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District of Columbia REGISTER

HIGHLIGHTS

- D.C. Council passes Resolution 153 to clarify that the Council may hold legislative meetings during a recess period
- D.C. Council passes Resolution 176 to propose increasing the weight limit for personal delivery devices
- Office of Administrative Hearings updates its rules for filing all case types and clarifies procedural requirements
- Alcoholic Beverage and Cannabis Administration extends hours of sales, service, and consumption of alcoholic beverages for eligible licensees for the Art All Night 2025 cultural event
- Board of Elections releases monthly voter registration statistics as of June 30, 2025
- Department of Employment Services schedules a meeting for the DC Commission on Poverty
- Department of Health Care Finance implements a twelve-month continuous eligibility period for Medicaid beneficiaries under age nineteen regardless of changes in circumstances
- Department of Housing and Community Development schedules a public hearing to solicit feedback on the draft of the FY 2026 Annual Action Plan and the spending priorities for utilizing federal entitlement funds
- Executive Office of the Mayor delegates authority to the Director of the Office of Victim Services and Justice Grants to administer the Private Security Camera System Incentive Program and Fund (Mayor's Order 2025-81)

DISTRICT OF COLUMBIA REGISTER

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ENROLLED ORIGINAL

AN ACT

D.C. ACT 26-105

IN THE COUNCIL OF THE DISTRICT OF COLUMBIA

JULY 11, 2025

To amend Chapter 39 of Title 28 of the District of Columbia Official Code to clarify that the District government is not a merchant under the District's consumer protection law except with respect to the application of that chapter's landlord-tenant relations provisions to the District of Columbia Housing Authority.

BE IT ENACTED BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this act may be cited as the "Consumer Protection Clarification Amendment Act of 2025".

Sec. 2. Section 28-3901 of the District of Columbia Official Code is amended as follows:

(a) Subsection (a)(3) is amended to read as follows:

"(3)(A) "merchant" means a person, whether organized or operating for profit or for a nonprofit purpose, who in the ordinary course of business does or would sell, lease, or transfer, either directly or indirectly, consumer goods or services, or a person who in the ordinary course of business does or would supply the goods or services which are or would be the subject matter of a trade practice.

"(B) Except as provided in subsection (e) of this section, "merchant" does not include the District of Columbia, its agencies or instrumentalities, or any employee thereof acting within the scope of the employee's official duties;".

(b) Subsection (e) is amended to read as follows:

"(e) Notwithstanding any other provision of this chapter, this chapter's application to landlord-tenant relations shall include the District of Columbia Housing Authority's activities as a landlord; except, that this chapter shall not be construed to otherwise apply to the District of Columbia, its agencies or instrumentalities, or any employee thereof acting within the scope of the employee's official duties.".

Sec. 3. Applicability.

(a) Section 2(a) shall apply as of June 12, 2007.

(b) Section 2(b) shall apply as of December 19, 2016.

ENROLLED ORIGINAL

Sec. 4. Fiscal impact statement.

The Council adopts the fiscal impact statement in the committee report as the fiscal impact statement required by section 4a of the General Legislative Procedures Act of 1975, approved October 16, 2006 (120 Stat. 2038; D.C. Official Code § 1-301.47a).

Sec. 5. 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 a 30-day period of congressional review as provided in 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)).

Chairman
Council of the District of Columbia

Mayor
District of Columbia
APPROVED
JULY 11, 2025

ENROLLED ORIGINAL

AN ACT

D.C. ACT 26-107

IN THE COUNCIL OF THE DISTRICT OF COLUMBIA

JULY 11, 2025

To approve, on an emergency basis, Modification Nos. M0004, M0005, and M0006 to Contract No. CW103730 with Bound Tree Medical, LLC, and to authorize payment for the goods and 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. CW103730 with Bound Tree Medical, LLC, Approval and Payment Authorization Emergency Act of 2025".

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 Modification Nos. M0004, M0005, and M0006 to Contract No. CW103730 with Bound Tree Medical, LLC and authorizes payment in the not-to-exceed amount of $1.6 million for the goods and 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 4a of the General Legislative Procedures Act of 1975, approved October 16, 2006 (120 Stat. 2038; D.C. Official Code § 1-301.47a).

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 section

ENROLLED ORIGINAL

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
JULY 11, 2025

ENROLLED ORIGINAL

AN ACT

D.C. ACT 26-108

IN THE COUNCIL OF THE DISTRICT OF COLUMBIA

JULY 11, 2025

To approve, on an emergency basis, Contract No. CW123725 with Modaxo Traffic Management USA, Inc., and to authorize payment for the goods and 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. CW123725 with Modaxo Traffic Management USA, Inc. Approval and Payment Authorization Emergency Act of 2025".

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. CW123725 with Modaxo Traffic Management USA, Inc., and authorizes payment in the not-to-exceed amount of $6,002,005.94 for the goods and 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 4a of the General Legislative Procedures Act of 1975, approved October 16, 2006 (120 Stat. 2038; D.C. Official Code § 1-301.47a).

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 section

ENROLLED ORIGINAL

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
JULY 11, 2025

ENROLLED ORIGINAL

AN ACT

D.C. ACT 26-109

IN THE COUNCIL OF THE DISTRICT OF COLUMBIA

JULY 14, 2025

To amend Title 6-A of the District of Columbia Municipal Regulations to make conforming changes; to amend the Omnibus Police Reform Amendment Act of 2000 to allow applicants for sworn officers of the Metropolitan Police Department to count certain credit hours for completion of the initial training program towards the requirement that certain applicants complete 60-hours of post-secondary education at an accredited college or university; to amend section 23-581 of the District of Columbia Official Code to clarify the authority of Metropolitan Police Department warrantless arrest requirements; to amend the Act to Regulate Public Conduct on Public Passenger Vehicles to provide that the adjudication of fare evasion citations shall be pursuant to the Department of Consumer and Regulatory Affairs Civil Infractions Act of 1985; to amend Chapter 8 of Title 16 of the District of Columbia Official Code to clarify that offenses eligible in the future for automatic sealing are currently eligible for sealing by motion; and to amend the Secure DC Omnibus Amendment Act of 2024 to amend the sunset date of certain provisions regarding pretrial detention.

BE IT ENACTED BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this act may be cited as the "Peace DC Omnibus Emergency Amendment Act of 2025".

Sec. 2. Section 1101 of Title 6A of the District of Columbia Municipal Regulations (6A DCMR § 1101), is amended as follows:

(a) The section heading is amended by striking the phrase "SECTION 4-114" and inserting the phrase "SECTION 5-129.02" in its place.

(b) Subsection 1101.1 is repealed.

(c) Strike the phrase "Code §4-114 (1981)" wherever it appears and insert the phrase "Code § 5-129.02" in its place.

Sec. 3. Section 202(e)(1) of the Omnibus Police Reform Amendment Act of 2000, effective October 4, 2000 (D.C. Law 13-160; D.C. Official Code § 5-107.01(e)(1)), is amended to read as follows:

"(1) Successfully completed 60 hours of post-secondary education at an accredited college or university; except, that, if the Metropolitan Police Department enters into

an agreement with an accredited college or university to award credit hours to recruits successfully completing the Department's initial training program for recruits, an applicant may satisfy up to 20 credits of the 60-credit hour requirement by earning credits through the initial training program for recruits;".

Sec. 4. Section 23-581(a) of the District of Columbia Official Code is amended as follows:

(a) Paragraph (2) is amended as follows:

(1) Subparagraph (C) is amended as follows:

(A) Strike the phrase "Theft of property valued less than $250" and insert the phrase "Theft of property that has some value" in its place.

(B) Strike the phrase "section 111 [D.C. Official Code, § 22-3211]" and insert the phrase "section 112 [D.C. Official Code § 22-3212(b)]" in its place.

(2) Subparagraph (D) is amended as follows:

(A) Strike the phrase "Theft of property valued in excess of $250" and insert the phrase "Theft of property valued at $1,000 or more; Theft twice or more in a 6-month period with an aggregate value of $1,000 or more" in its place.

(B) Strike the phrase "section 111 [D.C. Official Code, § 22-3211]" and insert the phrase "section 112(a) [D.C. Official Code § 22-3212(a)]" in its place.

(3) Subparagraph (E) is amended by striking the phrase "Unauthorized Disposal of Solid Waste" and inserting the phrase "Unauthorized disposal of solid waste, hazardous waste, or medical waste" in its place.

(b) Paragraph (3) is amended as follows:

(1) Strike the phrase "section 9(b-1) (D.C. Official Code § 50-2201.04(b-1))" and insert the phrase "section 9(c) (D.C. Official Code § 50-2201.04(c))" in its place.

(2) Strike the phrase "section 10(b) (D.C. Official Code § 50-2201.05(b)) [Repealed]" and insert the phrase "section 3b (D.C. Official Code § 50-2206.11)" in its place.

(3) Strike the phrase "Operating or physically controlling a vehicle when under the influence of intoxicating liquor or drugs, when operating ability is impaired by intoxicating liquor, or when the operator's blood, breath, or urine contains the amount of alcohol which is prohibited by section 10(b)" and insert the phrase "Driving under the influence (DUI) of alcohol or a drug" in its place.

(4) Strike the phrase "section 13(e) (D.C. Official Code § 50-1403.01(e))" and insert the phrase "section 13(f) (D.C. Official Code § 50-1403.01(f))" in its place.

Sec. 5. Section 5(a) of the Act to Regulate Public Conduct on Public Passenger Vehicles, effective September 23, 1975 (D.C. Law 1-18; D.C. Official Code § 35-254(a)), is amended as follows:

(a) Paragraph (1) is amended by striking the phrase "of this section" and inserting the phrase "and (1A) of this section" in its place.

(b) Paragraph (2)(A) is amended to read as follows:

"(2)(A) Violations penalized under this subsection shall be adjudicated by the Office of Administrative Hearings in accordance with the Department of Consumer and Regulatory Affairs Civil Infractions Act of 1985, effective October 5, 1985 (D.C. Law 6-42; D.C. Official Code § 2-1801.01 *et seq.*).".

Sec. 6. Chapter 8 of Title 16 of the District of Columbia Official Code is amended as follows:

(a) Section 16-805(c)(1) is amended as follows:

(1) Subparagraph (A) is amended by striking the phrase "prior to the effective date of the Second Chance Amendment Act of 2022, passed on 2nd reading on December 20, 2022 (Enrolled version of Bill 24-63)" and inserting the phrase "on or before September 30, 2027" in its place.

(2) Subparagraph (B) is amended by striking the phrase "the effective date of the Second Chance Amendment Act of 2022, on 2nd reading on December 20, 2022 (Enrolled version of Bill 24-63), shall be sealed" and inserting the phrase "October 1, 2027, shall be sealed by October 1, 2027, or" in its place.

(b) Section 16-806 is amended as follows:

(1) Subsection (a)(1)(B) is amended to read as follows:

"(B)(i) The offense is not an offense listed in § 16-805(b) and the person cited, arrested, or charged files a written motion prior to October 1, 2027; or

(ii) The offense is an offense listed in § 16-805(b); and"

(2) Subsection (i) is amended by adding a new paragraph (7) to read as follows:

"(7) Notwithstanding paragraph (6) of this subsection, the dismissal of a motion under this section between March 1, 2025, and the effective date of the Peace DC Omnibus Emergency Amendment Act of 2025, passed on emergency basis on July 1, 2025 (Enrolled version of Bill 26-304), shall not preclude a movant from filing and the Court from entertaining subsequent motions sooner than one year after the date on which the initial motion was resolved.".

Sec. 7. The Secure DC Omnibus Amendment Act of 2024, effective June 8, 2024 (D.C. Law 25-175; 71 DCR 2732), is amended as follows:

(a) Section 18(c)(2) is amended to read as follows:

"(2) Paragraph (1) of this subsection shall expire December 31, 2026.".

(b) Section 30 is amended as follows:

(1) Subsection (f)(1)(H) is amended to read as follows:

"(H) A new paragraph (9) is added to read as follows:

""(9) Committed a crime of violence, as that term is defined in § 23-1331(4); except, that robbery where the victim does not sustain a physical injury and burglary in the

second degree shall not be subject to the rebuttable presumption of detention under this subsection.".".

(2) Subsection (k) is amended to read as follows:

"(k) Subsections (f), (g), and (h) of this section shall expire December 31, 2026.".

Sec. 8. Section 1505 of the Criminal Justice Coordinating Council for the District of Columbia Establishment Act of 2001, effective October 3, 2001 (D.C. Law 14-28; D.C. Official Code § 22-4234), is amended as follows:

"(a) Subsection (b-9) is amended by striking the phrase "May 7, 2025" and inserting the phrase "September 30, 2026" in its place.

"(b) Subsection (b-10) is amended by striking the phrase "May 7, 2025" and inserting the phrase "September 30, 2026" in its place.

Sec. 9. Section 4(a) of the Clemency Board Waiver Authority Temporary Amendment Act of 2025, enacted on April 22, 2025 (D.C. Act 26-45; 72 DCR 4888), is amended to read as follows:

"(a) 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 a 60-day period of congressional review as provided in section 602(c)(2) of the District of Columbia Home Rule Act, approved December 24, 1973 (87 Stat. 813; D.C. Official Code § 1-206.02(c)(2)).".

Sec. 10. Applicability.

Section 6 shall apply as of March 1, 2025.

Sec. 11. Fiscal impact statement.

The Council adopts the fiscal impact statement of the Budget Director as the fiscal impact statement required by section 4a of the General Legislative Procedures Act of 1975, approved October 16, 2006 (120 Stat. 2038; D.C. Official Code § 1-301.47a).

Sec. 12. 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 section

ENROLLED ORIGINAL

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
July 14,2025

ENROLLED ORIGINAL

AN ACT

D.C. ACT 26-110

IN THE COUNCIL OF THE DISTRICT OF COLUMBIA

JULY 22, 2025

To amend, on an emergency basis, due to congressional review, the Open Meetings Act to clarify the definition of meeting, to provide for a public body's ability to be briefed about potential terrorist or public health threats so long as no official action is taken, to exempt from the act meetings between the Council and the Mayor provided that no official action is taken at such meetings, and to provide that a meeting shall be deemed open to the public if the public body takes steps reasonably calculated to allow the public to view or hear the meeting while the meeting is taking place, or, if doing so is not technologically feasible, as soon thereafter as reasonably practicable.

BE IT ENACTED BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this act may be cited as the "Open Meetings Clarification Congressional Review Emergency Amendment Act of 2025".

Sec. 2. The Open Meetings Act, effective March 31, 2011 (D.C. Law 18-350; D.C. Official Code § 2-571 *et seq.*), is amended as follows:

(a) Section 404 (D.C. Official Code § 2-574) is amended as follows:

(1) Paragraph (1) is amended to read as follows:

"(1)(A) "Meeting" means any gathering of a quorum of the members of a public body, including hearings and roundtables, whether formal or informal, regular, special, or emergency, at which the members consider, conduct, or advise on public business, including gathering information, taking testimony, discussing, deliberating, recommending, and voting, regardless of whether held in person, by telephone, electronically, or by other means of communication.

"(B) The term "meeting" shall not include:

"(i) A chance or social gathering; provided, that it is not held to avoid the provisions of this paragraph; or

"(ii) A press conference.

"(C) For the purposes of the Council of the District of Columbia, the term "meeting" means a regular or additional legislative meeting, and committee meetings where votes are taken.".

(2) Paragraph (3) is amended as follows:

(A) Subparagraph (E) is amended by striking the phrase "; or" and inserting a semicolon in its place.

(B) Subparagraph (F) is amended by striking the period at the end and inserting the phrase "; or" in its place.

(C) A new subparagraph (G) is added to read as follows:

"(G) The Criminal Justice Coordinating Council.".

(b) Section 405 (D.C. Official Code § 2-575) is amended as follows:

(1) Subsection (a) is amended as follows:

(A) Paragraph (2) is amended by striking the phrase "; or" and inserting a semicolon in its place.

(B) Paragraph (3) is amended by striking the phrase "televised." and inserting the phrase "televised; or" in its place.

(C) A new paragraph (4) is added to read as follows:

"(4) The public body takes steps reasonably calculated to allow the public to view or hear the meeting while the meeting is taking place, or, if doing so is not technologically feasible, as soon thereafter as reasonably practicable.".

(2) Subsection (b)(8) is amended to read as follows:

"(8) To discuss and take action regarding specific methods and procedures to protect the public or a public body from existing or potential terrorist activity or other substantial dangers to public health and safety, or to receive briefings by staff members, legal counsel, law enforcement officials, or emergency service officials concerning these methods and procedures; provided, that disclosure could endanger the public or the public body;".

(3) Subsection (f) is amended to read as follows:

"(f) Notwithstanding any provision of this act, the Council may adopt its own rules to ensure the District's open meetings policy, as established in section 402, is met with respect to gatherings of councilmembers; provided, that unless the Council adopts rules pursuant to this subsection, this title shall apply to the Council.".

(4) A new subsection (h) is added to read as follows:

"(h) This title shall not apply to a meeting between members of the Council and the Mayor; provided, that no official action is decided at the meeting.".

(c) Section 406 (D.C. Official Code § 2-576) is amended as follows:

(1) Paragraph (1) is amended by striking the phrase "Except for emergency meetings, a public body shall provide" and inserting the phrase "A public body shall attempt to provide" in its place.

(2) Paragraph (3) is amended by striking the phrase "Notwithstanding the notice requirement of paragraph (2) of this subsection, except" and inserting the word "Except" in its place.

(3) Paragraph (4) is amended by striking the phrase "urgent matter," and inserting the phrase "urgent matter, and notwithstanding paragraphs (1) and (3) of this subsection," in its place.

(d) Section 407(a) (D.C. Official Code § 2-577(a)) is amended as follows:

(1) Paragraph (1) is amended to read as follows:

"(1) Reasonable arrangements are made to accommodate the public's right to attend the meeting or steps are taken that are reasonably calculated to allow the public to view or to hear the meeting while the meeting is taking place, or, if doing so is not technologically feasible, as soon thereafter as reasonably practicable;".

(2) Paragraph (3) is amended by striking the phrase "taken by roll call" and inserting the word "recorded" in its place.

(e) Section 409(a) (D.C. Official Code § 2-579(a)) is amended by striking the phrase "Council meetings" and inserting the phrase "meetings and gatherings of councilmembers" in its place.

Sec. 3. Applicability.

This act shall apply as of July 5, 2025.

Sec. 4. Fiscal impact statement.

The Council adopts the fiscal impact statement of the Budget Director as the fiscal impact statement required by section 4a of the General Legislative Procedures Act of 1975, approved October 16, 2006 (120 Stat. 2038; D.C. Official Code § 1-301.47a).

Sec. 5. 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 section

ENROLLED ORIGINAL

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

UNSIGNED

Mayor
District of Columbia
JULY 11, 2025

ENROLLED ORIGINAL

A RESOLUTION

26-153

IN THE COUNCIL OF THE DISTRICT OF COLUMBIA

July 1, 2025

To amend the Rules of Organization and Procedure for the Council of the District of Columbia, Council Period 26, Resolution of 2025 to authorize the submission of a grant budget modification for Fiscal Year 2025 grant funds submitted by the University of the District of Columbia, to allow a hearing of the Committee of the Whole held during recess to satisfy the public hearing requirement for permanent legislation, and to clarify that the Council may hold legislative meetings during a period of recess.

RESOLVED, BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this resolution may be cited as the "Council Period 26 Recess Rules Amendment Resolution of 2025".

Sec. 2. The Rules of Organization and Procedure for the Council of the District of Columbia, Council Period 26, Resolution of 2025, effective January 2, 2025 (Res. 26-1; 72 DCR 1289), is amended as follows:

(a) Rule 306(b) is amended as follows:

(1) Paragraph (4) is amended to read as follows:

"(4) The Committee of the Whole may hold a hearing or roundtable, including a joint hearing or roundtable, on any matter relating to the affairs of the District during the recess.".

(2) A new paragraph (5) is added to read as follows:

"(5) A request for a budget modification for Fiscal Year 2025 grant funds that is submitted by the University of the District of Columbia may be transmitted to the Secretary from July 15 through September 15, 2025.".

(b) Rule 371 is amended as follows:

(1) Subsection (b) is repealed.

(2) Subsection (c) is amended as follows:

(A) Paragraph (1) is amended to read as follows:

"(1) "Meeting of a committee" means a regular, special, or additional committee meeting where votes are taken.".

(B) Paragraph (2) is amended to read as follows:

"(2) "Meeting of the Council" means a regular, special, or additional legislative meeting.".

(c) Rule 373(a), (c), and (e) are repealed.

(d) Rule 374(c) is repealed.

(e) Rule 375(8) is amended to read as follows:

"(8) To discuss and take action regarding specific methods and procedures to protect the public or a public body from existing or potential terrorist activity or other substantial dangers to public health and safety, or to receive briefings by staff members, legal counsel, law enforcement officials, or emergency service officials concerning these methods and procedures; provided, that disclosure could endanger the public or the public body;".

(f) Rule 376(a)(2) is amended by striking the phrase "roll call vote" and inserting the phrase "recorded vote" in its place.

(g) Rule 652(c)(2)(A) is amended by striking the phrase "the chairperson of the ad hoc committee or the Chairman shall" and inserting the phrase "the chairperson of the ad hoc committee shall" in its place.

(h) Rule 705 is amended by adding a new subsection (c) to read as follows:

"(c) Notwithstanding any other Rule, the Chairman may call an additional legislative meeting of the Council pursuant to Rule 303 to consider the Mayor's annual proposed budget for the District government and any revised, supplemental, or deficiency budget submitted pursuant to section 442 of the Charter (D.C. Official Code § 1-204.42) during a recess of the Council.".

