELIGION, NATIONAL ORIGIN, SEX, AGE, MARITAL STATUS, PERSONAL APPEARANCE, SEXUAL ORIENTATION, GENDER IDENTITY OR EXPRESSION, FAMILIAL STATUS, FAMILY RESPONSIBILITIES, MATRICULATION, POLITICAL AFFILIATION, GENETIC INFORMATION, DISABILITY, SOURCE OF INCOME, OR PLACE OF RESIDENCE OR BUSINESS. SEXUAL HARASSMENT IS A FORM OF SEX DISCRIMINATION WHICH IS PROHIBITED BY THE ACT. IN ADDITION, HARASSMENT BASED ON ANY OF THE ABOVE PROTECTED CATEGORIES IS PROHIBITED BY THE ACT. DISCRIMINATION IN VIOLATION OF THE ACT WILL NOT BE TOLERATED. VIOLATORS WILL BE SUBJECT TO DISCIPLINARY ACTION.

**GOVERNMENT OF THE DISTRICT OF COLUMBIA  
BOARD OF ZONING ADJUSTMENT**

**Application No. 18947 of Henry and Katherine Van Dyck** pursuant to 11 DCMR § 3104.1, for a special exception under § 223, not meeting the open court requirements under § 406.1, to allow the construction of a second-story rear addition to an existing single-family dwelling in the R-4 District at premises 710 A Street, N.E. (Square 896, Lot 41).

**HEARING DATE:** Applicant waived right to a public hearing

**DECISION DATE:** March 17, 2015 (Expedited Review Calendar).<sup>1</sup>

**SUMMARY ORDER**

**SELF-CERTIFIED**

The zoning relief requested in this case was self-certified, pursuant to 11 DCMR § 3113.2. (Exhibits 7 and 27.)

Pursuant to 11 DCMR § 3118, this application was tentatively placed on the Board of Zoning Adjustment (“Board”) expedited review calendar for decision without hearing as a result of the applicant’s waiver of its right to a hearing.

The Board provided proper and timely notice of the public hearing on this application by publication in the *D.C. Register* and by mail to Advisory Neighborhood Commission (“ANC”) 6C, and to owners of property within 200 feet of the site. The site of this application is located within the jurisdiction of ANC 6C, which is automatically a party to this application. The ANC submitted a report indicating that at a regularly scheduled and properly noticed meeting on February 11, 2015, at which a quorum was in attendance, ANC 6C voted 5-0-1 to support the application. (Exhibit 28.) The Office of Planning (“OP”) submitted a timely report and testified at the hearing in support of the application. (Exhibit 29.) The District Department of Transportation (“DDOT”) submitted a report expressing no objection to the approval of the application. (Exhibit 26.) Two letters were filed by adjacent neighbors in support of the application. (Exhibits 20 and 21.)

No objections to expedited calendar consideration were made by any person or entity entitled to do so by §§ 2118.6 and 2118.7. The matter was therefore called on the Board’s

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<sup>1</sup> This application was previously scheduled for the Expedited Review Calendar on February 24, 2015, but was postponed because the Applicant failed to post notice on the property. On March 10, 2015, the Board denied the Applicant’s motion to waive the posting requirement and rescheduled the case for the Expedited Review Calendar on March 17, 2015. The Applicant posted the property and submitted the required affidavit of posting to the record. (Exhibit 32.)

**BZA APPLICATION NO. 18947****PAGE NO. 2**

expedited calendar for the date referenced above and the Board voted to grant the application.

As directed by 11 DCMR § 3119.2, the Board has required the Applicant to satisfy the burden of proving the elements that are necessary to establish the case pursuant to § 3104.1, for a special exception under §§ 223, and 406.1. No parties appeared at the public meeting in opposition to this application. Accordingly, a decision by the Board to grant this application would not be adverse to any party.

Based upon the record before the Board and having given great weight to the OP and ANC reports, the Board concludes that the Applicant has met the burden of proof, pursuant to 11 DCMR §§ 3104.1, 223, and 406.1, that the requested relief can be granted as being in harmony with the general purpose and intent of the Zoning Regulations and Map. The Board further concludes that granting the requested relief will not tend to affect adversely the use of neighboring property in accordance with the Zoning Regulations and Map.

Pursuant to 11 DCMR § 3100.5, the Board has determined to waive the requirement of 11 DCMR § 3125.3, that the order of the Board be accompanied by findings of fact and conclusions of law. The waiver will not prejudice the rights of any party and is appropriate in this case. It is therefore **ORDERED** that this application is hereby **GRANTED, SUBJECT TO THE APPROVED REVISED PLANS IN THE RECORD AT EXHIBIT 25.**

**VOTE:**           **4-0-1** (Marnique Y. Heath, Jeffrey L. Hinkle, Lloyd J. Jordan,  
and Robert E. Miller to APPROVE; one Board seat vacant).

**BY ORDER OF THE D.C. BOARD OF ZONING ADJUSTMENT**

A majority of the Board members approved the issuance of this order.