(i) Rule 711 is amended as follows:

(1) The existing text is designated as subsection (a).

(2) A new subsection (b) is added to read as follows:

"(b) Notwithstanding subsection (a) of this section, a request for a budget modification for Fiscal Year 2025 grant funds submitted by the University of the District of Columbia may be submitted, and the time period for the request may be counted, from July 15 through September 15, 2025.".

Sec. 3. Sunset.

Section 2(a) and (i) shall expire on September 15, 2025.

Sec. 4. Effective date.

This resolution shall take effect immediately.

ENROLLED ORIGINAL

A RESOLUTION

26-167

IN THE COUNCIL OF THE DISTRICT OF COLUMBIA

July 14, 2025

To confirm the appointment of Justine Kreso to the Science Advisory Board.

RESOLVED, BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this resolution may be cited as the "Science Advisory Board Justine Kreso Confirmation Resolution of 2025".

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

Justine Kreso
Razorback Run
Syracuse, NY 13215

as a scientist with experience in scientific research and methodology, who has been published in peer-reviewed scientific journals, who is not currently employed by the Department of Forensic Sciences or by a law enforcement laboratory or agency, and who has expertise in quality assurance member of the Science Advisory Board, established by section 12 of the Department of Forensic Sciences Establishment Act of 2011, effective August 17, 2011 (D.C. Law 19-18; D.C. Official Code § 5-1501.11), for a term to end April 18, 2028.

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 Mayor.

Sec. 4. This resolution shall take effect immediately.

ENROLLED ORIGINAL

A RESOLUTION

26-168

IN THE COUNCIL OF THE DISTRICT OF COLUMBIA

July 14, 2025

To confirm the reappointment of Laura Sudkamp to the Science Advisory Board.

RESOLVED, BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this resolution may be cited as the "Science Advisory Board Laura Sudkamp Confirmation Resolution of 2025".

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

Laura Sudkamp
Eastover Drive
Frankfort, KY 40601

as a scientist with experience in scientific research and methodology, who has been published in peer-reviewed scientific journals, who is not currently employed by the Department of Forensic Sciences or by a law enforcement laboratory or agency member of the Science Advisory Board, established by section 12 of the Department of Forensic Sciences Establishment Act of 2011, effective August 17, 2011 (D.C. Law 19-18; D.C. Official Code § 5-1501.11), for a term to end April 18, 2028.

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 Mayor.

Sec. 4. This resolution shall take effect immediately.

ENROLLED ORIGINAL

A RESOLUTION

26-169

IN THE COUNCIL OF THE DISTRICT OF COLUMBIA

July 14, 2025

To confirm the appointment of Mark Mogle to the Science Advisory Board.

RESOLVED, BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this resolution may be cited as the "Science Advisory Board Mark Mogle Confirmation Resolution of 2025".

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

Mark Mogle
Meridian Place, NW
Washington, DC 20010
(Ward 1)

as a forensic scientist who is not currently employed by the Department of Forensic Sciences or by a law enforcement laboratory or agency that provides forensic science services to the District member of the Science Advisory Board, established by section 12 of the Department of Forensic Sciences Establishment Act of 2011, effective August 17, 2011 (D.C. Law 19-18; D.C. Official Code § 5-1501.11), for a term to end April 18, 2028.

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 Mayor.

Sec. 4. This resolution shall take effect immediately.

ENROLLED ORIGINAL

A RESOLUTION

26-170

IN THE COUNCIL OF THE DISTRICT OF COLUMBIA

July 14, 2025

To confirm the reappointment of Paul Ashton to the Police Complaints Board.

RESOLVED, BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this resolution may be cited as the "Police Complaints Board Paul Ashton Confirmation Resolution of 2025".

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

Paul Ashton
Hamlin Street, NE
Washington, DC 20017
(Ward 5)

as the Ward 5 member of the Police Complaints Board, established by section 5 of the Office of Citizen Complaint Review Establishment Act of 1998, effective March 26, 1999 (D.C. Law 12-208; D.C. Official Code § 5-1104), for a term to end January 12, 2028.

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 Mayor.

Sec. 4. This resolution shall take effect immediately.

ENROLLED ORIGNAL

A RESOLUTION

26-171

IN THE COUNCIL OF THE DISTRICT OF COLUMBIA

July 14, 2025

To declare the existence of an emergency with respect to the need to approve Modification Nos. M10 and M11 to Contract No. CW94742 with Verizon Communications, and to authorize payment for the goods and services received and to be received under the contract.

RESOLVED, BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this resolution may be cited as the "Modification Nos. M10 and M11 to Contract No. CW94742 with Verizon Communications Approval and Payment Authorization Emergency Declaration Resolution of 2025".

Sec. 2. (a) There exists an immediate need to approve Modification Nos. M10 and M11 to Contract No. CW94742 with Verizon Communications to manage and maintain telecommunications services for the government of the District of Columbia, and to authorize payment for the goods and services received and to be received under the contract.

(b) On April 28, 2025, via Modification No. M10, the Office of Contracting and Procurement, on behalf of the Office of the Chief Technology Officer, partially exercised option year 3 in the amount of $983,547.48 for the period from April 29, 2025, through August 29, 2025.

(c) Modification No. M11 would exercise the remainder of option year 3 and increase the amount by $1,967,094.96, from $983,547.48 to $2,950,642.44 for the period from August 30, 2025, through April 28, 2026.

(d) Council approval is necessary because the modifications will increase the value of the contract by more than $1 million during a 12-month period.

(e) Council approval is necessary to allow the continuation of these vital services. Without Council approval, Verizon Communications cannot be paid for goods and services provided in excess of $1 million for the period from April 29, 2025, through April 28, 2026.

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 Modification Nos. M10 and M11 to Contract No. CW94742 with Verizon Communications Approval and Payment Authorization Emergency Act of 2025 be adopted after a single reading.

ENROLLED ORIGNAL

Sec. 4. This resolution shall take effect immediately.

ENROLLED ORIGINAL

A RESOLUTION

26-172

IN THE COUNCIL OF THE DISTRICT OF COLUMBIA

July 14, 2025

To declare the existence of an emergency with respect to the need to approve Modification Nos. M0008, M0009, and M0010 to Contract No. CW86331 with Cellco Partnership d/b/a Verizon Wireless, and to authorize payment for the goods and services received and to be received under the contract.

RESOLVED, BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this resolution may be cited as the "Modification Nos. M0008, M0009, and M0010 to Contract No. CW86331 with Cellco Partnership dba Verizon Wireless Approval and Payment Authorization Emergency Declaration Resolution of 2025".

Sec. 2. (a) There exists an immediate need to approve Modification Nos. M0008, M0009, and M0010 to Contract No. CW86331 with Cellco Partnership d/b/a Verizon Wireless, and to authorize payment for the goods and services received and to be received under the contract.

(b) On March 3, 2025, via Modification No. M0008, the Office of Contracting and Procurement ("OCP"), on behalf of the Office of the Chief Technology Officer, extended the term of option year 3, at no additional cost, for the period March 8, 2025, through March 22, 2025.

(c) On March 21, 2025, via Modification No. M0009, OCP amended Modification No. M0008 by replacing the no-cost extension of option year 3 with a partial exercise of option year 4 in the not-to-exceed ("NTE") amount of $1 million for the period from March 8, 2025, through March 7, 2026.

(d) Modification No. M0010 would amend Modification No. M0009 to increase the NTE amount by $8,680,000, from $1 million to $9,680,000 and exercise the remainder of option year 4 for the period from March 8, 2025, through March 7, 2026.

(e) Council approval is necessary because the modifications will increase the value of the contract by more than $1 million during a 12-month period.

(f) Council approval is necessary to allow the continuation of these vital services. Without Council approval, Cellco Partnership d/b/a Verizon Wireless cannot be paid for goods and services provided in excess of $1 million for the period from March 8, 2025, through March 7, 2026.

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 Modification Nos. M0008, M0009, and M0010 to Contract No. CW86331 with Cellco Partnership dba Verizon Wireless Approval and Payment Authorization Emergency Act of 2025 be adopted after a single reading.

Sec. 4. This resolution shall take effect immediately.

ENROLLED ORIGINAL

A RESOLUTION

26-175

IN THE COUNCIL OF THE DISTRICT OF COLUMBIA

July 14, 2025

To declare an emergency with respect to the need to amend Chapter 3 of Title 20 of the District of Columbia Official Code to amend the definition of abbreviated probate, to authorize the Register of Wills to refer proceedings to the Court to determine if one or more personal representatives should be appointed and the will be admitted to probate, and to strike the reference to will admission in transfers by affidavit; and to amend the Strengthening Probate Amendment Act of 2024 to clarify that the act applies to estates for whom the decedent died on or after March 21, 2025.

RESOLVED, BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this resolution may be cited as the "Strengthening Probate Administration Emergency Declaration Resolution of 2025".

Sec. 2. (a) The District's probate system has long been criticized for being outmoded, having not been updated since 2001. Economically vulnerable residents are encumbered by an outdated and antiquated system while enduring the loss of a loved one. The D.C. Estate Administration Working Group ("Working Group") produced an extensive joint report in February 2022 outlining the need to modernize the District's probate system. In addition to District residents having to face an arcane and outdated system, the Working Group observed that 97% of small estates (those valued at $40,000 or less) are pursued by *pro se* litigants, that is, those who are not represented by legal counsel. Last, the District's outdated and complex District probate system has caused assets and property to languish and remain irretrievable to beneficiaries due to system inefficiencies.

(b) Because an inefficient probate system contributes to economic uncertainty and wealth loss for District residents, on December 17, 2024, the Council passed on final reading the Strengthening Probate Administration Amendment Act of 2024, effective March 21, 2025 (D.C. Law 25-302; 72 DCR 780) ("Strengthening Probate Act"), which proposed to modernize and update the legal and administrative processes and procedures around probate for District residents and estate lawyers, consistent with the recommendations of the Working Group's 2022 report. These important updates included:

(1) Allowing certain letters of appointment designating personal representatives to be issued by the Register of Wills, instead of relying only on judges to issue these letters;

(2) Streamlining the publication notice requirement;

(3) Raising the maximum threshold for "small estates";
(4) Increasing allowable reimbursement rates for funeral expenses;
(5) Allowing for transfers of small estates by affidavit;
(6) Increasing homestead and family exemption allowances; and
(7) Adding a fee waiver provision for personal representatives.

(c) The Strengthening Probate Act requires technical amendments in order to be implemented. The current statutory language has proven inadministrable and unclear, leading to delays in appointing personal representatives and precluding access to decedents' estate assets. Important pieces of the law are, practically speaking, suspended.

(d) In particular, the Strengthening Probate Act needs to be amended to establish administrability in probate processes and obviate delays in the timely appointment of personal representatives. This emergency legislation would:

(1) Restore language that was unintentionally removed regarding the nature of probate proceedings;

(2) Authorize the Register of Wills or the Court to issue letters of administration and appoint personal representatives, so that if a petition is deemed insufficient by the Register of Wills, it may be submitted to a judge for review and appointment;

(3) Clarify that the Strengthening Probate Act applies to estates for whom the decedent died on or after March 21, 2025; and

(4) Strike a reference to a will being "duly admitted to probate" in the transfer by affidavit section, in order to allow individuals to transfer by affidavit in the event that the probate process does not need to be initiated, which aligns with the law's purpose of allowing for property transfer external to the probate process.

(e) Given that the Council is due to recess in the coming month, the legislative process will take further time to move permanent technical fixes for this law. Emergency legislation is necessary to allow the Strengthening Probate Act to actually be implementable, preventing delays and access to estate access issues for a law already in effect. These changes represent an urgent and necessary correction and clarification, and the emergency nature of this legislation is justified by the immediate need for the courts to administer probate and to ensure that District residents can pursue probate and benefit from an updated and modernized system.

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 Strengthening Probate Administration Emergency Amendment Act of 2025 be adopted after a single reading.

Sec. 4. This resolution shall take effect immediately.

ENROLLED ORIGINAL

A RESOLUTION

26-176

IN THE COUNCIL OF THE DISTRICT OF COLUMBIA

July 14, 2025

To declare the existence of an emergency with respect to the need to amend the Personal Delivery Device Act of 2018 to increase the weight limit for personal delivery devices.

RESOLVED, BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this resolution may be cited as the "Personal Delivery Device Weight Limit Emergency Declaration Resolution of 2025".

Sec. 2. (a) The Personal Delivery Device Act of 2018, effective July 17, 2018 (D.C. Law 22-137; D.C. Official Code § 50-110.01 *et seq.*) ("PDD Act"), created a permitting process for eligible entities to operate personal delivery devices ("PDDs") that did not exceed 90 pounds in weight.

(b) Since the adoption of the PDD Act, several companies have developed new PDD models that exceed the existing weight limit. The weight limit originally adopted 7 years ago now presents a barrier to the introduction and use of newer PPD models, some of which possess enhanced hardware features.

(c) Many states already allow for the operation of PDDs exceeding 90 pounds in weight. At least 12 states allow PDDs to exceed 500 pounds in weight, and another 7 states that have approved PDDs have not established a weight limit in statute.

(d) On May 6, 2025, Councilmembers Charles Allen, Zachary Parker, and Christina Henderson introduced the Personal Delivery Device Weight Limit Amendment Act of 2025, as introduced on May 6, 2025 (Bill 26-245) ("permanent bill"). The permanent bill would allow the operation of PDDs weighing up to 275 pounds. The Committee expects to hold a hearing on the permanent bill in fall 2025.

(e) As of April 2025, no permits authorizing the use of PDDs within the District were in effect.

(f) Without an immediate change to the PDD weight limit, the District Department of Transportation is precluded from issuing permits to eligible entities that seek to operate PDDs that exceed the 90-pound weight limit. Consequently, District residents are deprived of an innovative and convenient solution for last-mile deliveries, which takes cars off the roads, reduces carbon emissions, and supports local businesses.

ENROLLED ORIGINAL

Sec. 3. The Council of the District of Columbia finds the circumstances enumerated in section 2 constitute emergency circumstances making it necessary that the Personal Delivery Device Weight Limit Emergency Amendment Act of 2025 be adopted after a single reading.

Sec. 4. This resolution shall take effect immediately.

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 http://www.dccouncil.gov.

COUNCIL OF THE DISTRICT OF COLUMBIA PROPOSED LEGISLATION

B26-0314 Local News Funding Act of 2025

Intro. 07-03-2025 by Councilmembers Lewis George, and Nadeau and referred sequentially to the Committee on Business and Economic Development, and Committee of the Whole

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B26-0323 Autonomous Vehicles Amendment Act of 2025

Intro. 07-11-2025 by Councilmember McDuffie and referred sequentially to the Committee on Transportation and the Environment with comments from the Committee on Judiciary and Public Safety, and Committee on Business and Economic Development

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B26-0324 Pass-Through Entities Income Tax and Tax Credit on Certain S Corporations and Partnerships Amendment Act of 2025

Intro. 07-11-2025 by Chairman Mendelson and referred to the Committee on Business and Economic Development

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B26-0325 Board of Ethics and Government Accountability Authority Clarification Amendment Act of 2025

Intro. 07-11-2025 by Chairman Mendelson and referred to the Committee of the Whole

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B26-0326 District Employee Paid Parental, Family, and Medical Leave Amendment Act of 2025

Intro. 07-11-2025 by Chairman Mendelson and referred to the Committee on Executive Administration and Labor

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B26-0327 Schools First Amendment Act of 2025

Intro. 07-11-2025 by Chairman Mendelson and referred to the Committee of the Whole

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B26-0328 Vehicular Terrorism Prevention Amendment Act of 2025

Intro. 07-13-2025 by Councilmembers Nadeau, Frumin, Allen, and Lewis George and referred to the Committee on Judiciary and Public Safety

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PR26-0276 Board of Dietetics and Nutrition John Troast Confirmation Resolution of 2025

Intro. 07-10-2025 by Chairman Mendelson and referred to the Committee on Health

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PR26-0280 Council Period 26 Second Recess Rules Amendment Resolution of 2025

Intro. 07-11-2025 by Chairman Mendelson and referred to the Retained by the Council

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COUNCIL OF THE DISTRICT OF COLUMBIA

CONSIDERATION OF TEMPORARY LEGISLATION

B26-313, Parkside Canopy Temporary Amendment Act of 2025,

B26-316, Strengthening Probate Administrator Temporary Amendment Act of 2025,

B26-318, Personal Delivery Device Weight Limit Temporary Amendment Act of 2025,

B26-320, Long Bridge Project Temporary Amendment Act of 2025, and

B26-322, DC Water and Sewer Authority Billing and Disconnection Clarification Temporary Amendment Act of 2025.

These temporary measures were adopted on July 14, 2025. A final reading on these measures will occur on July 28, 2025.

ALCOHOLIC BEVERAGE AND CANNABIS ADMINISTRATION

NOTICE OF PUBLIC HEARING

Placard Posting Date:	July 18, 2025
Protest Petition Deadline:	September 2, 2025
Roll Call Hearing Date:	September 22, 2025
License No.:	ABRA-131397
Licensee:	Barrel Mafia, LLC
Trade Name:	Barrel Mafia
License Class:	Retailer's Class "A" Internet
Address:	3525 V Street, N.E.
Contact:	Manalle Mahmoud: (202) 625-7700, mmahmoud@malliosobrien.com

WARD 5 ANC 5C SMD 5C04

Notice is hereby given that this licensee has requested to transfer their license to a new location 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 on September 22, 2025 at 10 a.m., Suite 4200-B, 899 North Capitol Street N.E., Washington, DC, 20002**. Petitions and/or requests to appear before the ABC Board must be filed electronically to abca.legal@dc.gov on or before the Petition deadline.

NATURE OF OPERATION

Applicant requests to Transfer the License from 3365 V Street N.E., to a new location at 3525 V Street N.E. Licensee is a Class "A" Internet Retailer selling beer, wine, and spirits online for delivery.

HOURS OF OPERATION AND ALCOHOLIC BEVERAGE SALES

Sunday through Saturday 6am – 1am

ALCOHOLIC BEVERAGE AND CANNABIS ADMINISTRATION

NOTICE OF PUBLIC HEARING

****CORRECTION**

Placard Posting Date:	July 4, 2025
Protest Petition Deadline:	August 18, 2025
Roll Call Hearing Date:	September 8, 2025
Protest Hearing Date:	October 22, 2025
License No.:	ABRA-132169
Licensee:	Burnt to Perfection, LLC
Trade Name:	Bub and Pop's
License Class:	Retailer's Class "C" Restaurant
Address:	100 Florida Avenue, N.E.
**Contact:	Jonathan Taub: (267) 984-8432, **eat@bubandpops.com

WARD 5 ANC 5F SMD 5F06

Notice is hereby given that this licensee 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 on September 8, 2025, at 10 a.m., Suite 4200 - B, 899 North Capitol Street, N.E., Washington, DC 20002**. Petitions and/or requests to appear before the ABC Board must be filed electronically to abca.legal@dc.gov on or before the Petition deadline. The **Protest Hearing date** is scheduled for **October 22, 2025, at 1:30 p.m.**

NATURE OF OPERATION

New Class "C" Restaurant with a Seating Capacity of 150, Total Occupancy Load of 150, and a Sidewalk Café with 80 Seats. The Licensee is also requesting the Game of Skill Endorsement to install up to five (5) Devices offering the game District Edge by Pace-O-Matic.

HOURS OF OPERATION AND HOURS OF ALCOHOLIC BEVERAGE SALES, SERVICE, AND CONSUMPTION INSIDE PREMISES AND FOR THE OUTDOOR SIDEWALK CAFE

Sunday through Saturday 11am – 12am

ALCOHOLIC BEVERAGE AND CANNABIS ADMINISTRATION

NOTICE OF PUBLIC HEARING

****RESCIND**

Placard Posting Date:	July 4, 2025
Protest Petition Deadline:	August 18, 2025
Roll Call Hearing Date:	September 8, 2025
Protest Hearing Date:	October 22, 2025
License No.:	ABRA-132169
Licensee:	Burnt to Perfection, LLC
Trade Name:	Bub and Pop's
License Class:	Retailer's Class "C" Restaurant
Address:	100 Florida Avenue, N.E.
**Contact:	Jonathan Taub: (267) 984-8432, **eat@bubabdpops.com

WARD 5 ANC 5F SMD 5F06

Notice is hereby given that this licensee 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 on September 8, 2025, at 10 a.m., Suite 4200 - B, 899 North Capitol Street, N.E., Washington, DC 20002**. Petitions and/or requests to appear before the ABC Board must be filed electronically to abca.legal@dc.gov on or before the Petition deadline. The **Protest Hearing date** is scheduled for **October 22, 2025, at 1:30 p.m.**

NATURE OF OPERATION

New Class "C" Restaurant with a Seating Capacity of 150, Total Occupancy Load of 150, and a Sidewalk Café with 80 Seats. The Licensee is also requesting the Game of Skill Endorsement to install up to five (5) Devices offering the game District Edge by Pace-O-Matic.

HOURS OF OPERATION AND HOURS OF ALCOHOLIC BEVERAGE SALES, SERVICE, AND CONSUMPTION INSIDE PREMISES AND FOR THE OUTDOOR SIDEWALK CAFE

Sunday through Saturday 11am – 12am

ALCOHOLIC BEVERAGE AND CANNABIS ADMINISTRATION

NOTICE OF PUBLIC HEARING

****READVERTISEMENT****

Placard Posting Date:	**July 18, 2025
Protest Petition Deadline:	**September 2, 2025
Roll Call Hearing Date:	**September 22, 2025

License No.:	ABRA-131487
Licensee:	T & N Angels, LLC
Trade Name:	Cielo's Angels
License Class:	Retailer's "C" Nightclub
Address:	1813-1815 M Street, N.W.
Contact:	Cameron Mixon: (202) 686-7600, Cmixon@theveritaslawfirm.com

WARD 2 ANC 2B SMD 2B05

Notice is hereby given that this licensee has requested to transfer their license to a new location 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 on **September 22, 2025 at 10 a.m., Suite 4200-B, 899 North Capitol Street N.E., Washington, DC, 20002**. Petitions and/or requests to appear before the ABC Board must be filed electronically to abca.legal@dc.gov on or before the Petition deadline.

NATURE OF OPERATION

Applicant requests to Transfer License from 900 First Street, S.E. to a new location at 1813-1815 M Street, N.W. Licensee is also requesting the Holiday Extension of Hours endorsement. Licensee is a Retailer Class "C" Nightclub with a Nude Dancing Endorsement. Total Occupancy Load of 380.

HOURS OF OPERATION

Sunday through Saturday 12am – 12am (24-hour operations)

HOURS OF ALCOHOLIC BEVERAGE SALES, SERVICE AND CONSUMPTION

Sunday through Thursday 6am – 2am, Friday and Saturday 6am – 3am

ALCOHOLIC BEVERAGE AND CANNABIS ADMINISTRATION

NOTICE OF PUBLIC HEARING

**** CORRECTION****

Placard Posting Date:	May 9, 2025
Protest Petition Deadline:	June 23, 2025
Roll Call Hearing Date:	July 14, 2025
Protest Hearing Date:	August 13, 2025

License No.:	ABRA-130766
Licensee:	Clinical Solutions, Inc.
Trade Name:	Clinical Health and Wellness
Registration/License Type:	Medical Cannabis Retailer
Address:	4942 South Dakota Ave N.E.
Contact:	Karen Edmunds; 410-336-0836; k.edmunds@csolutionsmh.com

WARD 5 ANC 5A SMD 5A08

Notice is given that the above-named medical cannabis retailer applicant has requested a new license to be located at **4942 South Dakota Ave N.E.** Pursuant to Title 22-C of the DCMR (Medical Cannabis Program) objectors are entitled to be heard regarding the new license application. Petitions and/or requests to appear before the ABC Board must be filed electronically to abca.legal@dc.gov on or before the petition deadline. The **Roll Call Hearing is scheduled for **July 14, 2025 at 10 a.m., Suite 4200-A, 899 North Capitol Street N.E., Washington, DC, 20002**. The **Protest Hearing date** is scheduled for ****August 13, 2025 at 1:30 p.m.** All hearings before the Board are conducted virtually.

NATURE OF OPERATION

The medical cannabis retailer applicant is requesting to locate its operations at **4942 South Dakota Ave N.E.** The proposed facility with approximately 400 square feet of space will provide cannabis flowers, cannabis concentrates, and a line of edible products and home delivery services to registered patients in Washington, D.C. The applicant is requesting a delivery endorsement.

HOURS OF OPERATION FOR RETAILER

Sunday – Saturday 9 am – 9 pm

HOURS OF RETAILER SALES OPEN TO THE PUBLIC

Sunday – Saturday 9 am – 9 pm

HOURS OF DELIVERY FOR RETAILER

Sunday – Saturday 9 am – 7 pm

ALCOHOLIC BEVERAGE AND CANNABIS ADMINISTRATION

NOTICE OF PUBLIC HEARING

****RESCIND****

Placard Posting Date:	June 20, 2025
Protest Petition Deadline:	August 4, 2025
Roll Call Hearing Date:	August 25, 2025
Protest Hearing Date:	October 8, 2025

License No.:	ABRA-132643
Licensee:	Soga Genji Hospitality, LLC
Trade Name:	Kiyomi by Masaaki "Uchi" Uchino
License Class:	Retailer's Class "C" Tavern
Address:	1895 L Street, N.W.
Contact:	Matthew Minora: (202) 625-7700, mminora@malliosobrien.com

WARD 2 ANC 2C SMD 2C02

Notice is hereby given that this licensee 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 on August 25, 2025 at 10 a.m., Suite 4200-B, 899 North Capitol Street N.E., Washington, DC, 20002**. Petitions and/or requests to appear before the ABC Board must be filed electronically to abca.legal@dc.gov on or before the Petition deadline. The **Protest Hearing date** is scheduled on **October 8, 2025 at 1:30 p.m.**

NATURE OF OPERATION

New Retailer's Class "C" Tavern with an indoor seating capacity of 20 and Total Occupancy Load of 30. Sidewalk Café with seating for 15 and an occupancy load of 20. Licensee is also requesting the Alcohol Carry-out and Delivery Endorsement.

HOURS OF OPERATION, ALCOHOLIC BEVERAGE SALES, SERVICE, AND CONSUMPTION, AND CARRY–OUT AND DELIVERY

Sunday through Saturday 11am – 12am

ALCOHOLIC BEVERAGE AND CANNABIS ADMINISTRATION

NOTICE OF PUBLIC HEARING

****READVERTISEMENT**

Placard Posting Date:	**July 18, 2025
Protest Petition Deadline:	**September 2, 2025
Roll Call Hearing Date:	**September 22, 2025
Protest Hearing Date:	**November 5, 2025

License No.:	ABRA-126121
Licensee:	Max's Tavern, LLC
Trade Name:	Max's Tavern Tenley
License Class:	Retailer's Class "C" Tavern
Address:	4910 Wisconsin Avenue, N.W.
Contact:	Earle Douglass: (202) 321-3932, earle.douglass@gmail.com

WARD 3 ANC 3E SMD 3E03

Notice is hereby given that this licensee 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 on **September 22, 2025 at 10 a.m., Suite 4200-B, 899 North Capitol Street N.E., Washington, DC, 20002**. Petitions and/or requests to appear before the ABC Board must be filed electronically to abca.legal@dc.gov on or before the Petition deadline. The **Protest Hearing date** is scheduled on ****November 5, 2025 at 1:30 p.m.**

NATURE OF OPERATION

New Retailer's Class "C" Tavern with an interior seating capacity of 80 and Total Occupancy Load of 180. Summer Garden with 60 seats and a total capacity of 100 and Sidewalk Café with 20 seats. An Entertainment Endorsement is requested to provide Live Entertainment inside the premises.

HOURS OF OPERATION AND HOURS OF ALCOHOLIC BEVERAGE SALES, SERVICE, AND CONSUMPTION FOR INSIDE PREMISES, SIDEWALK CAFÉ, AND SUMMER GARDEN

Sunday through Saturday 12pm – 12am

HOURS OF LIVE ENTERTAINMENT FOR INSIDE PREMISES, SIDEWALK CAFÉ, AND SUMMER GARDEN

Sunday through Saturday 8pm – 12am

ALCOHOLIC BEVERAGE AND CANNABIS ADMINISTRATION

NOTICE OF PUBLIC HEARING

****RESCIND**

Placard Posting Date:	**July 4, 2025
Protest Petition Deadline:	**August 18, 2025
Roll Call Hearing Date:	**September 8, 2025
Protest Hearing Date:	**October 22, 2025

License No.:	ABRA-126121
Licensee:	Max's Tavern, LLC
Trade Name:	Max's Tavern Tenley
License Class:	Retailer's Class "C" Tavern
Address:	4910 Wisconsin Avenue, N.W.
Contact:	Earle Douglass: (202) 321-3932, earle.douglass@gmail.com

WARD 3 ANC 3E SMD 3E03

Notice is hereby given that this licensee 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 on **September 8, 2025 at 10 a.m., Suite 4200-B, 899 North Capitol Street N.E., Washington, DC, 20002**. Petitions and/or requests to appear before the ABC Board must be filed electronically to abca.legal@dc.gov on or before the Petition deadline. The **Protest Hearing date** is scheduled on ****October 22, 2025 at 1:30 p.m.**

NATURE OF OPERATION

New Retailer's Class "C" Tavern with an interior seating capacity of 80 and Total Occupancy Load of 180. Summer Garden with 60 seats and a total capacity of 100 and Sidewalk Café with 20 seats. An Entertainment Endorsement is requested to provide Live Entertainment inside the premises.

HOURS OF OPERATION AND HOURS OF ALCOHOLIC BEVERAGE SALES, SERVICE, AND CONSUMPTION FOR INSIDE PREMISES, SIDEWALK CAFÉ, AND SUMMER GARDEN

Sunday through Saturday 12pm – 12am

HOURS OF LIVE ENTERTAINMENT FOR INSIDE PREMISES, SIDEWALK CAFÉ, AND SUMMER GARDEN

Sunday through Saturday 8pm – 12am

ALCOHOLIC BEVERAGE AND CANNABIS ADMINISTRATION

NOTICE OF PUBLIC HEARING

Placard Posting Date:	July 18, 2025
Protest Petition Deadline:	September 2, 2025
Roll Call Hearing Date:	September 22, 2025
License No.:	ABRA-126420
Licensee:	Mecha Union Market, LLC
Trade Name:	Mecha Noodle Bar
License Class:	Retailer's Class "C" Restaurant
Address:	387 Morse Street, N.E.
Contact:	Luca Colonna: (203) 415-1557, Luca@mechannodlebar.com

WARD 5 ANC 5D SMD 5D01

Notice is hereby given that this licensee has requested a Substantial Change to their 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 on September 22 2025, at 10 a.m., Suite 4200-B, 899 North Capitol Street N.E., Washington, DC, 20002**. Petitions and/or requests to appear before the ABC Board must be filed electronically to abca.legal@dc.gov on or before the Petition deadline.

NATURE OF SUBSTANTIAL CHANGE
Request for a Sidewalk Café with 12 seats.

CURRENT HOURS OF OPERATION AND ALCOHOLIC BEVERAGE SALES, SERVICE, AND CONSUMPTION
Sunday 11:30am – 9pm, Monday through Saturday 11:30am – 10pm

PROPOSED HOURS OF OPERATION AND ALCOHOLIC BEVERAGE SALES, SERVICE, AND CONSUMPTION OUTSIDE ON THE SIDEWALK CAFE
Sunday 11:30am – 9pm, Monday through Saturday 11:30am – 10pm

ALCOHOLIC BEVERAGE AND CANNABIS ADMINISTRATION

NOTICE OF PUBLIC HEARING

Placard Posting Date:	July 18, 2025
Protest Petition Deadline:	September 2, 2025
Roll Call Hearing Date:	September 22, 2025
License No.:	ABRA-126215
Licensee:	Solo Entertainment, LLC
Trade Name:	SOST
License Class:	Retailer's Class "C" Tavern
Address:	1901 9th Street, N.W.
Contact:	Jeff Jackson: (202) 251-1566, jjharlem112@gmail.com

WARD 1 ANC 1B SMD 1B02

Notice is hereby given that this licensee has requested a Substantial Change to their 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 on September 22 2025, at 10 a.m., Suite 4200-B, 899 North Capitol Street N.E., Washington, DC, 20002**. Petitions and/or requests to appear before the ABC Board must be filed electronically to abca.legal@dc.gov on or before the Petition deadline.

NATURE OF SUBSTANTIAL CHANGE
Request for a Summer Garden with 9 seats.

CURRENT HOURS OF OPERATION INSIDE PREMISES
Sunday through Thursday 7am – 2am, Friday and Saturday 7am – 3am

CURRENT HOURS OF ALCOHOLIC BEVERAGE SALES, SERVICE, AND CONSUMPTION
Sunday through Thursday 11am – 2am, Friday and Saturday 11am – 3am

CURRENT HOURS OF LIVE INDOOR ENTERTAINMENT
Sunday through Thursday 6pm – 1am, Friday and Saturday 6pm – 2:30am

PROPOSED HOURS OF OPERATION OUTSIDE ON THE SUMMER GARDEN
Sunday through Thursday 7am – 2am, Friday and Saturday 7am – 3am

PROPOSED HOURS OF ALCOHOLIC BEVERAGE SALES, SERVICE, AND CONSUMPTION OUTSIDE ON THE SUMMER GARDEN
Sunday through Saturday 11am – 2am, Friday and Saturday 11am – 3am

ALCOHOLIC BEVERAGE AND CANNABIS ADMINISTRATION

NOTICE OF PUBLIC HEARING

Placard Posting Date:	July 18, 2025
Protest Petition Deadline:	September 2, 2025
Roll Call Hearing Date:	September 22, 2025
Protest Hearing Date:	November 5, 2025

License No.:	ABRA-133158
Licensee:	Tanner Queso LLC
Trade Name:	Tommy's Tacos
License Class:	Retailer's Class "C" Tavern
Address:	227 Harry Thomas Way, N.E.
Contact:	Matthew Minora: (202) 625-7700, mminora@malliosobrien.com

WARD 5 ANC 5F SMD 5F06

Notice is hereby given that this licensee 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 on September 22, 2025 at 10 a.m., Suite 4200-B, 899 North Capitol Street N.E., Washington, DC, 20002**. Petitions and/or requests to appear before the ABC Board must be filed electronically to abca.legal@dc.gov on or before the Petition deadline. The **Protest Hearing date** is scheduled on **November 5, 2025 at 1:30 p.m.**

NATURE OF OPERATION

New Retailer's Class "C" Tavern with an interior seating capacity of 5 and two (2) Summer Gardens with 55 seats and a total capacity of 65. Total Occupancy Load of 70 throughout the establishment. Applicant is also requesting the Alcohol Carry-out and Delivery Endorsement.

HOURS OF OPERATION FOR INSIDE PREMISES AND SUMMER GARDENS

Sunday through Wednesday 7am - 9:30pm, Thursday through Saturday 7am – 10:30pm

HOURS OF ALCOHOLICE BEVERAGE SALES, SERVICE, AND CONSUMPTION FOR INSIDE PREMISES AND SUMMER GARDENS

Sunday through Wednesday 10am – 9:30pm, Thursday through Saturday 10am – 10:30pm

HOURS OF ALCOHOLIC BEVERAGE CARRY-OUT AND DELIVERY

Sunday through Wednesday 10am – 9:30pm, Thursday through Saturday 10am – 10:30pm

GOVERNMENT OF THE DISTRICT OF COLUMBIA
DEPARTMENT OF HOUSING AND COMMUNITY DEVELOPMENT

2026 ANNUAL ACTION PLAN HEARING

Public Hearing for the District of Columbia's
FY 2026 Annual Action Plan (AAP)

The Department of Housing and Community Development (DHCD), announces a series of public hearings on "Housing and Community Development Needs in the District of Columbia". The Department is interested in receiving community feedback for the District's draft of the District of Columbia Fiscal Year 2026 Annual Action Plan and the spending priorities utilizing federal entitlement funds.

2026 Annual Action Plan Public Hearing Details:

- **Date and Time**: Tuesday, August 5, 2025, 1:00 PM
- **Location**: DHCD Multi-Purpose Room
  1909 Martin Luther King Jr Avenue SE, Washington, DC 20020

Residents and stakeholders are strongly encouraged to come out and participate in the development of policies and programs in the following areas: 1) affordable housing; 2) special needs housing; 3) homelessness; 4) homeownership; and 5) community development and public service activities.

If you would like to provide input during the hearing, you are encouraged to register by sending an e-mail to opm.questions@dc.gov. The public may also contact the agency at (202) 442-4382 to join the webinar, register, speak at the hearing, or ask general questions about the hearing. When registering for the hearing, please provide your name, address, telephone number, and organization affiliation, if any.

Deadline for requesting services of an interpreter is five days prior to the hearing date. Bilingual staff will provide services on an availability basis to walk-ins without registration. An American Sign Language (ASL) interpreter will be available and Spanish interpretation will be available; residents who require language interpretation in Vietnamese, Chinese-Mandarin/Cantonese, Amharic, or French must notify the agency by e-mail to opm.questions@dc.gov.

Written statements may be submitted for the record at the hearing or until the close of business, Tuesday, August 5, 2025. Mail written statements to Colleen Green, Director, Department of Housing and Community Development, 1909 Martin Luther King Jr., Avenue SE, Washington, DC 20020. Statements may also be sent via email to opm.questions@dc.gov.

DISTRICT OF COLUMBIA OFFICE OF ADMINISTRATIVE HEARINGS

NOTICE OF FINAL RULEMAKING

The Chief Administrative Law Judge (CALJ) of the District of Columbia Office of Administrative Hearings (OAH), pursuant to the authority set forth in Sections 8(a)(7) and 8(b)(7) of the Office of Administrative Hearings Establishment Act of 2001, effective March 6, 2002 (D.C. Law 14-76, D.C. Official Code §§ 2-1831.05(a)(7) and (b)(7) (2016 Repl. & 2019 Supp.)) and Section 5(a)(2)(B) of the Act to Regulate Public Conduct on Public Passenger Vehicles, effective September 23, 1975 (D.C. Law 1-18; D.C. Official Code § 35-254(a)(2)(B)), hereby gives notice of emergency and proposed rulemaking action to adopt Chapter 28 (Office of Administrative Hearings: Rules of Practice and Procedure) of Title 1 (Mayor and Executive Agencies) of the District of Columbia Municipal Regulations (DCMR).

The purpose of the amendments to Chapter 28 is to amend OAH's General Rules of Practice and Procedure to codify longstanding OAH policies regarding filing processes for all case types and to clarify procedural requirements. OAH has experienced a precipitous increase in case filings and revisions to OAH filing procedures are needed to ensure continued and timely processing of new cases.

A Notice of Emergency and Proposed Rulemaking was published in the *District of Columbia Register* for a thirty (30) day public notice and comment period on March 28, 2025 at 72 DCR 003499. OAH received no comments during the comment period. No substantive changes have been made to the proposed rulemaking.

The CALJ adopted the rules as final on May 28, 2025. The rules will take effect upon publication of this notice in the *District of Columbia Register.*

Chapter 28, OFFICE OF ADMINISTRATIVE HEARINGS: RULES OF PRACTICE AND PROCEDURE, of Title 1, MAYOR AND EXECUTIVE AGENCIES, of the District of Columbia Municipal Regulations, is amended as follows:

Section 2802, BEGINNING A CASE AT OAH, is amended as follows:

Subsection 2802.1 is amended to read as follows:

2802.1 The District of Columbia (District) may begin a case at OAH by filing a complete and legible copy of a Notice of Infraction or Notice of Violation as described in §§ 2803, 2804, and 2811.

Section 2803, BEGINNING A CIVIL FINE CASE – NOTICE OF INFRACTION, is amended as follows:

Subsections 2803.1, 2803.2, 2803.3, and 2803.4 are amended to read as follows:

2803.1 Section 2803 establishes procedures for cases in which the District seeks payment of a civil fine in accordance with the Civil Infractions Act (D.C. Official Code §§

2-1802.01 –.05). In the event a civil infraction case is within OAH jurisdiction but has not had rules for procedure established by other law or regulation, Section 2803 shall also apply.

2803.2 The District shall file a Notice of Infraction, as authorized by law, at OAH when it is seeking a civil fine under § 2803. Notices of Infraction shall be individually submitted to OAH for filing in accordance with § 2811. The District shall also comply with §§ 2803.5 through 2803.7 when filing a Notice of Infraction under the Civil Infractions Act.

2803.3 The District shall only serve a copy of the Notice of Infraction on the Respondent as authorized by the Civil Infractions Act, or other applicable law.

2803.4 If a Respondent files an answer before the District files a Notice of Infraction, OAH shall open a case. The Administrative Law Judge may require the District to file the original Notice of Infraction.

Section 2804, BEGINNING A CIVIL CASE – NOTICE OF VIOLATION, is amended as follows:

Subsections 2804.1, 2804.2, and 2804.3 are amended to read as follows:

2804.1 Section 2804 establishes procedures for cases in which the District seeks payment of a civil fine in accordance with the Litter Control Administration Act (D.C. Official Code §§ 8-801 – 812). Section 2804 shall also apply to cases seeking payment of a civil fine in accordance with the Fare Evasion Decriminalization Amendment Act of 2018 (D.C. Official Code § 35-254(a)(2)(A)) or the Marijuana Possession Decriminalization Amendment Act of 2014 (D.C. Official Code § 48–1211, *et. seq*.).

2804.2 The District shall file a Notice of Violation, as authorized by law, at OAH, when it is seeking a civil fine. Notices of Violation shall be individually submitted to OAH for filing in accordance with § 2811. The District shall also comply with §§2804.5 through 2804.7 when filing a Notice of Violation under the Litter Control Administration Act.

2804.3 The District shall only serve a copy of the Notice of Violation on the Respondent as authorized by the Litter Control Administration Act, or other applicable law.

Section 2811, FILING OF PAPERS; REPRESENTATIONS TO OAH, is amended as follows:

Subsections 2811.1, 2811.2, 2811.4, and 2811.8 are amended to read as follows:

2811.1 A "paper" means any pleading, Notice of Infraction, Notice of Violation, motion, exhibit, witness list, brief, or any other written submission filed with OAH.

2811.2 Any paper filed at OAH shall be complete, legible, and signed by a party or a party's representative.

…

2811.4 When initiating a civil fine enforcement action, the District shall file all Notices of Infraction or Notices of Violation through electronic means. Only one Notice of Infraction or Notice of Violation shall be submitted per communication. The electronic submission of multiple Notices of Infraction or Notices of Violation in a single, combined PDF is not permitted. Petitioners seeking to initiate multiple requests for hearing under § 2805 shall also submit each separate request individually, with one request per communication.

…

2811.8 (a) All papers, documentary exhibits, and photographic exhibits to be filed by email or by the eFiling portal shall be in a read-only, portable document format (PDF), such as a certified PDF or a PDF/A. Parties submitting documents created using fillable PDF forms provided by OAH are responsible for converting forms into read-only PDF format prior to submission. Parties that use OAH forms for filing comply with the requirements of this subsection. All filed papers shall be attached to an email and not contained in the body of the email itself.