**FINAL DATE OF ORDER:** March 18, 2015

PURSUANT TO 11 DCMR § 3125.9, NO ORDER OF THE BOARD SHALL TAKE EFFECT UNTIL TEN (10) DAYS AFTER IT BECOMES FINAL PURSUANT TO § 3125.6.

PURSUANT TO 11 DCMR § 3130, THIS ORDER SHALL NOT BE VALID FOR MORE THAN TWO YEARS AFTER IT BECOMES EFFECTIVE UNLESS, WITHIN SUCH TWO-YEAR PERIOD, THE APPLICANT FILES PLANS FOR THE PROPOSED STRUCTURE WITH THE DEPARTMENT OF CONSUMER AND REGULATORY AFFAIRS FOR THE PURPOSE OF SECURING A BUILDING PERMIT, OR THE APPLICANT FILES A REQUEST FOR A TIME EXTENSION

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PURSUANT TO § 3130.6 AT LEAST 30 DAYS PRIOR TO THE EXPIRATION OF THE TWO-YEAR PERIOD AND THAT SUCH REQUEST IS GRANTED. NO OTHER ACTION, INCLUDING THE FILING OR GRANTING OF AN APPLICATION FOR A MODIFICATION PURSUANT TO §§ 3129.2 OR 3129.7, SHALL EXTEND THE TIME PERIOD.

PURSUANT TO 11 DCMR § 3125, APPROVAL OF AN APPLICATION SHALL INCLUDE APPROVAL OF THE PLANS SUBMITTED WITH THE APPLICATION FOR THE CONSTRUCTION OF A BUILDING OR STRUCTURE (OR ADDITION THERETO) OR THE RENOVATION OR ALTERATION OF AN EXISTING BUILDING OR STRUCTURE. AN APPLICANT SHALL CARRY OUT THE CONSTRUCTION, RENOVATION, OR ALTERATION ONLY IN ACCORDANCE WITH THE PLANS APPROVED BY THE BOARD AS THE SAME MAY BE AMENDED AND/OR MODIFIED FROM TIME TO TIME BY THE BOARD OF ZONING ADJUSTMENT.

IN ACCORDANCE WITH THE D.C. HUMAN RIGHTS ACT OF 1977, AS AMENDED, D.C. OFFICIAL CODE § 2-1401.01 *ET SEQ.* (ACT), THE DISTRICT OF COLUMBIA DOES NOT DISCRIMINATE ON THE BASIS OF ACTUAL OR PERCEIVED: RACE, COLOR, RELIGION, NATIONAL ORIGIN, SEX, AGE, MARITAL STATUS, PERSONAL APPEARANCE, SEXUAL ORIENTATION, GENDER IDENTITY OR EXPRESSION, FAMILIAL STATUS, FAMILY RESPONSIBILITIES, MATRICULATION, POLITICAL AFFILIATION, GENETIC INFORMATION, DISABILITY, SOURCE OF INCOME, OR PLACE OF RESIDENCE OR BUSINESS. SEXUAL HARASSMENT IS A FORM OF SEX DISCRIMINATION WHICH IS PROHIBITED BY THE ACT. IN ADDITION, HARASSMENT BASED ON ANY OF THE ABOVE PROTECTED CATEGORIES IS PROHIBITED BY THE ACT. DISCRIMINATION IN VIOLATION OF THE ACT WILL NOT BE TOLERATED. VIOLATORS WILL BE SUBJECT TO DISCIPLINARY ACTION.



**ZONING COMMISSION FOR THE DISTRICT OF COLUMBIA  
NOTICE OF FILING**

**Z.C. Case No. 15-05**

**(P.N. Hoffman & Associates, Inc. and Riverside Baptist Church– Consolidated PUD  
and Related Map Amendment @ Square 472, Lot 127)**

**March 18, 2015**

**THIS CASE IS OF INTEREST TO ANC 6D**

On March 16, 2015, the Office of Zoning received an application from P.N. Hoffman & Associates, Inc. and Riverside Baptist Church (together the “Applicant”) for approval of a consolidated PUD and related map amendment for the above-referenced property.

The property that is the subject of this application consists of Lot 127 in Square 472 in Southwest Washington, D.C. (Ward 6), which is located at 680 I Street, S.W. The property is currently zoned R-5-B. The Applicant proposes a PUD-related map amendment to rezone the property, for the purposes of this project, to C-3-A.

The Applicant proposes to demolish an existing church and construct a new mixed-use building containing a church and approximately 170 residential units. Forty-five percent of the residential units will be larger units that are “...more family inclusive” with a mix of one-bedroom plus den units, two-bedroom units, and two-bedroom plus den units. The residential building will have a maximum height of 90 feet and the church will reach a maximum height of 56 feet, with the bulk of the building being 37-40 feet tall. The total density of the project will be 4.57 floor area ratio (“FAR”). There will be approximately 160 car parking spaces and 64 bicycle parking spaces.

This case was filed electronically through the Interactive Zoning Information System (“IZIS”), which can be accessed through <http://dcoz.dc.gov>. For additional information, please contact Sharon S. Schellin, Secretary to the Zoning Commission at (202) 727-6311.

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