(b) Audio and video exhibits filed with a paper shall be filed on a flash drive with the Clerk's Office; by email; via eFiling portal; or other electronic platform approved by the Clerk's Office. All audio and video exhibits shall be in mp4 format.

Section 2899 – DEFINITIONS – is amended as follows:

"Paper" is amended to read as follows:

Paper means any pleading, Notice of Infraction, Notice of Violation, motion, exhibit, witness list, brief, or any other written submission filed with OAH.

DEPARTMENT OF HEALTH CARE FINANCE

NOTICE OF FINAL RULEMAKING

The Director of the Department of Health Care Finance (DHCF), pursuant to the authority set forth in Section 6(6) of the Department of Health Care Finance Establishment Act of 2007, effective February 27, 2008 (D.C. Law 17-109; D.C. Official Code § 7-771.05(6)), and An Act to enable the District of Columbia to receive Federal financial assistance under title XIX of the Social Security Act for a medical assistance program, and for other purposes, approved December 27, 1967 (81 Stat. 744; D.C. Official Code § 1-307.06), and Mayor's Order 2024-115, dated July 1, 2024, hereby gives notice of his adoption of the following amendments to Section 9501 (Application, Redetermination, and Renewal) of Chapter 95 (Medicaid Eligibility) of Title 29 (Public Welfare) of the District of Columbia Municipal Regulations (DCMR).

DHCF is the single state agency for the administration of the State Medicaid program under Title XIX of the Social Security Act and Children's Health Insurance Program (CHIP) under Title XXI of the Social Security Act in the District. As the single state agency, DHCF is also responsible for supervising and administering the District of Columbia State Plan (State Plan) for Medical Assistance pursuant to 42 U.S.C. § 1396 *et seq.*, and amendments thereto.

Currently, DHCF requires termination of Medicaid eligibility if a beneficiary, including a child under nineteen (19) years old, no longer meets all eligibility factors. Effective on January 1, 2024, DHCF is implementing a twelve (12) month continuous eligibility period to children under age nineteen (19) regardless of changes in circumstances, with certain exceptions, consistent with federal requirements set forth under Section 1902(e)(12)of title XIX of the Social Security Act, approved July 30, 1965 (79 Stat. 344; 42 U.S.C. § 1396a(e)(12)), as recently amended by the Consolidated Appropriations Act of 2023, approved December 23, 2022 (Pub. L. 117-328; 136 Stat. 4459), and 42 C.F.R.§ 435.926. The continuous eligibility period shall not apply to individuals who have only established eligibility as follows: (a) through medically needy spend down, as described in § 9516 of this Chapter; (b) through presumptive eligibility consistent with Section 1920A of the Social Security Act, but who have not yet received a determination of eligibility based on a regular application; and (c) based on a transitional medical assistance (TMA) determination, under § 9510 of this Chapter, upon renewal.

Unless an exception applies, continuous enrollment will apply to all children who are applying for coverage on or after January 1, 2024, and determined eligible for Medicaid and applicants, and current beneficiaries who are enrolled in Medicaid as of January 1, 2024. Unless an exception under § 9501.37 applies, a continuous eligibility period begins as follows: (a) for new applicants, the continuous eligibility period shall begin on the first day of the month the application was submitted; (b) for current beneficiaries who are enrolled in Medicaid as of January 1, 2024 and whose eligibility is being renewed, the continuous eligibility period begins on the first day of the month following the end of the beneficiary's last full eligibility period (which may include the initial eligibility period or the last periodic renewal or redetermination, as applicable); and (c) for current beneficiaries who enrolled before January 1, 2024 and no longer meet eligibility requirements on or after January 1, 2024 and before the end of their certification date, the beneficiaries shall remain eligible under continuous eligibility until the end of their certification

period. Exceptions to the continuous enrollment requirement include: (1) the individual attains age nineteen (19); (2) the individual or individual's representative requests a voluntary termination of eligibility, consistent with the requirements of § 9501; (3) the individual ceases to be a District resident; (4) the Department determines that eligibility was erroneously granted at the most recent determination, redetermination, or renewal of eligibility because of agency error or fraud, abuse, or perjury attributed to the individual or the individual's representative; or (5) the individual dies. Under these changes, children who are determined eligible at application or during an annual renewal will remain eligible for a twelve (12) month period regardless of most change in circumstances (unless an exception applies), such as changes in income or household composition or loss of supplemental security income (SSI). This change should reduce financial barriers to care for low-income families, promote improved health outcomes, and provide more accountability for quality care and improved health outcomes.

These rules correspond to an amendment to the District's State Plan for Medical Assistance (State Plan), which was approved by the U.S. Department of Health and Human Services, Centers for Medicare and Medicaid Services (CMS) and became effective on January 1, 2024. DHCF projects a net increase in aggregate Medicaid expenditures of approximately $13,075,234 in Fiscal Year 2024.

An emergency and proposed rulemaking was published in the *District of Columbia Register* on March 7, 2025, at 72 DCR 002382. No comments were received, and no changes have been made to the text of the rule.

The Director of DHCF took final action to adopt this rulemaking on June 10, 2025, and the rules shall become effective upon publication of this notice in the *District of Columbia Register*.

Chapter 95, MEDICAID ELIGIBILITY, of Title 29, PUBLIC WELFARE, of the District of Columbia Municipal Regulations (DCMR) is amended to read as follows:

Section 9501, APPLICATION, REDETERMINATION, AND RENEWAL, is amended as follows:

New subsections 9501.34, 9501.35, 9501.36, 9501.37, and 9501.38 are added to read as follows:

9501.34 Beginning on January 1, 2024, a twelve (12) month continuous eligibility period shall be given to individuals under age nineteen (19) (except for the individuals listed under § 9501.35) regardless of changes in circumstances, with certain exceptions, and pursuant to the provisions, set forth in 42 U.S.C. § 1396a(e)(12), 42 C.F.R.§ 435.926, and §§ 9501.35 through 9501.38.

9501.35 Continuous eligibility under § 9501.34 shall not apply to individuals who have only established eligibility as follows:

(a) Through medically needy spend down, as described in § 9516 of this Chapter;

(b) Through presumptive eligibility consistent with Section 1920A of the Social Security Act, but who have not yet received a determination of eligibility based on a regular application; and

(c) Based on a transitional medical assistance determination, under § 9510 of this Chapter, upon renewal.

9501.36 Unless an exception under § 9501.37 applies, a continuous eligibility period begins as follows:

(a) For new applicants, the continuous eligibility period shall begin on the first day of the month the application was submitted, consistent with 42 C.F.R. §435.915;

(b) For current beneficiaries who are enrolled in Medicaid as of January 1, 2024 and whose eligibility is being renewed, the continuous eligibility period begins on the first day of the month following the end of the beneficiary's last full eligibility period (which may include the initial eligibility period described in paragraph (a) or the last periodic renewal or redetermination, as applicable); and

(c) For current beneficiaries who enrolled before January 1, 2024 and no longer meet eligibility requirements on or after January 1, 2024 and before the end of their certification date, the beneficiaries shall remain eligible under continuous eligibility until the end of their certification period.

9501.37 An individual's eligibility may not be terminated during a continuous eligibility period, regardless of any changes in circumstances, unless:

(a) The individual attains age nineteen (19);

(b) The individual or individual's representative requests a voluntary termination of eligibility, consistent with the requirements of § 9501.33;

(c) The individual ceases to be a District resident;

(d) The Department determines that eligibility was erroneously granted at the most recent determination, redetermination or renewal of eligibility because of agency error or fraud, abuse, or perjury attributed to the individual or the individual's representative; or

(e) The individual dies.

9501.38 After the continuous eligibility period described under § 9501.36 ends, the Department shall re-evaluate the individual for eligibility. If the Department

determines that the individual is no longer eligible for Medicaid, the Department shall begin the termination process described under § 9501.26.

DISTRICT OF COLUMBIA RENTAL HOUSING COMMISSION

NOTICE OF FOURTH PROPOSED RULEMAKING

Pursuant to the authority set forth in § 202(a)(1) of the Rental Housing Act of 1985, effective July 17, 1985 (D.C. Law 6-10; D.C. Official Code § 42-3502.02(a)(1) (2012 Repl.)) ("Act" or "Rental Housing Act"), the Rental Housing Commission ("Commission") hereby gives notice of the intent to adopt the following amendments to Chapter 3 (Landlord and Tenant), Chapter 41 (Coverage and Registration), Chapter 42 (Rent Stabilization Program), and Chapter 43 (Evictions, Retaliation, and Tenant Rights) of Title 14 (Housing) of the District of Columbia Municipal Regulations ("DCMR") in not less than thirty (30) days from the date of publication of this notice in the *District of Columbia Register*.

The proposed rules relate to § 3 of the Eviction Record Sealing Authority and Fairness in Renting Amendment Act of 2022, effective May 18, 2022 (D.C. Law 24-115; 69 DCR 002683) ("ERSA-FIRA"). The ERSA-FIRA, in relevant part, amends § 501 and creates new § 510 of the Rental Housing Act (D.C. Official Code §§ 42-3505.01 & 42-3505.10). The amendments to § 501 of the Act place evictions for nonpayment of rent within the Act's scope by requiring notices to vacate before the filing of an action in court and modify the requirements for service of notices to vacate for all reasons. New § 510 of the Act establishes several requirements and prohibitions for housing providers that screen tenant applications based on consumer reports. The Commission is not proposing rules related to new § 509 of the Act, the eviction record sealing provisions.

The proposed rules also relate to the Fairness in Renting Clarification Amendment Act of 2023, effective November 28, 2023 (D.C. Law 25-65; 70 DCR 013822) ("Clarification Act"). The Clarification Act further amends § 501 of the Act related to the $600 threshold for nonpayment of rent eviction cases, § 510 of the Act related to application fees, and § 904 of the Act (D.C. Official Code § 42-3509.04) related to the timing of notices of rent increases.

The Commission issued a notice of proposed rulemaking related to the ERSA-FIRA on December 16, 2022. *See* 69 DCR 015208 ("First Proposed Rulemaking"). Four sets of comments were received in response to the First Proposed Rulemaking. The Commission issued notice of proposed rulemaking related to ERSA-FIRA and the Clarification Act on March 29, 2024. *See* 71 DCR 003594 ("Second Proposed Rulemaking"). Three sets of comments were received in response to the Second Proposed Rulemaking. The Commission then issued another notice of proposed rulemaking on November 29, 2024. *See* 71 D.C.R. 014576 ("Third Proposed Rulemaking"). Four sets of comments were received on the Third Proposed Rulemaking. The reasoning set forth in the preamble of each prior notice is incorporated herein except where, for the reasons explained below, substantive changes have been made in response to significant public comments and further consideration by the Commission.

The Commission's detailed reasoning with respect to significant comments and changes is as follows:

Section 501 – Notices to Vacate and Evictions

- **Efforts to make personal service:** One set of comments suggested that the proposed rule at § 4300.26 defining "diligent and conscientious efforts" at personal service of a notice to vacate before service by posting contradicts precedent of the District of Columbia Court of Appeals ("DCCA"), namely *Lynch v. Bernstein*, 48 A.2d 467 (D.C. 1946). In that case, a process server knocked on a tenant's door two separate times on the same evening, which was found to be sufficient. The proposed rule would have required two attempts on different days. The Commission's further review of DCCA precedent and published opinions of the District of Columbia Superior Court indicates that, although modern practice favors greater separation between attempts at service, *Lynch* has not been overruled. Moreover, cases such as *Edelhoff v. Shakespeare Theatre at Folger Library, Inc.*, 884 A.2d 643 (D.C. 2005), and *S. Hills Ltd. P'ship v. Anderson*, 179 A.3d 297 (D.C. 2018), indicate that the standard includes reasonable efforts by a housing provider, with readily available information, to learn the whereabouts of a tenant, but also does not require multiple attempts where the efforts would be futile. The proposed rule below has been modified accordingly. Finally, because of the often fact-specific nature of standard and DCCA precedent, and the possibility of extenuating circumstances, the Commission has modified the proposed rule to state that it "may include," rather than "shall mean;" that is, the efforts described by the rule are sufficient, but not necessary.

- **Means of service:** One set of comments suggested that the Commission should define "personal service" of notices to vacate to include mail and email, as with other notices under the Act. The commentor specifically cites *Craig v. Heil*, 47 A.2d 871 (D.C. 1946), which held that personal service was accomplished by registered mail. Section 904 of the Act (D.C. Official Code § 42-3509.04) provides general rules for service of documents and notices, and the Commission, pursuant to the authority in that section, has issued rules allowing email service. *See* 14 DCMR §§ 3803.3, 3911.3, & 4200.16. However, § 501(a) of the Act (D.C. Official Code § 42-3505.01(a)) specifically incorporates the service requirements for notices to quit under D.C. Official Code § 42-3206 and the functionally identical standard of D.C. Official Code § 16-1502. The provisions for service of notices to quit and summons to court (the latter of which have constitutional due process implications) do not provide for mail or email delivery. *Craig*, moreover, found that personal service was completed because the mailing method employed by the housing provider required a postal worker to hand-deliver the notice to the tenant, with a signature for receipt, not simply leaving it in a mailbox. That is entirely different from the kind of mail or email delivery allowed for other notices. The rules for personal service of notices to vacate are therefore unchanged in the proposed rules below.

- **License and registration requirement:** Two sets of comments related to the proposed requirement from the First Proposed Rulemaking, in §§ 4300.7, 4301.4, and 4302.1, that notices to vacate include the housing provider's business license and RAD registration numbers, which it must have to file a claim for possession, except in extenuating circumstances or in cases involving subtenants. D.C. Official Code §§ 16-1501(c) & 42-3505.01(q). One set of comments suggested that the Commission should reinstate the rule previously proposed. The Commission disagrees for the reason stated in the Third Notice

of Proposed Rulemaking, that the ERSA-FIRA could have, but did not, enumerate such a requirement in the notice provisions, only in the claim-filing provisions.

The other set of comments suggested that the Commission include the license and registration requirement, for clarity and consistency, in the regulations alongside the existing rule in § 4300.4 that a claim may not be filed until the Act's applicable timing requirement has run. The Commission agrees that this is an appropriate provision in which to include the claim-filing rule, and that there are two ambiguities that can be resolved by rulemaking. First, as per the First Proposed Rulemaking, the proposed rule below provides that the statutory exclusion of subtenants from the license and registration requirement only applies in cases where the sublessor—defined by the Act to be a housing provider—is a residential tenant; that is, persons who can themselves also be defined as tenants under the Act. Commercial entities operating as middlemen are not exempted from the requirements. *See Goodman v. D.C. Rental Hous. Comm'n*, 573 A.2d 1293, 1297 (D.C. 1990) (Act is remedial in its purpose to protect tenants and statutory exemptions are narrowly construed to foreclose nullification or evasion). Second, the proposed rule clarifies that, although the statute only provides for waiver of the license requirement under certain conditions, because the Act's registration provisions require a valid business license, *see* 14 DCMR § 4102.5, the registration requirement may consequently be waived if the circumstances that prevented licensing thereby prevented registration as well.

- **Language access – imputed knowledge:** One set of comments suggested that the proposed rule at § 4300.24 should better spell out the "other relevant factors" by which it may be found that a housing provider "should have known" that a tenant primarily speaks a covered language for purposes of translating a notice to vacate. The previously proposed rule contained only a kind of safe harbor for housing providers, whereby they could include lease addendums asking for language information or circulate "I speak" cards that are published by the Office of Human Rights, and, if a tenant had not responded, such good faith efforts to determine tenant languages generally would demonstrate that the housing provider was reasonably unaware of the specific tenant's language.

  The set of comments suggested four possible circumstances in which a housing provider might be chargeable with knowledge. However, most of the circumstances would only lead a housing provider to know that a tenant does not speak (or write) English well, but they would not necessarily indicate what language the tenant does speak. For example, a housing provider or their employee may not recognize spoken Ahmaric (covered) from Somali (not covered) or Korean (covered) from Japanese (not covered). Two of the suggested circumstances, in the Commission's view, would reasonably impute knowledge: a specific request for translation or interpretation into a covered language, and the use of translation technology (for example, a smartphone open to Google Translate) that clearly displays the language being translated. The proposed rule below is modified to include these circumstances.

- **Rent Administrator filing – timing:** One set of comments reiterated a prior concern that the five (5) business day time limit to file copies of notices to vacate, with a certification of the method of service, with the Rent Administrator is too short for process servers to produce affidavits. As the Third Proposed Rulemaking explained, this requirement does

not require a sworn affidavit. The Commission believes that this requirement can be satisfied with a simple statement or filing coversheet prepared by the Rent Administrator that lists the allowable means of service. The provided time limit is therefore unchanged in the proposed rules below.

- **Rent Administrator review – inaction:** One set of comments suggested that § 4300.8 should be modified to clarify that the failure of the Rent Administrator to disapprove a notice to vacate does not indicate that it was reviewed and found valid. Although the Rent Administrator may issue a disapproval notice, the practical reality is that the Rental Accommodations Division does not have the resources to individually review every notice that is filed. The Commission agrees that the rules should state directly that inaction is not approval or disapproval.

Section 510 – Tenant Applications and Screening

- No comments were received regarding this section of the Act, and no changes have been made from the Third Proposed Rulemaking.

Title 14, HOUSING, of the DCMR is amended as follows:

Chapter 3, LANDLORD AND TENANT, is amended as follows:

Section 301, IMPLIED WARRANTY AND OTHER REMEDIES, is amended as follows:

New subsections 301.3 and 301.4 are added to read as follows:

301.3 A landlord, its agent, or other person entitled to receive rent for a habitation shall not charge a fee to a prospective tenant before move-in, a tenant during a tenancy, or a former tenant after move-out for services required of the landlord to maintain the habitation in a condition consistent with the implied warranty provided by § 301.1, including Title 12 of the District of Columbia Municipal Regulations, or any substantially similar subsequent regulations.

301.4 A landlord, its agent, or other person entitled to receive rent for a habitation shall not charge a tenant or former tenant a fee, or withhold monies from a security deposit in accordance with § 309.1(2), for professional cleaning or for other

expenses incurred due to damage to the habitation resulting from ordinary wear and tear, as defined in D.C. Official Code § 42-3502.17(c)(3).

Chapter 41, COVERAGE AND REGISTRATION, is amended as follows:

Section 4111, DISCLOSURES TO PROSPECTIVE AND CURRENT TENANTS, is amended as follows:

Subsection 4111.5 is amended to read as follows:

4111.5 At the time a prospective tenant files an application to lease any rental unit covered by the Act, or, if no application is required, prior to the execution of or agreement to a lease or rental agreement, the housing provider shall provide the tenant with:

(a) A completed copy of the form described in § 4111.3;

(b) A copy of each record or document listed in § 4111.2; provided, that where petitions, forms, or other applications require supporting documentation such as financial statements, the supporting documentation need not be provided so long as it is made available as required by § 4111.4; and

(c) Written documentation of all information required by § 4307.2 as to whether and how the housing provider will conduct any tenant screening, which shall be provided either directly to the tenant or by posting in accordance with § 4307.3.

Chapter 42, RENT STABILIZATION PROGRAM, is amended as follows:

Section 4205, IMPLEMENTATION AND NOTICE OF RENT ADJUSTMENTS, is amended as follows:

The lead-in language of subparagraph 4205.4(a) is amended to read as follows:

(a) The housing provider shall provide the tenant of the rental unit not less than sixty (60) days advance written notice of the rent increase, by service in accordance with § 4200.16, on a Notice to Tenant of Rent Adjustment form published by the Rent Administrator, in which the following items shall be included:

Section 4206, ANNUAL RENT ADJUSTMENTS OF GENERAL APPLICABILITY, is amended as follows:

The lead-in language of Subsection 4206.3 is amended to read as follows:

4206.3 Prior to February 1 of each year, to be effective on May 1 of the same year, the Commission shall certify and publish in the *District of Columbia Register*:

Section 4214, TENANT PETITIONS, is amended as follows:

Subparagraph 4214.4(g) is amended to read as follows:

(g) A rent increase was implemented without notice or with less than sixty (60) days' notice of the increase to the tenant, or the notice was otherwise not in compliance with § 4205.4;

Chapter 43, EVICTIONS, RETALIATION, AND TENANT RIGHTS, is amended as follows:

Section 4300, GROUNDS FOR EVICTION, is amended as follows:

The caption of Section 4300 is amended to read as follows:

4300 NONPAYMENT OF RENT AND OTHER GROUNDS FOR EVICTION GENERALLY

Subsections 4300.1 through 4300.5 are amended to read as follows:

4300.1 Except as provided by § 4300.2, a tenant of any rental unit covered by the Act, as provided in § 4100.3, shall not be evicted from the rental unit except for:

(a) Nonpayment of rent, pursuant to § 501(a-1) of the Act (D.C. Official Code § 42-3505.01(a-1)), after the service of a notice that complies with this section and the opportunity to pay all rent lawfully owed;

(b) A violation of an obligation of tenancy, pursuant to § 501(b) of the Act (D.C. Official Code § 42-3505.01(b)), after service of a notice that complies with § 4301 and the opportunity to correct the violation; or

(c) The following reasons, after the service of a notice that complies with § 4302:

(1) Performance of an illegal act on the premises, pursuant to § 501(c) of the Act (D.C. Official Code § 42-3505.01(c));

(2) Personal use and occupancy by the owner of the rental unit, pursuant to § 501(d) of the Act (D.C. Official Code § 42-3505.01(e));

(3) Personal use and occupancy of a purchaser of the rental unit, pursuant to § 501(e) of the Act (D.C. Official Code § 42-3505.01(e));

(4) Unsafe alterations or renovations, pursuant to § 501(f) of the Act (D.C. Official Code § 42-3505.01(f));

(5) Demolition of the housing accommodation, pursuant to § 501(g) of the Act (D.C. Official Code § 42-3505.01(g));

(6) Substantial rehabilitation, pursuant to §§ 214 and 501(h) of the Act (D.C. Official Code §§ 42-3502.14 & 42-3505.01(h));

(7) Discontinuation of housing use and occupancy, pursuant to § 501(i) of the Act (D.C. Official Code § 42-3505.01(i)); or

(8) Closure of a building by order of the Department of Buildings, pursuant to § 501(n) of the Act (D.C. Official Code § 42-3505.01(n)) and § 103 of this title or § 108 of the District of Columbia Property Maintenance Code (12-G DCMR § 108).

4300.2 Nothing in this section, § 4301, or § 4302 shall apply to the eviction of a tenant:

(a) In an action brought in accordance with the Residential Drug-related Evictions Re-enactment Act of 2000 (D.C. Law 13-172; D.C. Official Code §§ 42-3601 *et seq.*); or

(b) For the purpose of converting the rental unit or housing accommodation to condominium or cooperative housing use, which is subject to the requirements of the Conversion of Rental Housing to Condominium or Cooperative Status Act of 1980 (D.C. Law 3-86; D.C. Official Code §§ 42-3402.01 *et seq.*) and § 4705 of this title.

4300.3 The expiration of the term of a lease for a rental unit covered by the Act shall not, by itself, entitle a housing provider to evict a tenant from the rental unit.

4300.4 No action or proceeding to evict a tenant shall be filed by a housing provider:

(a) Until the expiration of the time required for the grounds for eviction being sought by the applicable subsections of § 501(a-1) through (i) of the Act (D.C. Official Code § 42-3505.01(a-1)-(i)) and unless stated in a notice served in accordance with this section, § 4301, or § 4302; and

(b) Unless the subject rental unit is registered in accordance with § 4101 of this title and the housing provider has a current, valid business license in accordance with § 200 of this title and D.C. Official Code § 47-2851.03(a)(6)(B); provided, that:

(1) The license requirement may be waived by the court if the housing provider can demonstrate that they were unable to obtain or renew a current rental housing license due to extenuating circumstances, including a medical emergency, agency delay, or a circumstance in

which a tenant or occupant denies permission for a required pre-license inspection or required repairs;

(2) The registration requirement may be waived by the court if the license requirement has been waived under paragraph (1) and the lack of a license prevented the housing provider from meeting the registration requirement in § 4102.5 of this title; and

(3) The license and registration requirements of this paragraph shall not apply to complaints involving subtenants only if a sublessor who seeks to evict a subtenant is a residential tenant.

4300.5 A notice that a housing provider intends to file a claim for possession of a rental unit because of the nonpayment of rent pursuant to § 501(a-1) of the Act (D.C. Official Code § 42-3505.01(a-1) ("Notice of Intent to File a Claim") shall not be served on a tenant if the amount of unpaid, past due rent is less than six hundred dollars ($600).

Existing Subsections 4300.6 through 4300.18 are renumbered as Subsections 4300.9 through 4300.21.

Subsections 4300.6 through 4300.8 are amended to read as follows:

4300.6 A housing provider shall not file an action in court to evict a tenant for nonpayment of rent until at least thirty (30) days after the date of service of a Notice of Intent to File a Claim that complies with § 4300.7.

4300.7 In order to be valid, a Notice of Intent to File a Claim shall state:

(a) The total amount of rent owed as of the date of the notice;

(b) The date of the rent charges and payments, if any, for the period of delinquency, in a ledger included in or attached to the notice;

(c) That the housing provider may file a case in court to evict the tenant thirty (30) days after the service of the notice if the balance of unpaid rent remains $600 or more;

(d) That the housing provider may not file a case in court to evict the tenant if the balance of unpaid rent is less than $600, but may otherwise notify the tenant of the debt;

(e) That the tenant has the right to defend against an eviction in court and only the court can order the tenant's eviction;

(f) That, after a claim for possession based on non-payment of rent is filed in court, the tenant has the right to remain in the rental unit if the tenancy is

redeemable and the total balance of unpaid rent is paid in full before the court orders the tenant's eviction; and

(g) That further help or free legal services may be available by contacting the Office of the Tenant Advocate at (202) 719-6560 or the Landlord Tenant Legal Assistance Network at (202) 780-2575.

4300.8 Any notice served on a tenant for any reason other than the nonpayment of rent shall also be filed with the Rent Administrator, in accordance with § 3901, no later than five (5) business days after service on the tenant and shall include a certification of how the tenant was served in accordance with § 4300.25 (personal service, substitute service, or posting). The Rent Administrator shall review each notice promptly and may:

(a) Issue an order disapproving the notice if he or she finds that the notice is defective on its face or in conjunction with any supporting documentation;

(b) Issue a show cause order in accordance with § 3926 if he or she finds substantial grounds to believe that a possible violation of the Act or this chapter has occurred; or

(c) Take no action; provided, that inaction shall not constitute a determination regarding the validity of a notice.

New subsections 4300.22, 4300.23, 4300.24, 4300.25 and 4300.26 are added to read as follows:

4300.22 Any notice required to be served on a tenant under this section, § 4301, or § 4302 shall be written in:

(a) Both English and Spanish; and

(b) The tenant's primary language if the housing provider knows or reasonably should know that the tenant's primary language is one that is required pursuant to D.C. Official Code § 2-1933(a).

4300.23 The Commission shall publish an annual notice of languages that it determines are required for the purposes of § 4300.22(b) in the *District of Columbia Register* and on its website prior to February 1 of each year, based on the most current then-available data indicating that at least 500 individuals in the District of Columbia who are limited-English proficient or not English proficient and primarily speak a particular language.

4300.24 In determining whether a housing provider reasonably should have known that a tenant primarily speaks a language covered by § 4300.22(b), it shall be relevant to a finder of fact, among all other relevant facts, whether:

(a) The tenant made specific requests for interpretation or translation of documents into a covered language;

(b) The tenant, a person assisting the tenant with communications, or an electronic device used by the tenant clearly indicated that the tenant was using a covered language to communicate; or

(c) The housing provider made, and whether the tenant in question responded to, good faith efforts to determine the primary languages spoken by its tenants generally, which may include:

(1) Signed written leases or lease addendums provided in covered languages; or

(2) The distribution of "I speak" cards as published by the Office of Human Rights or similar materials.

4300.25 For the purposes of this section, § 4301, and § 4302, service of a required notice upon any person (other than the Rent Administrator) shall be completed:

(a) By delivering a copy of the notice to the tenant personally, or, if the tenant has left the District of Columbia or cannot be found, by leaving a copy with some person above the age of sixteen (16) years residing on or in possession of the subject rental unit; or

(b) If, after diligent and conscientious efforts, service cannot be completed under paragraph (a), by both:

(1) Posting a copy of the notice on the premises of the rental unit where it may be conveniently read and capturing timestamped, photographic evidence of the posting for the housing provider's records; and

(2) Mailing a copy of the notice to the tenant by first class U.S. mail, postage prepaid, to the rental unit, addressed in the name of the tenant or, if unknown, the name of the person occupying the rental unit, within three (3) calendar days of the posting.

4300.26 For the purposes of § 4300.25, "diligent and conscientious efforts" may include at least two separate attempts at personal service conducted at two different times of day, if each attempt is made at a location and time where the housing provider reasonably believes that the tenant is likely to be found. If the housing provider has reason to know that the tenant will not be found at the rental unit, then such attempts at personal service must be made after reasonable efforts to use readily available information to locate the tenant. Such attempts at personal service shall not be

required if the housing provider knows of particular circumstances that would make any attempt futile.

Section 4301, NOTICES TO CORRECT VIOLATION OF TENANCY OR TO VACATE, is amended as follows:

Subsection 4301.4 is amended to read as follows:

4301.4 A Notice to Correct or Vacate shall state:

(a) The factual basis for the housing provider's belief that the tenant is violating an obligation of tenancy, in sufficient detail to allow a reasonable person in the circumstances to know what allegedly occurred, including specific reference to the provision of the lease or Housing Regulations that create the obligation and to § 501(b) of the Act (D.C. Official Code § 42-3505.01(b));

(b) The specific action(s) the tenant needs to take to correct the violation, in sufficient detail to allow a reasonable person in the circumstances to know how to comply with the directive(s);

(c) That the housing provider may file an action in court to evict the tenant if the violation has not been corrected thirty (30) days after the service of the Notice to Correct or Vacate; and

(d) That a copy of the Notice to Correct or Vacate will be filed with the Rent Administrator, including the address and telephone number of the Rental Accommodations Division.

Section 4302, NOTICES TO VACATE FOR OTHER REASONS, is amended as follows:

Subsection 4302.1 is amended to read as follows:

4302.1 In order to be valid, a notice to vacate for any reason listed in §§ 501(c) through (i) of the Act (D.C. Official Code § 42-3505.01(c)-(i)) ("Notice to Vacate") shall state:

(a) The factual basis the housing provider relies on, in sufficient detail to allow a reasonable person in the circumstances to know what allegedly occurred or the planned use or changes to the premises, and the specific subsection of § 501 of the Act (D.C. Official Code § 42-3505.01) that the eviction is based on;

(b) That the housing provider may file an action in court to evict the tenant if the tenant does not vacate within the time provided by § 4302.2 after the service of the notice; and

(c) That a copy of the Notice to Vacate is being filed with the Rent Administrator, including the address and telephone number of the Rental Accommodations Division.

There is added a new Section 4307 to read as follows:

4307 TENANT APPLICATIONS AND SCREENING

4307.1 Any housing provider that requires an application or fees from a prospective tenant or otherwise engages in any tenant screening shall comply with § 510 of the Act (D.C. Official Code § 42-3505.10) and this section.

4307.2 Before requesting any information or fees from a prospective tenant as part of tenant screening, a housing provider shall notify the prospective tenant of the following:

(a) The amount and purpose of any application fee, mandatory fee, optional fee, security deposit, or other fee or deposit that will or may be charged to a tenant or prospective tenant, the timing of the charge, and whether each fee is refundable and under what conditions a refund, in whole or in part, will be issued, in accordance with all applicable law;

(b) The types of information that will be accessed to conduct a tenant screening;

(c) The specific criteria, if any, that will result in an automatic denial of the application;

(d) Any additional criteria that may result in the denial of the application;

(e) If a credit score or consumer report will be used for tenant screening, the name and contact information of the consumer reporting agency that will furnish the score or report;

(f) Either:

(1) The approximate number of rental units that become available for rent in the housing accommodation each calendar year, specifying the number of bedrooms and monthly rent; or

(2) If the number of rental units in subparagraph (1) cannot reasonably be estimated, the number of rental units in the housing accommodation that became available for rent in each calendar month of the housing provider's prior fiscal year;

(g) The number of days after receipt of a prospective tenant's application that the housing provider will respond with an approval or denial decision;

(h) That the prospective tenant has a right:

(1) To obtain a free copy of any credit score or consumer report obtained by the housing provider in the event of a denial of the application or other adverse action, in accordance with § 4307.14(b);

(2) To dispute whether any information that may form the basis for an adverse action is inaccurate, incorrectly attributed to the prospective tenant, or prohibited by §§ 4307.10, 4307.11, or 4307.13;

(3) To receive a response from the housing provider regarding any disputed information, in accordance with § 4307.15; and

(4) To dispute inaccurate or incomplete information with and have the dispute investigated by the consumer reporting agency under the Fair Credit Reporting Act, as described at https://consumerfinance.gov/learnmore;

(i) That the prospective tenant has a right to a refund of any application fee in accordance with § 4307.6 if it is not used by the housing provider; and

(j) That the prospective tenant may file either a complaint with the Office of Human Rights or a civil action in the Superior Court of the District of Columbia if he or she believes the housing provider has violated § 510 of the Act (D.C. Official Code § 42-3505.10).

4307.3 A prospective tenant shall be notified of the information listed in § 4307.2 in writing provided either directly to the prospective tenant or by posting the information in a manner reasonably likely to be found and read by a prospective tenant, including, for example, an office where rental applications are received, on a website describing the housing accommodation, or in an advertisement for the rental unit.

4307.4 The Commission shall publish, before February 1 of each calendar year, the application fee limit for that calendar year, computed in accordance with § 4307.5.

4307.5 A housing provider shall not charge an application fee more than the product of:

(a) Fifty dollars ($50); multiplied by

(b) The quotient of:

(1) The CPI-U for the calendar year preceding the submission of the application; divided by

(2) The CPI-U for year 2022, which was 295.792.

4307.6 If a housing provider receives an application fee from an applicant and does not conduct any tenant screening of that applicant for any reason, the housing provider

shall refund the application fee to the applicant within fourteen (14) days of receiving the fee.

4307.7 A housing provider shall not charge an application fee to a prospective tenant who, thirty (30) days or less before submitting an application, applied for another rental unit owned or operated by the same housing provider, paid an application fee, and the housing provider conducted any tenant screening, unless additional tenant screening procedures are required for the later application.

4307.8 A housing provider shall not charge a prospective tenant any fee except an application fee prior to the execution of a lease with the tenant; provided, that a holding deposit may be required, unless the prospective tenant will pay rent with a governmental-funded voucher, in which case the housing provider may not require a holding deposit.

4307.9 A housing provider may require a tenant to pay a replacement fee if the tenant is permitted to find a replacement tenant, assign the lease to another tenant, or sublet to another tenant; provided, that the amount of the replacement fee shall not exceed the allowable amount of an application fee under §§ 4307.4 or 4307.5.

4307.10 A housing provider shall not, as part of any tenant screening, inquire about, require a prospective tenant to disclose or reveal, or base an adverse action on, in whole or in part, whether a previous housing provider has filed a claim to recover possession against the tenant if the action:

(a) Did not result in a judgment for possession in favor of the housing provider; or

(b) Was filed more than three (3) years before the date of the application.

4307.11 A housing provider shall not, as part of any tenant screening, inquire about, require a prospective tenant to disclose or reveal, or base an adverse action on, in whole or in part, on whether a previous housing provider has filed any claim alleging a breach of lease against the tenant that:

(a) Stemmed from an incident that the prospective tenant demonstrates may constitute a defense to an action for possession under § 501(c-1) of the Act (D.C. Official Code § 42-3505.01(c-1)) or a federal law pertaining to domestic violence, dating violence, sexual assault, or stalking, including records of civil or criminal protection orders sought or obtained by the prospective tenant or of criminal matters in which the prospective tenant is a witness;

(b) Stemmed from an incident in which the prospective tenant was a victim of a crime in the rental unit for which the lease was allegedly breached;

(c) Was related to a disability of the prospective tenant or a member of the prospective tenant's household at the time; or

(d) Occurred more than three (3) years before the date of the application.

4307.12 A housing provider shall not be found to have violated §§ 4307.10 or 4307.11 solely by reason of having received, without specifically requesting, any information described in those subsections in a consumer report; provided, that if such information was received, the housing provider shall bear the burden in a case under § 4307.17 to demonstrate that the adverse action was not taken, in whole or in part, based on that information, which may include that the housing provider relied on incomplete or inaccurate information received from the consumer reporting agency or that the housing provider could not have reasonably known that the information received related to prohibited criteria.

4307.13 A housing provider shall not, as part of any tenant screening, base an adverse action solely on a prospective tenant's credit score or lack thereof; provided, that it shall not be a violation of this subsection for a housing provider to rely on information, other than a credit score or information described in §§ 4307.10 and 4307.11, that has been disclosed in a credit or consumer report and that is directly relevant to the fitness of a prospective tenant.

4307.14 If a housing provider takes an adverse action on a prospective tenant's application based on information received through tenant screening, the housing provider shall, no later than the response date provided to the tenant in accordance with § 4307.2(g), give a written notice of the adverse action to the prospective tenant, which shall include:

(a) The specific basis or bases for the adverse action;

(b) A copy or summary, free of charge, of any information obtained from a third party that formed any basis for the adverse action;

(c) A statement informing the prospective tenant of his or her rights to dispute any basis of the adverse action by notifying the housing provider that any information forming a basis for the adverse action was inaccurate, incorrectly attributed to the prospective tenant, or prohibited by §§ 4307.10, 4307.11, or 4307.13; and

(d) A statement informing the prospective tenant of his or her right to file a complaint with the Office of Human Rights if he or she believes the housing provider has violated § 510 of the Act (D.C. Official Code § 42-3505.10).

4307.15 If a prospective tenant, after receiving notice of an adverse action by a housing provider based on tenant screening, disputes the basis of the adverse action in accordance with § 4307.14(c), the housing provider shall respond in writing, by

mail, email, or personal delivery, within ten (10) days after receipt of the notice from the prospective tenant.

4307.16 Nothing in §§ 4307.10, 4307.11, or 4307.13 shall be construed to prohibit a housing provider from:

(a) Considering debts owed to a housing authority;

(b) Considering any other criteria established in federal law; or

(c) Leasing a rental unit to other prospective tenants.

4307.17 A prospective tenant who believes that a housing provider has violated § 510 of the Act (D.C. Official Code § 42-3505.10) may either:

(a) File a complaint with the Office of Human Rights to seek the imposition of fines, half of which shall be awarded to the prospective tenant and half of which shall be deposited into the General Fund of the District of Columbia; or

(b) Bring a civil action in the Superior Court within one (1) year of the alleged violation to seek damages, attorney's fees, and equitable relief.

Section 4399, DEFINITIONS, is amended as follows:

Subsection 4399.2 is amended to read as follows:

4399.2 In addition to § 4399.1, the following terms shall have the meanings set forth below:

Adverse action –

(a) Denial of a prospective tenant's rental application; or

(b) Approval of a prospective tenant's rental application, subject to terms or conditions different and less-favorable to the prospective tenant than those included in any written notice, statement, or advertisement for the rental unit, including written communication sent directly from the housing provider to the prospective tenant, including:

(1) Requiring a co-signer on the lease;

(2) Requiring a deposit that would not be required for another applicant;

(3) Requiring a larger deposit than would be required for another applicant; or

(4) Demanding more rent than would be charged to another applicant.

Application Fee – the total of all costs of fees that a prospective tenant is required to pay to a housing provider at the time of application or at any time prior to signing a lease as a prerequisite to evaluating or approving a prospective tenant's application for rental housing, including processing, reviewing, or screening the prospective tenant's application, but not including holding deposits.

Consumer report – in accordance with § 603(d) of the Fair Credit Reporting Act (15 U.S.C. § 1681a(d)), in relevant part:

(a) In general: any written, oral, or other communication of any information by a consumer reporting agency bearing on a consumer's credit worthiness, credit standing, credit capacity, character, general reputation, personal characteristics, or mode of living that is used or expected to be used or collected in whole or in part for the purpose of serving as a factor in establishing the consumer's eligibility for rental housing purposes.

(b) Exclusions: the term "consumer report" does not include:

(1) Any:

(A) Report containing information solely as to transactions or experiences between the consumer and the person making the report;

(B) Communications of that information among persons related by common ownership or affiliated by corporate control; or

(C) Communication of other information among persons related by common ownership or affiliated by corporate control, if it is clearly and conspicuously disclosed to the consumer that the information may be communicated among such persons and the consumer is given the opportunity, before the time that the information is initially communicated, to direct that such information not be communicated among such persons;

(2) Any authorization or approval of a specific extension of credit directly or indirectly by the issuer of a credit card or similar device;

(3) Any report in which a person who has been requested by a third party to make a specific extension of credit directly or indirectly to a consumer conveys his or her decision with respect to such request, if the third party advises the consumer of the name and address of the person to whom the request was made, and such person makes the disclosures to the consumer required under § 615 of the Fair Credit Reporting Act (15 U.S.C. § 1681m).

Consumer reporting agency – in accordance with § 603(f) of the Fair Credit Reporting Act (15 U.S.C. § 1681a(f)), any person that, for monetary fees, dues, or on a cooperative nonprofit basis, regularly engages in whole or in part in the practice of assembling or evaluating consumer credit information or other information on consumers for the purpose of furnishing consumer reports to third parties.

CPI-U – the average of the bi-monthly publications of the Consumer Price Index for All Urban Consumers for All Items for the Washington-Arlington-Alexandria, DC-MD-VA-WV, Core Based Statistical Area during the twelve (12) month period ending on November 30 of a given year, as published by the United States Department of Labor, Bureau of Labor Statistics.

Credit score – in accordance with § 609(f)(2)(A) of the Fair Credit Reporting Act (15 U.S.C. § 1681g(f)(2)(A)), in relevant part, a numerical value or a categorization derived from a statistical tool or modeling system used by a person who makes or arranges a loan to predict the likelihood of certain credit behaviors, including default (and the numerical value or the categorization derived from such analysis may also be referred to as a "risk predictor" or "risk score").

Holding deposit – the amount a housing provider requires a prospective tenant to pay after a housing provider approves a tenant's application, which temporarily makes a unit unavailable to other prospective tenants and which if a tenant accepts a unit becomes part of the prospective tenant's first month's rent or security deposit.

Multifamily housing accommodation – a housing accommodation covered by the Act, as provided in § 4100.3, consisting of two (2) or more rental units that is owned or operated by a single housing provider.

Tenant organization – a tenant association, the tenants of a housing accommodation acting jointly as provided by § 410 of the Tenant Opportunity to Purchase Act of 1980 (D.C. Law 3-86; D.C. Official Code § 42-3404.10) ("TOPA"), a tenant organization as provided in § 411 of TOPA (D.C. Official Code § 42-3404.11), or any other continuing agreement between the tenants of two (2) or more rental units covered by the Act to support the exercise of any legal rights as tenants.

Tenant organizer – a person, who may or may not be a tenant, who assists tenants of a multifamily housing accommodation in establishing and operating a tenant organization, and who is not an employee, representative, or other agent of the housing provider, or of a prospective housing provider or owner of the property.

Tenant screening – any process used by a housing provider to evaluate the fitness of a prospective tenant.

Qualified third party – any of the following persons acting in their official capacity:

(1) A sworn officer of the Metropolitan Police Department of the District of Columbia, in accordance with D.C. Official Code § 4-1301.02(15);

(2) A sworn officer of the District of Columbia Housing Authority Office of Public Safety;

(3) A health professional licensed under or permitted by District of Columbia law to practice a health occupation in the District of Columbia in accordance with D.C. Official Code § 3-1201.01(8); or

(4) A domestic violence counselor who is an employee, contractor, or volunteer of a domestic violence program, in accordance with D.C. Official Code § 14-310(2).

New subsection 4399.3 is added to read as follows:

4399.3 The provisions of § 3816 of Chapter 38 of this title shall be applicable to the calculation of any time periods provided by this chapter.

All persons desiring to comment on these proposed regulations should submit comments in writing to:

Daniel Mayer, General Counsel
Rental Housing Commission
441 Fourth Street, N.W., Suite 1140-B North
Washington, D.C. 20001

Or, via email to: daniel.mayer@dc.gov.

Prospective commenters are strongly encouraged to submit comments via email. Persons with questions concerning this notice of proposed rulemaking should call (202) 442-8949. To be considered, all comments must be received or postmarked no later than Monday, August 18, 2025. Copies of the proposed rules may be obtained at the address above and online at https://rhc.dc.gov/page/rental-housing-act-and-regulations.

DISTRICT OF COLUMBIA RENTAL HOUSING COMMISSION

NOTICE OF PROPOSED RULEMAKING

Pursuant to the authority set forth in § 202(a)(1) of the Rental Housing Act of 1985, effective July 17, 1985 (D.C. Law 6-10; D.C. Official Code § 42-3502.02(a)(1)) ("Act" or "Rental Housing Act"), the Rental Housing Commission ("Commission") hereby gives notice of the intent to adopt the following amendments to Chapter 38 (Rental Housing Commission Operations and Procedures), Chapter 39, (Rental Accommodations Division), Chapter 41 (Coverage and Registration) and Chapter 42 (Rent Stabilization Program) of Title 14 (Housing) of the District of Columbia Municipal Regulations ("DCMR") in not less than thirty (30) days from the date of publication of this notice in the *District of Columbia Register*.

The proposed rules relate to Title II of the Fairness and Stability in Housing Amendment Act of 2024, effective date May 2, 2025 (D.C. Law 25-324; 72 DCR 005848) ("FSHA"), which is currently pending Congressional review. The FSHA, in relevant part, will amend §§ 215, 216, and 221 of the Act (D.C. Official Code §§ 42-3502.15, 42-3502.16, & 42-3502.21) to, respectively, reform voluntary agreements, improve procedures for appeals to the Commission, and abolish certificates of assurance of exemption from the Rent Stabilization Program.

The Commission's reasoning for the significant, proposed changes is as follows:

Section 215 – Voluntary Agreements

- **Background:** No voluntary agreements have been permitted since the enactment of the Voluntary Agreement Moratorium Amendment Act of 2020, effective March 16, 2021 (D.C. Law 23-246; D.C. Official Code § 42-3502.15a) and subsequent emergency and temporary acts. Before the moratorium, the Commission was in the process of promulgating an omnibus rulemaking to update and clarify all of the regulations implementing the Rental Housing Act. *See* Notice of Final Rulemaking, 68 D.C.R. 012634 (Dec. 3, 2021) ("Omnibus Rulemaking"). The Omnibus Rulemaking included numerous changes to the filing process and substantive review of voluntary agreements. *See* 14 DCMR § 4213 (2021). The Commission finalized the revised rules, which would go into effect upon effect upon the scheduled expiration of the moratorium.

  The FSHA, as originally introduced, proposed to abolish voluntary agreements permanently. *See* Committee on Housing, D.C. Council, Report on Bill No. 25-418 at 11 (Nov. 6, 2024) ("Committee Report"). However, the Council ultimately chose to keep voluntary agreements in the Act, reasoning that:

  > The Commission's conscious effort to address concerns raised about voluntary agreements during their drafting process warrants an opportunity to observe the rules' use in practice. Accordingly, the committee print will allow the voluntary agreement moratorium to expire[,] and permits the use of voluntary agreements within the new rulemaking parameters.

Id. at 12. The final, enacted version of the FSHA makes several changes beyond those in the Committee print. In general, however, the Commission views the amendments to § 215 of the Act as ratifying the 2021 rulemaking and requiring only a few, specific changes to 14 DCMR § 4213, as explained below.

- **Exempt unit comments:** The FSHA provides in new § 215(a-1) of the Act (D.C. Official Code § 42-3502.15(a-1)) that the tenants of any units that are exempt from the Rent Stabilization Program in a housing accommodation that is the subject of a voluntary agreement application shall be permitted to submit comments on the proposal. The proposed rules accordingly revise §§ 4213.4(a) and 4213.16(e) to require that all tenants, regardless of exemption status, be served a copy of a Proposed Voluntary Agreement, with notice of the opportunity to comment, and that any written comments from tenants of exempt units must be included in the signed, Final Voluntary Agreement submitted to the Rent Administrator. Additionally, amended § 215(b)(1) of the Act (D.C. Official Code § 42-3502.15(b)(1)) requires the signatures of any tenants "who opted out of the voluntary agreement pursuant to subsection (a-1)." The Commission interprets this as requiring the housing provider to seek the signatures of any tenants of exempt units, even though they may not be counted towards the 70% approval requirement, and the proposed rules modify § 4213.16 (former paragraph (e), now paragraph (f)) accordingly.

- **Coercion defined:** The FSHA provides a list of actions that are prohibited coercion in new § 215(e) of the Act (D.C. Official Code § 42-3502.15(e)), which in part is identical to the list of actions that may be prohibited as retaliatory under § 502(a) of the Act (D.C. Official Code § 42-3505.02(a)). The proposed rules add a new provision at § 4213.22, containing this definition and cross-referencing the list of possible retaliatory actions in 14 DCMR § 4303.2, and modify the existing lists of prohibited actions found in §§ 4213.16(b) and 4213.20(a).

- **Alternative petitions:** The FSHA requires, in amended § 215(b)(5) of the Act (D.C. Official Code § 42-3502.15(b)(5)), that a voluntary agreement submitted for approval must include "explanation of why the housing provider did not pursue a rent adjustment pursuant to" any of the four (4) available types of petitions for rent increases under the Act. The proposed rules modify § 4213.3(e) to require this statement as part of the initial, Proposed Voluntary Agreement filing and add the reasoning to the totality of circumstances reasonableness test in § 4213.22(e).

- **Automatic approval:** The FSHA repeals § 215(c) of the Act (D.C. Official Code § 42-3502.15(c)), which required automatic approval of voluntary agreements that raised all rents in a housing accommodation by the same percent, without substantive review. The proposed rules remove the corresponding provision at § 4213.18 and renumber the subsequent subsections.

- **Other changes – language access:** In the Omnibus Rulemaking, the Commission included a provision, at § 4213.16(f), a requirement that certain documents be translated into certain languages commonly spoken in the District of Columbia by persons with low- or no-English proficiency. The Council subsequently enacted a similar provision for notices to vacate in the Eviction Record Sealing Authority and Fairness in Renting Amendment Act

of 2022, effective May 18, 2022 (D.C. Law 24-115; 69 D.C.R. 002683), creating new § 501(a)(3) of the Rental Housing Act (D.C. Official Code § 42-3505.01(a)(3)). The Commission's separately proposed rules implementing that requirement, 71 D.C.R. 014576, 014584-85 (Nov. 29, 2024), will provide in 14 DCMR § 4300.23 that the Commission will annually publish a list of required languages for notices to vacate. The proposed rules below modify § 4213.16(g) (formerly (f)) to cross-reference this publication requirement. Additionally, the proposed rules modify the knowledge requirement to align with § 501(a)(3) of the Act (D.C. Official Code § 42-3505.01(a)(3)); a housing provider's obligations apply when they know or should know a tenant primarily speaks a covered language, rather than knowing that they are low- or non-English proficient.

- **Other changes – electronic signatures:** The Commission's Omnibus Rulemaking, since the second proposed version, 67 D.C.R. 013598, 013768 (Nov. 20, 2020), required any signature on a final voluntary agreement to be in ink and prohibited electronic signatures. The FSHA does not directly affect this rule, but the Commission is taking this opportunity to amend the rule because, in light of general public experience since 2020 that significant business can be conducted electronically without any greater prejudice or risk of fraud or coercion than ink-and-paper signings, there is no basis to interpret the Act's signature requirement as being limited to ink only. The Commission believes that allowing electronic signatures can create efficiencies for housing providers while also reducing the risk that tenants may feel pressured or overwhelmed by in-person demands for signatures. Moreover, although some tenants may not be comfortable using electronic signature methods, that probably small number of tenants can sign on paper. The proposed rules below modify § 4213.12 to expressly allow electronic signatures.

Section 216 – Appeal procedures

- **Time limits – filing appeals:** The FSHA makes three amendments to time limits in § 216(h) of the Act (D.C. Official Code § 42-3502.16(h)), governing appeals before the Commission. First, the time for an aggrieved party to appeal a decision of the Office of Administrative Hearings ("OAH") or the Rent Administrator is extended from ten (10) days to thirty (30) days. Due to the relative shortness of the time to appeal, the Commission's current rules compute the ten-day (10-day) period as business days. In light of the extension to a full month, the proposed rules below modify § 3802.2 to construe the appeal deadline as thirty (30) calendar days.

- **Time limits – OAH records:** Second, the FSHA imposes a time limit for OAH to transmit the record when a new appeal is filed and requires the record to include transcripts of any hearings. The Commission current rules at § 3804.2 impose a deadline of sixty (60) days on OAH, and § 3804.3(b) requires transcripts be provided if any exist. The proposed rules below apply the thirty-day (30-day), statutory deadline and remove the conditional phrasing regarding transcripts.

- **Time limits – decisions:** Third, the FSHA extends the statutory deadline for the Commission to issue a decision on an appeal. The Act formerly required the Commission to issue a decision within thirty (30) days of an appeal's filing. As the Commission explained in the Omnibus Rulemaking, this was essentially impossible, and therefore the

rules in § 3802 provided a briefing and argument schedule to fill in the gaps where the agency could not meet its deadline. As amended, § 216(h) of the Act (D.C. Official Code § 42-3502.16(h)) now requires the Commission to issue a decision within one hundred twenty (120) days of an appeal being submitted for consideration, i.e., the day of oral arguments or that it is deemed submitted on the papers. The proposed rules below add a new § 3802.17 containing the statutory deadline. The proposed rule also includes the caveat that, under D.C. Court of Appeals precedent, deadlines for agency decisions in contested cases are "directory" and the failure to meet them does not strip the agency of jurisdiction or automatically entitle any party to ruling one way or the other. *See, e.g., In re Smith*, 305 A.3d 826, 848-49 & n.63 (D.C. 2023); *Hughes v. D.C. Dep't of Emp. Servs.*, 498 A.2d 567, 571 n.8 (D.C. 1985).

- **Time limits – cross appeals:** The Commission's rules currently provide that the filing of an appeal by one party does not extend the time for an opposing party to file a cross-appeal. The FSHA does not affect directly this rule, but the Commission is taking this opportunity to align its rules with those of the District of Columbia Court of Appeals. D.C. App. R. 15(a)(7) gives a party in an administrative case an additional fourteen (14) days to file a cross-petition for review in response to another party's timely petition, and the Commission believes that fairness and the interest of justice support this rule. A party that partially prevailed before OAH should have the opportunity to dispute issues that may not have been worth appealing on their own but that would become significant if the other party prevailed on its appeal. This opportunity could be lost if the initial notice of appeal is not filed until the last minute. Accordingly, the proposed rules below modify § 3802.2 to allow cross-appeals within the same time limits applicable to petitions for judicial review of agency decisions.

- **Mediation – sanctions authority:** The FSHA adds a new § 216(h-1) of the Act (D.C. Official Code § 42-3502.16(h-1)), which clarifies the authority of the Commission to order parties to attend mediation and to impose sanctions for failing to attend without good cause. The proposed rules below modify §§ 3829.4 & 3829.9 to provide that, although mediation will generally be conducted with the agreement of the parties, the Commission may also order parties to attend mediation, and sanctions may be imposed on a party that does not appear as scheduled with settlement authority.

- **Mediation – staff changes:** The Commission has recently made internal staffing changes that affect how mediation will be "facilitated" by it under § 216(h-1) of the Act (D.C. Official Code § 42-3502.16(h-1)). The Commission's current rules provide that a "designated staff member" will serve as a mediator. However, the Commission has determined this function is better served by an outside attorney or administrative judge through a contract or memorandum of understanding. The proposed rules below eliminate the reference to a Commission staff member and, in § 3829.4, make several process changes that will work better with an outside mediator.

Section 221 – Certificates of Assurance

- **Repeal:** The FSHA repeals § 221 of the Act (D.C. Official Code § 42-3502.21), which created certificates to be issued by the Mayor restricting the ability of the Council to, at a

future time, eliminate or move forward the new construction exemption or the continuous vacancy exemption provided by, respectively, § 205(a)(2) and (4) of the Act (D.C. Official Code § 42-3502.05(a)(2) & (4)). Accordingly, the proposed rules repeal § 4110. As no legislative action related to those exemptions has occurred, the Commission takes no position at this time on the effect of this repeal on certificates that were validly issued under the now-repealed provisions.

Title 14, HOUSING, of the DCMR is amended as follows:

Chapter 38, RENTAL HOUSING COMMISSION OPERATIONS AND PRCEDURES, is amended as follows:

Section 3802, FILING AND ARGUING APPEALS, is amended as follows:

Subsection 3802.2 is amended to read as follows:

3802.2 An aggrieved party shall file a notice of appeal within thirty (30) days of the issuance of a final order; provided, that if the final order has been served on the party by U.S. mail, an additional five (5) days shall be added to the time to file an appeal. If a timely notice of appeal is filed by a party, any other party may file a notice of cross-appeal within fourteen (14) days after the initial notice was filed or within thirty (30) days of the issuance of the final order, whichever period expires later.

A new subsection 3802.17 is added to read as follows:

3802.17 The Commission shall issue a decision with respect to an appeal within 120 days of the oral argument or date the case is deemed submitted in accordance with § 3802.14; provided, that failure to meet this requirement shall not deprive the Commission of jurisdiction over the matter or have the effect of affirming or reversing the order under appeal.

Section 3804, RECORD ON APPEAL: FILING, COMPOSITION, NOTICE, AND CORRECTION, is amended as follows:

Subsections 3804.1 through 3804.3 are amended to read as follows:

3804.1 Upon receipt of a notice of appeal pursuant to § 3802.2 or the initiation of a review by the Commission pursuant to § 3808.1, the Clerk shall request in writing that the Rent Administrator or the Office of Administrative Hearings forward the official record of the proceeding, unless the Commission has referred the case to mediation in accordance with § 3829.4, in which case the record shall be requested if mediation is unsuccessful.

3804.2 The Rent Administrator or the Office of Administrative Hearings, within thirty (30) days of the request by the Clerk, shall furnish to the Commission a written or electronic copy of the official record of the proceeding and shall certify that the copy is complete ("certified record").

3804.3 The certified record of a proceeding shall consist of the following:

(a) The final order and any other orders or notices issued by the Rent Administrator or the Office of Administrative Hearings;

(b) The recordings and transcripts of all hearings before the Administrative Law Judge;

(c) All papers and exhibits offered into evidence, if any, at the hearing before the Administrative Law Judge, including any files and documents found in the public record of which the Administrative Law Judge took official notice;

(d) All papers filed by the parties with the Rent Administrator and all papers filed by the parties or the Rent Administrator at the Office of Administrative Hearings; and

(e) Memoranda, if any, of *ex parte* communications as required by § 3916.

Section 3829, SETTLEMENTS, STIPULATIONS, AND MEDIATION, is amended as follows:

Subsection 3829.2 is amended to read as follows:

3829.2 A settlement, stipulation, or other agreement may be reached through the written consent of any or all affected parties, including a mediated agreement reached through mediation proceedings offered by the Commission.

Subsections 3829.4 through 3829.6 are amended to read as follows:

3829.4 At any time during case proceedings, the Commission may, on its own or by request of any party, refer a case for mediation to a qualified mediator by the following procedure:

(a) The Commission shall serve a notice to all parties offering the opportunity for mediation, and shall provide the parties fifteen (15) days to respond;

(b) Upon the receipt of a response from all parties, if more than one party agrees to mediation, or by order of the Commission without written agreement of any party, the case record, to the extent available, shall be transmitted to a designated mediator; and

(c) The designated mediator shall, no less than fifteen (15) days after receiving the case, set a date and time for mediation with the agreement of the parties, which shall be no later than twenty-one (21) days from date of the parties' agreement, unless there is good cause for agreement to a later date, or the

mediator shall return the case to the Commission if no date and time can be agreed to.

3829.5 If the Commission has issued a scheduling order in accordance with § 3802.9, it may, by motion of a party or on its own initiative, grant a continuance of all briefing, hearings, or other argument of the appeal, and may defer the issuance of a final decision and order, while mediation proceedings are pending.

3829.6 A mediator may speak privately with any party or any representative during the mediation process, and any communications made in the mediation process by or to the designated mediator shall not constitute *ex parte* communications under § 3818.

Subsections 3829.8 and 3829.9 are amended to read as follows:

3829.8 Mediation proceedings shall be confidential, closed to the public, and not recorded in any manner, with or without the consent of the parties. No statements during a mediation proceeding or any documents prepared exclusively for a mediation proceeding shall become part of the record of an appeal or be admissible in any adjudication under the Act. The designated mediator shall not disclose any information learned from his or her participation and shall be screened from internal deliberations on the case.

3829.9 Parties agreeing to participate in mediation provided by the Commission shall appear as scheduled, and any representative appearing at mediation must have authority from the party to resolve the case or issues within the scope of the mediation. If one or more parties fails to comply with this subsection, the mediator may terminate mediation and notify the Commission, and the Commission may impose appropriate sanctions for failure to comply without good cause.

Chapter 39, RENTAL ACCOMMODATIONS DIVISION, is amended as follows:

Section 3923, DECISIONS OF THE RENT ADMINISTRATOR, is amended as follows:

Subsection 3923.4 is amended to read as follows:

3923.4 The thirty (30) day time limit in which an appeal to the Commission shall be filed, as prescribed in § 216(h) of the Act (D.C. Official Code § 42-3502.16(h)) and § 3802.2 of this title, shall begin to run when the decision becomes final.

Section 3924, RECONSIDERATION OR MODIFICATION OF FINAL ORDERS, is amended as follows:

Subsection 3924.7 is amended to read as follows:

3924.7 The thirty (30) day time limit in which an appeal to the Commission shall be filed, as prescribed in § 216(h) of the Act (D.C. Official Code § 42-3502.16(h)) and

§ 3802.2 of this title, shall begin to run when a motion for reconsideration or modification is granted or denied.

Chapter 41, COVERAGE AND REGISTRATION, is amended as follows:

Section 4105, EXCLUSIONS FROM COVERAGE BY THE ACT, is amended as follows:

Subsection 4105.8 is amended to read as follows:

4105.8 An order by the Rent Administrator denying a non-profit charitable application may be appealed to the Commission within thirty (30) days of its issuance, in accordance with § 3802 of this title.

Section 4110, CERTIFICATES OF ASSURANCE is repealed.

Chapter 42, RENT STABILIZATION PROGRAM, is amended as follows:

Section 4208, RENT ADJUSTMENTS BY HOUSING PROVIDER PETITION, is amended as follows:

Subsection 4208.15 is amended to read as follows:

4208.15 A final order of the Office of Administrative Hearings approving or denying a petition, in whole or in part, may, within thirty (30) days of its service, be appealed to the Commission in accordance with § 3802 of this title by any person who appeared personally or otherwise as a party in the case and who is aggrieved by the final order. In accordance with § 3805, a housing provider shall not implement a rent adjustment authorized by a final order while an appeal of that order is pending before the Commission.

Section 4213, RENT ADJUSTMENTS BY VOLUNTARY AGREEMENT, is amended as follows:

Subsection 4213.1 is amended to read as follows:

4213.1 Seventy percent (70%) or more of the tenants of a housing accommodation, not including tenants of units exempt from the Rent Stabilization Program for any reason under § 4106, may enter into a voluntary agreement with the housing provider that, subject to the administrative approval, may:

(a) Establish reasonable rents for rental units in the housing accommodation;

(b) Alter the provision or levels of related services or facilities; or

(c) Provide for capital improvements or the performance of deferred, ordinary maintenance or repairs.

Subsection 4213.3 is amended to read as follows:

4213.3 A Proposed Voluntary Agreement, when filed with the Rent Administrator and served in accordance with §§ 4213.4, shall include:

(a) The current rent charged, as lawfully calculated and properly filed with the Rental Accommodations Division, and the proposed rent for each rental unit, including the proposed dollar amount and percentage of each rent adjustment, if applicable;

(b) The current and proposed provision or levels of related services or facilities;

(c) Any provisions for capital improvements or performance of deferred, ordinary maintenance or repairs, including the scope and costs of the work to be performed;

(d) All other conditions by which the tenants and housing provider will be bound, including:

(1) Any consideration or promises exchanged to induce the approval of any party to the voluntary agreement and copies of any written agreement(s) to those conditions; and

(2) Any other contracts or agreements that are conditioned on the signing or approval of the voluntary agreement, including agreements for the exercise, waiver, or assignment of rights under the Tenant Opportunity to Purchase Act of 1980 (D.C. Law 3-86; D.C. Official Code §§ 42-3404.01 *et seq.*) or for the settlement or dismissal of any pending or anticipated civil or administrative cases or claims, and copies of any such contracts or agreements;

(e) An explanation of why any changes proposed under paragraphs (a), (b), or (c) are not being sought through a hardship, capital improvement, services or facilities, or substantial rehabilitation petition.

(f) A list of all rental units, including vacant units, noting whether the rental unit is covered by the Rent Stabilization Program or exempt, and all tenants in the housing accommodation by name and rental unit number or identifying letter, including whether the resident(s) of any unit are employees of the housing provider, and, for covered rental units, a space for each tenant's signature and telephone number and a space for each tenant to approve or disapprove of the agreement;

(g) A list of any rental units for which the housing provider has notice that the unit is occupied by an elderly tenant or tenant with a disability, the name of each tenant in the unit, and the current rent charged for the unit;

(h) A timeline for the commencement and completion of any work to be performed through the voluntary agreement, which may be estimated and nonbinding if a binding timeline is not a term of the agreement; and

(i) A copy of D.C. Official Code § 42-3502.15 and this section.

Subsection 4213.4 is amended to read as follows:

4213.4 Prior to or simultaneously with the filing of a Proposed Voluntary Agreement with the Rent Administrator, the party initiating an application shall:

(a) Serve a copy of the Proposed Voluntary Agreement upon each tenant in the affected housing accommodation, without regard to any exemption from the Rent Stabilization Program, and the housing provider if the initiating party is not the housing provider, accompanied by a letter briefly explaining the purpose of the application, stating the amount of the proposed rent adjustment for the recipient unit, if any, and notifying the tenant of the opportunity to comment on or contest the application provided by this section; and

(b) Transmit a copy of the Proposed Voluntary Agreement to the Office of the Tenant Advocate and the Housing Provider Ombudsman.

Subsection 4213.8 is amended to read as follows:

4213.8 After the proper filing of a Proposed Voluntary Agreement, the Rent Administrator shall issue a brief notice of the following in accordance with § 4213.5:

(a) The date of filing of the application;

(b) The time periods provided by this section for negotiation, revision, and signing of the voluntary agreement;

(c) That any affected person may contest the application as provided in § 4213.18 and the time period to do so; and

(d) The process to claim an exemption as an elderly tenant or tenant with a disability or to waive that exemption under § 224 of the Act (D.C. Official Code § 42-3502.24) and § 4215 of this chapter.

Subsection 4213.12 is amended to read as follows:

4213.12 After the expiration of the Cooling-off Period, the initiating party may begin collecting signatures of tenants to approve or reject the Proposed Voluntary Agreement, including any modifications made during the Cooling-off Period. If the version circulated for signatures is different from the initial Proposed Voluntary Agreement, the initiating party shall also file a copy of the modified Proposed

Voluntary Agreement with the Rent Administrator including all information required by § 4213.3, other than paragraph (i). No tenant shall be requested to sign a modified Proposed Voluntary Agreement without being notified in writing that modifications have been made since the original filing and being given an opportunity to review the entire agreement. Signatures given to approve or reject the Proposed Voluntary Agreement may be in ink or electronic.

Subsections 4213.16 through 4213.25 are amended to read as follows:

4213.16 A Final Voluntary Agreement, when filed with the Rent Administrator, shall include:

(a) All the terms and information required by § 4213.3, other than paragraph (i);

(b) A certification that the agreement was entered into voluntarily and that no form of coercion, as defined in § 4213.22, was employed by any party involved in securing any signature;

(c) A certification that the agreement is complete and includes all terms and conditions by which the housing provider and any tenant is bound, that no further consideration or promises have been exchanged or provided to induce any party to sign the Proposed Voluntary Agreement, and that all parties have signed the same, complete agreement;

(d) Written comments submitted by any tenant of a rental unit in the housing accommodation that is exempt from the Rent Stabilization Program;

(e) The signatures of:

(1) The housing provider;

(2) Each tenant agreeing to the terms of the voluntary agreement, which shall be not less than seventy percent (70%) of the tenants of rental units covered by the Rent Stabilization Program; and

(3) Each tenant electing to sign to indicate his or her disapproval of the terms of the voluntary agreement;

(f) A certification that the filing party made a good faith effort to obtain the signature, whether agreeing to or disapproving the Proposed Voluntary Agreement and without regard to any exemption from the Rent Stabilization Program, of each tenant for whom a signature is not filed, or that a resident is an employee of the housing provider and disqualified from signing; and

(g) A certification that a translated copy of each required form published by the Rent Administrator and each document required by paragraph (a) has been

provided to each tenant that the initiating party knows or reasonably should know primarily speaks Spanish or otherwise covered by the current, annual notice published by the Commission pursuant to § 4300.23.

4213.17 After the filing of a Final Voluntary Agreement, the Rent Administrator shall dismiss, with or without prejudice any application for approval of a voluntary agreement if it is apparent without an evidentiary hearing that the filing party has not complied with the requirements of §§ 4213.2-4213.16.

4213.18 Within thirty (30) days of the service of notice of the filing of a Final Voluntary Agreement, the housing provider and any tenant of the affected housing accommodation may file with the Rent Administrator a clear and concise statement of exceptions and objections to the approval of the application.

4213.19 Exceptions and objections filed pursuant to § 4213.18 may contest whether the application should be approved or denied based on the following issues:

(a) Whether the initiating party complied with all requirements of §§ 4213.2-4213.16 and whether any failure of compliance was remedied;

(b) Whether the application must be denied for any reason provided in § 4213.20;

(c) Whether the housing accommodation is properly registered and the housing provider has all required business licenses;

(d) Whether, pursuant to § 4216.4, substantial violations of the Housing Regulations existed on the date that the application for approval of the voluntary agreement was initiated and have not yet been abated;

(e) Whether the voluntary agreement was filed as or any term of the agreement constitutes a retaliatory action prohibited by § 502 of the Act (D.C. Official Code § 42-3505.02) and § 4303 of this title; or

(f) Any other violation of § 215 of the Act (D.C. Official Code § 42-3502.15) or this section.

4213.20 An application under this section shall be denied if:

(a) All or part of any tenant's approval of a Final Voluntary Agreement has been induced by coercion; or

(b) The Final Voluntary Agreement results in unreasonable rent adjustments for any rental unit.

4213.21 For the purposes of this section, coercion shall include:

(a) The knowing circulation of inaccurate information;

(b) Frequent calls or visits over the objection of that household; or

(c) An act or threat not otherwise permitted by law that seeks to:

(1) Recover possession of a rental unit;

(2) Increase rent;

(3) Decrease services;

(4) Increase the obligation of a tenant or cause undue or unavoidable inconvenience;

(5) Harass a tenant; or

(6) Violate the privacy of the household;

(d) Refusal to honor a lease provision;

(e) Refusal to renew a lease or rental agreement; or

(f) Any other form of threat.

4213.22 For the purposes of this section, the reasonableness of any proposed rent adjustments for a rental unit in a Final Voluntary Agreement shall be determined in consideration of the following factors, as may be relevant:

(a) The cost, scope, and nature of any alterations in the provision or levels of related services or facilities in proportion to the amount of the rent adjustments and to the rents for comparable rental units;

(b) Provisions, if any, for capital improvements, the performance of deferred, ordinary maintenance or repairs, and the status or establishment of any replacement reserve fund maintained by the housing provider;

(c) Other costs stated in the Final Voluntary Agreement;

(d) The housing provider's rate of return on the housing accommodation, as defined in § 4209.8;

(e) The reason why any changes proposed are not being sought through a hardship, capital improvement, services or facilities, or substantial rehabilitation petition;

(f) Current rents for comparable rental units in housing accommodations physically near to the subject housing accommodation;

(g) The impact of any provisions on the tenants in terms of any inconvenience due to construction or relocation;

(h) The proposed financial costs to tenants, including whether tenants have or will have a rent burden greater than thirty percent (30%) of their monthly household incomes;

(i) Other terms and conditions agreed to by the housing provider and tenants, as required to be filed under § 4213.3(d);

(j) Whether any proposed disparities between tenants or classes of tenants or rental units in the percentage or amount by which the rents will be adjusted are inequitable or justified; and

(k) The purposes of the Act as stated in § 102 of the Act (D.C. Official Code § 42-3501.02).

4213.23 For the purposes of § 4213.22 (j), reduced rent adjustments for rental units occupied by elderly tenants and tenants with disabilities, whether or not the tenants qualify for an exemption pursuant to § 224(i) of the Act (D.C. Official Code § 42-3502.24(i)) and § 4215.2 of this chapter or have previously filed an application to register for protected status under § 4215, shall not be deemed inequitable or unjustified disparities in rent adjustments.

4213.24 If no exceptions and objections to a Final Voluntary Agreement are filed within thirty (30) days in accordance with § 4213.18, the Rent Administrator, within five (5) business days of the expiration of that time, shall issue a final order approving the application and serve the final order upon the housing provider and each affected tenant in the housing accommodation.

4213.25 If exceptions and objections to a Final Voluntary Agreement are filed within thirty (30) days in accordance with § 4213.18, the Rent Administrator, within fifteen (15) days of the expiration of that time, shall transfer the record of the voluntary agreement application to the Office of Administrative Hearings for a hearing and decision on each issue raised in the exceptions and objections.

Subsection 4213.29 is amended to read as follows:

4213.29 A final order of the Rent Administrator or the Office of Administrative Hearings approving or denying an application under this section may, within thirty (30) days of its issuance, be appealed to the Commission in accordance with § 3802 of this title by any party to the case that is aggrieved by the final order. In accordance with

§ 3805, a housing provider shall not implement a rent adjustment authorized by a final order while an appeal of that order is pending before the Commission.

All persons desiring to comment on these proposed regulations should submit comments in writing to:

Daniel Mayer, General Counsel
Rental Housing Commission
441 Fourth Street, N.W., Suite 1140-B North
Washington, D.C. 20001

Or, via email to: daniel.mayer@dc.gov.

Prospective commenters are strongly encouraged to submit comments via email. Persons with questions concerning this notice of proposed rulemaking should call (202) 442-8949. To be considered, all comments must be received or postmarked no later than Monday, August 18, 2025. Copies of the proposed rules may be obtained at the address above and online at https://rhc.dc.gov/page/rental-housing-act-and-regulations.

GOVERNMENT OF THE DISTRICT OF COLUMBIA

ADMINISTRATIVE ISSUANCE SYSTEM

Mayor's Order 2025-081
July 10, 2025

SUBJECT: Delegation — Authority to the Director of the Office of Victim Services and Justice Grants to Administer the Private Security Camera System Incentive Program and Fund

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(6) and (11) of the District of Columbia Home Rule Act, approved December 24, 1973, 87 Stat. 792, Pub. L. 93-198, D.C. Official Code § 1-204.22(6) and (11), it is hereby **ORDERED** that:

1. The Director of the Office of Victim Services and Justice Grants ("Director") is delegated the authority vested in the Mayor by Subtitle K of Title I of the Neighborhood Engagement Achieves Results Amendment Act of 2016, effective June 30, 2016, D.C. Law 21-125; D.C. Official Code § 7-2831 *et seq.*, ("NEAR Act") to administer the Private Security Camera System Incentive Program and the Private Security Camera Incentive Fund and to issue rules to implement section 214 of the NEAR Act.

2. The authority delegated herein to the Director, with the exception of the authority to issue rules, may be further delegated by the Director to subordinates under his or her jurisdiction.

3. This Order supersedes all other prior Mayor's Orders to the extent of any inconsistency.

4. **EFFECTIVE DATE:** This Order shall become effective immediately.

MURIEL BOWSER
MAYOR

ATTEST: Kimberly A. Bassett
KIMBERLY A. BASSETT
SECRETARY OF STATE OF THE DISTRICT OF COLUMBIA

GOVERNMENT OF THE DISTRICT OF COLUMBIA

ADMINISTRATIVE ISSUANCE SYSTEM

Mayor's Order 2025-082
July 15, 2025

SUBJECT: Designation of Special Event Area — United States Department of Transportation Car Show

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), and pursuant to 19 DCMR § 1301.8, it is hereby **ORDERED** that:

1. This Order applies to certain special event activities associated with the United States Department of Transportation Car Show that will be held at the United States Department of Transportation headquarters on Thursday, July 17, 2025.

2. On Thursday July 17, 2025, between the hours of 5:00 a.m. and 5:00 p.m., New Jersey Avenue, SE, between M Street, SE, and Tingey Street, SE, shall be designated as a Special Event Area and closed to vehicular traffic to accommodate United States Department of Transportation Car Show activities.

3. No parking shall be allowed in, and all vehicles shall be removed from, the Special Event Area during the period of time specified in paragraph 2 of this Order.

4. The restrictions in paragraphs 2 and 3 of this Order shall not apply to authorized vehicles participating in the United States Department of Transportation Car Show.

5. The United States Department of Transportation is authorized to operate this Special Event Area and to conduct necessary and appropriate activities relating to the United States Department of Transportation Car Show in the Special Event Area.

6. This Order is an authorization for the closure of the designated streets only. The operating entity shall secure and maintain all other licenses and permits applicable to the activities associated with the operation of the event on the designated street. All building, health, life, safety, and use of public space requirements shall remain applicable to the Special Event Area designated by this Order.

7. **EFFECTIVE DATE:** This Order shall become effective immediately.

MURIEL BOWSER
MAYOR

ATTEST: _____
KIMBERLY A. BASSETT
SECRETARY OF STATE OF THE DISTRICT OF COLUMBIA

ACADEMY OF HOPE ADULT PUBLIC CHARTER SCHOOL

REQUEST FOR PROPOSALS

Turnkey Design-Build, FF&E and Occupancy Services

Academy of Hope Adult Public Charter School (AoH), founded in 1985, is a respected nonprofit educational institution in Washington, D.C., committed to empowering adults through high-quality education and workforce training. Serving learners ages 18 and older, AoH offers a variety of free programs, including GED preparation, the National External Diploma Program (NEDP), college and career readiness services, and workforce training in high-demand fields such as healthcare, phlebotomy, medical billing and coding, information technology, and project management. AoH is distinguished by its student-centered approach, featuring small class sizes, flexible scheduling with day and evening options, hybrid learning models, and comprehensive support services including career development and college counseling. The school's mission is to empower adult learners to transform their lives and communities by creating pathways to economic mobility.

AoH is seeking services from a qualified Design-Build contractor to deliver a fully coordinated, code-compliant, LEED Silver-consistent educational facility fit-out, including demolition, reuse of existing materials, design documentation, permitting, construction, FF&E (furniture, fixtures, and equipment) procurement and installation, and occupancy. The D-B team will work closely with AoH's staff and will be responsible for all permits, inspections, safety compliance, and coordination with landlord building standards. Detailed technical requirements, deliverables, and evaluation criteria are outlined in the full RFP.

For detailed project scope and requirements, please refer to the full RFP available on our website. Responses must be submitted electronically via email to Dawud Abdur-Rahman at dawud@darpmconsulting.com by 5:00 PM EDT, **August 11, 2025**. Please contact Dawud Abdur-Rahman at 240-682-2657 with any questions you may have regarding this RFP.

- Vendors should align with Academy of Hope's core values: CARES—Community, Acceptance, Respect, Empowerment, and Service. We seek partners who foster inclusive, authentic environments and actively engage with the communities they serve. We welcome vendors who demonstrate these values through inclusive hiring, community partnerships, and socially responsible practices.

You can find the full request for proposal and submission instructions at https://aohdc.org/get-involved/jobs/

ALCOHOLIC BEVERAGE AND CANNABIS ADMINISTRATION
ALCOHOLIC BEVERAGE AND CANNABIS BOARD

NOTICE OF LICENSEE EXTENSION OF HOURS
FROM SEPTEMBER 12, 2025 TO SEPTEMBER 14, 2025

The Alcoholic Beverage and Cannabis Board ("Board"), pursuant to the authority set forth in D.C. Official Code § 25-723(g), hereby gives notice that it is extending the authorized hours of sales, service, and consumption of alcoholic beverages at, and authorized hours of operation of, on-premises retailer licensees, manufacturers holding an on-site sales and consumption permit, and temporary licensees (collectively, "eligible licensees") for the period of Friday evening, September 12, 2025 until 4:00 a.m. on Sunday, September 14, 2025. Specifically, the Board is authorizing each eligible licensee to extend its hours of sales, service, and consumption of alcoholic beverages until 4:00 a.m. and extend its hours of operation to 24 hours each day, during the designated period, if the eligible licensee: (1) registers with the Board by September 9, 2025, and (2) pays a $100 fee.

The Board is taking this action pursuant to the authority provided by the On-Premises and On-Site Extended Hours Program Amendment Act of 2025, effective June 10, 2025 (D.C. Act 26-6) ("Act"). The Act added a new subsection (g) to section 25-723 of Title 25 of the District of Columbia Official Code. This new subsection authorizes the Board to extend the authorized hours of sales, service, and consumption of alcoholic beverages at on-premises retailer licensees, manufacturers holding an on-site sales and consumption permit, and temporary licensees until 4:00 a.m., and the hours of operation to 24 hours a day, for cultural events, sporting events, or tourism-related events; provided, that the licensee registers with the Board, pays the registration fee as established by the Board, and provides written notice to the Board no later than 3 calendar days before the first day of the event of its extended hours of operations, sales, service, and consumption.

Under the law, a cultural event is defined as an event "that aims to highlight the customs, arts, music, dances, or cuisines of various cultures through performances and displays of artistic expression," D.C. Official Code § 25-723(g)(5)(A); a sporting event is defined as "a professional or amateur event involving a game or athletic competition that occurs either once annually or every 4 years that is organized by a league or association," D.C. Official Code § 25-723(g)(5)(B); and a tourism-related events is defined as "major festival, convention, or trade show, with the potential to attract visitors from outside a 50-mile radius of the District, and that is likely to produce a significant positive financial impact for the District," D.C. Official Code § 25-723(g)(5)(C).

The Art All Night 2025 program will begin on Friday, September 12, 2025, and run through Saturday, September 13, 2025. This cultural event features a citywide festival that provides visual and performing arts attractions at indoor and outdoor public and private spaces all over the city and is expected to attract many residents and visitors to the District of Columbia.

In light of this important upcoming event, on July 9, 2025, the Board, in a 5-0 vote, decided to approve extending the hours of operation and alcohol sales for eligible licensees beginning

Friday evening, September 12, 2025, through 4:00 a.m. on Sunday morning, September 14, 2025.

The Board also directed ABCA to provide notice of these extended hours to the Metropolitan Police Department ("MPD") at least 48 hours before the extended hours of operation take effect, and to provide MPD with a list of the licensees authorized to participate in the extended hours. The Board also directed ABCA to promptly post notice of the Board's action to authorize the extended hours on the ABCA website and to promptly submit this notice to the Administrator of the Office of Documents and Administrative Issuances for publication in the *District of Columbia Register*.

DEPARTMENT OF BUILDINGS

NOTICE OF SUBSTANTIAL UNDUE ECONOMIC HARDSHIP DETERMINATION

Office of Strategic Code Enforcement

RE:

Address:	**Square:**	**Lot:**
1707 C St. NE	1093	0090

Dear Sir/Madam:

The Department of Buildings, (DOB), has reviewed and **granted** your request for Hardship for the above property for real property tax year for **FY2024** for the following reasons: **You provided sufficient evidence to support your extraordinary circumstances and hardship.**

> *Pursuant to D.C. Code §42-3131§.06 (b), Paragraph 5, "A vacant building shall be exempted by the Mayor in extraordinary circumstances and upon a showing of substantial undue economic hardship.*
> *(B) The exemption may be granted for a period of up to 24 months, subject to renewal on the basis of continuing extraordinary circumstances and substantial undue economic hardship."*

Annually you are required by law to register vacant property or seek an exemption for the current tax year. DOB will immediately notify the Office of Tax and Revenue (OTR) to reclassify the subject property as exempt or Class 1/Class 2. Please visit mytax.dc.gov to inquire about refunds, updated tax bills or payment.

DOB reserves the right to revoke this exemption if the building is not maintained in accordance with the Vacant Building Maintenance standards, or if disqualifying information is obtained. To learn more about the vacant building registration process or inspection requirements, please visit dob.dc.gov.

If you have questions regarding this decision, please email dob.blight-economichardship-appeals@dc.gov.

Sincerely,

Lamir Whetstone
Interim Program Manager
Vacant Building Administration
(202) 221.8544
lamir.whetstone1@dc.gov

DEPARTMENT OF BUILDINGS

NOTICE OF SUBSTANTIAL UNDUE ECONOMIC HARDSHIP DETERMINATION

Office of Strategic Code Enforcement

RE:

Address:	**Square:**	**Lot:**
3018 25th St. NE	4288	0023

Dear Sir/Madam:

The Department of Buildings, (DOB), has reviewed and **granted** your request for Hardship for the above property for real property tax year for **FY2024** for the following reasons: **You provided sufficient evidence to support your extraordinary circumstances and hardship.**

> *Pursuant to D.C. Code §42-3131§.06 (b), Paragraph 5, "A vacant building shall be exempted by the Mayor in extraordinary circumstances and upon a showing of substantial undue economic hardship.*
> *(B) The exemption may be granted for a period of up to 24 months, subject to renewal on the basis of continuing extraordinary circumstances and substantial undue economic hardship."*

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If you have questions regarding this decision, please email dob.blight-economichardship-appeals@dc.gov.

Sincerely,

Lamir Whetstone
Interim Program Manager
Vacant Building Administration
(202) 221.8544
lamir.whetstone1@dc.gov

CEDAR TREE ACADEMY PUBLIC CHARTER SCHOOL

REQUEST FOR PROPOSALS

MULTIPLE SERVICES

Cedar Tree Academy Public Charter School invites proposals to provide the following:

- Janitorial supplies
- Advertising (Metro, transit shelters, radio and other media)
- IT services
- School Uniforms
- Document Management Services

Bid specifications may be obtained from our website at www.Cedartree-dc.org. Any questions regarding these bids must be submitted in writing to Lhenderson@Cedartree-dc.org before the RFP deadline. Bids must be submitted to Dr. LaTonya Henderson, Executive Director, Cedar Tree Academy PCS 701 Howard Road SE, Washington DC 20020.

Cedar Tree Academy will receive bids until Thursday, July 31, 2025, no later than 4:00PM.

COMMUNITY COLLEGE PREPARATORY ACADEMY PUBLIC CHARTER SCHOOL

REQUEST FOR PROPOSALS

Armed Security Services

Community College Preparatory Academy is seeking proposals from individuals or companies to provide Armed Security Services for the 2025-2026 school year.

To request a full copy of the RFP, please email accounting@ccprep-academy.org, copied to Larry.Palmer@ccprep-academy.org.

Bids that do not address all areas as outlined in the RFP or bids received past the deadline will not be considered.

Send proposal by 12:00 pm, August 1, 2025, via email to accounting@ccprep-academy.org, copied to Larry.Palmer@ccprep-academy.org.

For additional information, please contact:

Larry Palmer
Community College Preparatory Academy, PCS
1801 U Street SE
Washington, DC 20020
Larry.Palmer@ccprep-academy.org

BOARD OF ELECTIONS

CERTIFICATION OF ANC/SMD VACANCY

The District of Columbia Board of Elections hereby gives notice that there is a vacancy in (1) one Advisory Neighborhood Commission office, certified pursuant to D.C. Official Code § 1-309.06(d)(2).

VACANT: 2A02

Petition Circulation Period: **Monday, July 21, 2025 through Monday, August 11, 2025**
Petition Challenge Period: **Thursday, August 14, 2025 through Wednesday, August 20, 2025**

Note: The deadline to file petitions or challenges is **4:45 p.m.** on the date listed above.

Candidates seeking the Office of Advisory Neighborhood Commissioner, or their representatives, may pick up nominating petitions by email at candidate@dcboe.org or in-person during office hours at the following location:

D.C. Board of Elections
1015 Half Street, SE, Suite 750
Washington, DC 20003

For more information, the public may call **202-727-2525**.

BOARD OF ELECTIONS

Certification of Filling a Vacancy
In Advisory Neighborhood Commission

Pursuant to D.C. Official Code §1-309.06(d)(6)(D), if there is only one person qualified to fill the vacancy within the affected single-member district, the vacancy shall be deemed filled by the qualified person. As such, the Board hereby certifies that the vacancy has been filled in the following single-member district by the individual listed below:

Maya Vizvary
Single-Member District **5B06**

D.C. BOARD OF ELECTIONS
MONTHLY REPORT OF VOTER REGISTRATION STATISTICS
CITYWIDE REGISTRATION SUMMARY
AS OF JUNE 30, 2025

WARD	DEM	REP	STG	N-P	OTH	TOTALS
1	44,278	2,045	602	10,002	322	57,249
2	36,334	3,737	323	10,953	343	51,690
3	40,476	4,075	412	10,911	326	56,200
4	47,773	2,141	583	9,466	335	60,298
5	53,135	2,440	736	11,169	481	67,961
6	48,227	5,509	502	12,468	439	67,145
7	47,846	2,018	600	9,397	437	60,298
8	42,474	2,460	597	9,884	478	55,893
TOTALS	**360,543**	**24,425**	**4,355**	**84,250**	**3,161**	**476,734**
Percentage by Party	**75.63%**	**5.12%**	**0.91%**	**17.67%**	**0.66%**	**100.00%**

DISTRICT OF COLUMBIA BOARD OF ELECTIONS MONTHLY REPORT OF
VOTER REGISTRATION STATISTICS AND REGISTRATION TRANSACTIONS
AS OF THE END OF JUNE 30, 2025

COVERING CITY-WIDE TOTALS BY:
WARD, PRECINCT, AND PARTY

1015 HALF STREET, SE SUITE 750
WASHINGTON, DC 20003
(202) 727-2525
http://www.dcboe.org



D.C. BOARD OF ELECTIONS
MONTHLY REPORT OF VOTER REGISTRATION STATISTICS
WARD 1 REGISTRATION SUMMARY
AS OF JUNE 30, 2025

PRECINCT	DEM	REP	STG	N-P	OTH	TOTALS
20	847	38	10	183	7	1,085
22	4,225	287	25	916	27	5,480
23	2,974	134	40	650	23	3,821
24	2,788	150	22	630	18	3,608
25	4,175	241	50	966	27	5,459
35	3,501	113	53	749	25	4,441
36	3,966	202	52	850	24	5,094
37	4,017	147	55	1,019	37	5,275
38	2,740	115	40	669	23	3,587
39	3,937	152	56	836	22	5,003
40	3,228	127	73	645	23	4,096
41	3,192	161	58	892	33	4,336
42	1,703	71	29	380	9	2,192
43	1,815	58	25	375	12	2,285
137	1,170	49	14	242	12	1,487
TOTALS	**44,278**	**2,045**	**602**	**10,002**	**322**	**57,249**

D.C. BOARD OF ELECTIONS
MONTHLY REPORT OF VOTER REGISTRATION STATISTICS
WARD 2 REGISTRATION SUMMARY
AS OF JUNE 30, 2025

PRECINCT	DEM	REP	STG	N-P	OTH	TOTALS
2	572	71	7	273	5	928
3	1,744	253	22	654	25	2,698
4	2,360	319	21	863	30	3,593
5	2,236	429	22	888	34	3,609
6	2,295	490	21	1,160	25	3,991
13	1,342	159	12	405	11	1,929
14	2,814	265	27	797	26	3,929
15	3,086	227	23	754	24	4,114
16	3,691	273	18	879	18	4,879
17	4,655	350	37	1,292	33	6,367
18	4,615	266	35	1,025	35	5,976
21	1,078	41	12	219	11	1,361
129	3,245	405	43	1,150	38	4,881
141	2,601	189	23	594	28	3,435
TOTALS	**36,334**	**3,737**	**323**	**10,953**	**343**	**51,690**

D.C. BOARD OF ELECTIONS
MONTHLY REPORT OF VOTER REGISTRATION STATISTICS
WARD 3 REGISTRATION SUMMARY
AS OF JUNE 30, 2025

PRECINCT	DEM	REP	STG	N-P	OTH	TOTALS
7	1,406	260	15	516	18	2,215
8	2,855	531	16	948	24	4,374
9	1,044	296	6	405	10	1,761
10	1,978	287	14	687	22	2,988
11	3,343	335	58	1,087	49	4,872
12	652	140	2	258	7	1,059
26	3,153	215	23	757	21	4,169
27	2,432	177	23	545	9	3,186
28	2,516	299	32	713	17	3,577
29	1,740	126	21	502	17	2,406
30	1,525	168	10	395	14	2,112
31	2,555	227	21	565	15	3,383
32	2,965	200	27	712	24	3,928
33	2,993	159	30	624	20	3,826
34	3,640	199	49	913	15	4,816
50	2,251	219	29	528	26	3,053
136	1,251	76	13	293	6	1,639
138	2,177	161	23	463	12	2,836
TOTALS	**40,476**	**4,075**	**412**	**10,911**	**326**	**56,200**

D.C. BOARD OF ELECTIONS
MONTHLY REPORT OF VOTER REGISTRATION STATISTICS
WARD 4 REGISTRATION SUMMARY
AS OF JUNE 30, 2025

PRECINCT	DEM	REP	STG	N-P	OTH	TOTALS
45	2,212	72	30	396	11	2,721
46	2,830	80	37	497	25	3,469
47	3,174	123	52	651	24	4,024
48	2,751	111	35	588	16	3,501
49	970	43	14	225	7	1,259
51	3,621	366	18	659	19	4,683
52	1,479	100	4	270	7	1,860
53	1,064	62	18	235	8	1,387
54	2,175	82	30	461	19	2,767
55	2,266	71	25	447	12	2,821
56	3,005	116	44	622	26	3,813
57	2,261	93	35	525	17	2,931
58	1,935	70	24	393	21	2,443
59	2,407	78	21	424	11	2,941
60	2,058	151	29	627	33	2,898
61	1,468	70	21	311	15	1,885
62	3,641	143	37	594	7	4,422
63	3,687	154	57	715	21	4,634
64	2,153	64	22	380	19	2,638
65	2,616	92	30	446	17	3,201
TOTALS	**47,773**	**2,141**	**583**	**9,466**	**335**	**60,298**

D.C. BOARD OF ELECTIONS
MONTHLY REPORT OF VOTER REGISTRATION STATISTICS
WARD 5 REGISTRATION SUMMARY
AS OF JUNE 30, 2025

PRECINCT	DEM	REP	STG	N-P	OTH	TOTALS
19	4,458	207	76	1,001	42	5,784
44	2,383	186	43	605	24	3,241
66	4,327	142	44	767	37	5,317
67	2,707	98	24	484	15	3,328
68	1,841	142	29	358	18	2,388
69	2,060	70	24	368	12	2,534
70	1,387	65	30	287	9	1,778
71	2,270	82	35	445	21	2,853
72	3,940	157	59	779	41	4,976
73	1,766	82	21	309	14	2,192
74	5,167	287	86	1,240	56	6,836
75	4,867	232	58	1,092	42	6,291
76	2,899	152	34	762	43	3,890
77	2,707	137	49	574	31	3,498
78	2,747	118	33	615	22	3,535
79	1,943	88	30	478	16	2,555
135	2,734	117	32	526	20	3,429
139	2,932	78	29	479	18	3,536
TOTALS	**53,135**	**2,440**	**736**	**11,169**	**481**	**67,961**

D.C. BOARD OF ELECTIONS
MONTHLY REPORT OF VOTER REGISTRATION STATISTICS
WARD 6 REGISTRATION SUMMARY
AS OF JUNE 30, 2025

PRECINCT	DEM	REP	STG	N-P	OTH	TOTALS
1	5,153	450	56	1,541	44	7,244
81	3,266	293	31	703	25	4,318
82	2,661	207	29	598	24	3,519
83	3,452	281	36	766	29	4,564
84	1,986	337	19	495	16	2,853
85	2,646	444	23	682	24	3,819
88	2,032	246	13	459	21	2,771
89	2,587	468	24	702	25	3,806
90	1,584	181	16	433	20	2,234
91	4,247	358	40	1,019	36	5,700
127	4,570	371	63	1,119	32	6,155
128	2,177	169	26	569	12	2,953
130	3,702	1,046	27	1,200	61	6,036
142	2,898	292	46	926	26	4,188
143	346	27	4	54	3	434
144	4,920	339	49	1,202	41	6,551
TOTALS	**48,227**	**5,509**	**502**	**12,468**	**439**	**67,145**

D.C. BOARD OF ELECTIONS
MONTHLY REPORT OF VOTER REGISTRATION STATISTICS
WARD 7 REGISTRATION SUMMARY
AS OF JUNE 30, 2025

PRECINCT	DEM	REP	STG	N-P	OTH	TOTALS
80	1,794	226	57	442	23	2,542
86	2,888	195	43	660	35	3,821
87	2,599	209	27	579	24	3,438
92	1,303	32	18	222	10	1,585
93	1,464	42	20	270	14	1,810
94	1,799	71	25	367	17	2,279
95	1,641	62	21	358	17	2,099
96	1,745	53	16	313	15	2,142
97	1,294	48	20	269	14	1,645
98	1,955	75	23	398	18	2,469
99	1,267	48	12	295	13	1,635
100	2,105	68	18	402	11	2,604
101	1,399	46	16	255	16	1,732
102	2,211	98	30	384	21	2,744
103	2,786	86	40	506	20	3,438
104	2,849	109	44	575	29	3,606
105	2,199	82	23	492	20	2,816
106	2,453	69	20	484	20	3,046
107	1,064	43	9	200	12	1,328
108	956	26	4	144	5	1,135
109	868	37	6	137	5	1,053
110	3,293	104	32	504	25	3,958
111	1,985	65	31	402	20	2,503
113	2,079	67	17	372	21	2,556
132	1,850	57	28	367	12	2,314
TOTALS	**47,846**	**2,018**	**600**	**9,397**	**437**	**60,298**

D.C. BOARD OF ELECTIONS
MONTHLY REPORT OF VOTER REGISTRATION STATISTICS
WARD 8 REGISTRATION SUMMARY
AS OF JUNE 30, 2025

PRECINCT	DEM	REP	STG	N-P	OTH	TOTALS
112	1,389	42	18	300	11	1,760
114	2,928	140	53	728	43	3,892
115	1,890	64	25	412	18	2,409
116	2,599	105	35	622	25	3,386
117	2,618	93	32	588	28	3,359
118	3,066	101	44	649	31	3,891
119	1,683	89	26	359	25	2,182
120	2,005	75	25	409	22	2,536
121	3,146	117	36	663	21	3,983
122	1,977	81	26	415	17	2,516
123	1,707	190	34	515	26	2,472
124	2,178	91	37	437	19	2,762
125	3,531	125	53	733	49	4,491
126	3,105	161	64	764	32	4,126
131	3,885	782	33	1,375	62	6,137
133	1,476	66	15	257	12	1,826
134	1,747	68	27	341	19	2,202
140	1,544	70	14	317	18	1,963
TOTALS	**42,474**	**2,460**	**597**	**9,884**	**478**	**55,893**

DEPARTMENT OF EMPLOYMENT SERVICES

NOTICE OF PUBLIC MEETING

District of Columbia Poverty Commission

July 22, 2025

1pm-4pm (Virtual) You can obtain the virtual link currently through Open DC.

The Poverty Commission will have 19 Community Representatives: 11 At-large Representatives and 8 Ward Representatives. The Commission will have 8 non-voting ex-officio members. We will meet the fourth Tuesday of each month for our public meeting. It will be a hybrid format. The virtual link will be provided 24 hours before the meeting. The meeting will take place from 1pm-4pm. You can find the link located at Open DC.

The purpose of the commission is to study issues surrounding poverty; evaluate current and previous poverty-reduction initiatives in the District and throughout the country to determine their effectiveness; and based on the Commission's research and evaluations, make comprehensive and continuing recommendations to the Mayor and the Council for strengthening and enhancing the economic status of persons in poverty in the District through initiatives that will also improve individuals' educational, wellness, and housing outcomes.

"This meeting is governed by the Open Meetings Act. Please address any questions or complaints arising under this meeting to the Office of Open Government at opengovoffice@dc.gov." 3 DCMR § 10409.2"

Virtual: Registration Link Available Here

AGENDA

I.	Opening of Meeting & Roll Call	1:00 PM
II.	Review and Approval of June Meeting Minutes	1:05 PM
III.	Chairperson's Report	1:10 PM
IV.	Discussion Items	1:30 PM
	a. Org Chart and Defining Roles	
	b. Poverty Reduction Plan	
	c. Membership Preferences Survey Results	
	d. Updates on Policy Tracker	
	e. Planning for Listening Sessions	
V.	Next Steps	3:45 PM
VI.	Updates	3:50 PM
VII.	Announcements	3:55 PM
VIII.	Adjournment	4:00 PM

DEPARTMENT OF ENERGY AND ENVIRONMENT

NOTICE OF INTENT TO ISSUE WATER QUALITY CERTIFICATION

Notice is hereby given that, pursuant to 21 DCMR Chapters 25 and 26, and 33 U.S.C § 1341, the Regulatory Review Division (RRD) of the Department of Energy & Environment (DOEE), located at 1200 First Street NE, 5th Floor, Washington, DC, intends to issue Water Quality Certification (WQC) #WQC-DC-2025-179 to Dewberry on behalf of Virginia Passenger Rail Authority (Permittee), to Washington, DC. The proposed work includes installing test piles and marine access points to support the design and construction of the Long Bridge South project. The contact person for the project is Stephen Ott, sott@dewberry.com. **Contact information to request a public hearing is included at the end of the notice.**

Proposed Aquatic Resource Impacts:

Resource Type (stream/wetland)	Classification	Impact Size (square feet)	Activity Type	Impact Type (permanent/temporary)
Potomac River	Perennial	4142	Fill	Permanent

The following conditions will be included in the WQC:

1. The Permittee shall incorporate best management practices as an integral part of the performance of the work to ensure the activity will meet the Water Quality Standards of the District of Columbia and have minimal impact to the waters of the District of Columbia.

2. Any water impacted by the project shall be pumped to an appropriate treatment system in order to comply with the Water Pollution Control Act of 1984, D.C. Official Code § 8-103.02 and 21 DCMR § 1104.

3. Any oil sheen or other visible evidence of hydrocarbons or other pollution generated (e.g., color changes in the water column, turbidity plumes) during any of the activities shall be immediately reported to DOEE Industrial Stormwater and Wastewater Branch at (202) 805-1355 and contained (e.g., oil boom, sorbent materials) or containerized in a sealed container in accordance with D.C. Official Code § 8-103.08.

4. All excavated (e.g., dredged) sediments and sampling sediments (e.g., within cofferdams or excess sediment samples), drill cuttings, drilling mud, and wastes (both solid and liquid) shall be contained, sampled, and analyzed for disposal at appropriate disposal sites. The wastes shall not be used as backfill material in the water body or on land in order to comply with the Water Pollution Control Act of 1984, D.C. Official Code § 8-103.02 and 21 DCMR § 1104.

5. All debris and wastewater must be captured and not enter the river and shall be contained and disposed of properly at an appropriate treatment facility to prevent materials from entering the water body in order to comply with the Water Pollution Control Act of 1984, D.C. Official Code § 8-103.02 and 21 DCMR § 1104.

6. All pilings, drillings, wells, or borings shall be drilled and installed in a manner that prevents cross-contamination of surface water and groundwater aquifers. This includes decontaminating drilling and sampling equipment after each use and using a temporary surface casing, in order to comply with Water Pollution Control Act of 1984, D.C. Official Code § 8-103.02 and 21 DCMR § 1104.

7. To control turbidity, sediments, and work materials (e.g., concrete, sand, lumber) in the water body:
    a. Weighted turbidity curtains must be used if sediments are being disturbed or if the Permittee uses anchored equipment such as boats or barges.

    b. Weighted turbidity curtains must be used in all activity/work areas and around equipment and cofferdams, and dewatering return areas. Turbidity curtains must be kept closed during all work activity.

    c. The turbidity curtains must be in place after the equipment is brought into the work area, but before the equipment is anchored (i.e., before setting anchors) and before sediment disturbing activities begin. This is necessary to prevent sediments, contaminants, and work materials (e.g., concrete, sand, lumber) from escaping the work area and being reintroduced into the water column during the work activity. Turbidity curtains must not be dragged along the bottom while moving the barge/equipment.

    d. The turbidity curtains must be properly anchored. Depth and placement of the turbidity curtain must be based on manufacturer's specifications for the site conditions, and encompass the entire area of activity, including cofferdams, barges, boats, and limits-of-disturbance, plus any equipment in the water. Turbidity curtains must be able to withstand normal tidal or stream flow fluctuations.

    e. In the case that the turbidity curtains and/or anchors are causing turbidity during high currents, wakes or waves, they shall be removed until conditions return that allow their beneficial use.

8. To monitor turbidity in the water body to ensure compliance with District of Columbia Water Quality Standards in 21 DCMR § 1104.8, the Permittee shall:
    a. Establish background turbidity and measure turbidity by using U.S. Environmental Protection Agency (EPA) approved methods in accordance with procedures outlined in 40 C.F.R. Part 136. Background turbidity must be established daily before starting sediment disturbing activities, before equipment is anchored, and before any turbidity curtains or cofferdams are in place.

Background turbidity measurements shall be taken at the following locations and depths:

i. Within 25 feet upstream and 25 feet downstream, outside of the curtains.

ii. At multiple measurement depths depending on the water body depth, consistent with the table below.

Water Depth (ft)	# Measurements Depths	Water Column Measurement Depths
<1	1	Middle
1 to 4	2	¼ from bottom and ¾ from bottom
> 4	4	¼ from bottom, middle, ¾ from bottom, surface

b. Once the operations begin, turbidity measurements must be taken at least every hour from the same locations and depths established for the background measurement throughout the duration of the sediment disturbing activities.

c. If any turbidity measurements exceed a maximum of 20 Nephelometric Turbidity Units (NTU) above background turbidity, a visual sediment plume is observed coming out of the sediment-disturbing activity location, or the turbidity exceeds the District of Columbia Water Quality Standards in 21 DCMR § 1104.8 the Permittee shall take the following actions:

i. Immediately stop all activities and implement best management practices until there is no more sediment escaping t he sediment-disturbing activity location; and

ii. When measured turbidity is less than or equal to the background turbidity, the Permittee may resume the work; and

iii. Per DOEE regulations, sediment plumes must be reported to DOEE Industrial Stormwater and Wastewater Branch at (202) 897-5341 or mary.polacek@dc.gov immediately.

d. The contractor may elect to use cofferdams and local dewatering to perform work "in the dry" within the cofferdams. In this case, the hydrostatic pressure of the water would prevent the escape of materials from the internal cofferdam working area. Should cofferdams be installed to allow for dewatering of the worksite, turbidity monitoring shall occur during cofferdam installation, initial draw down, and any maintenance dewatering.

e. Prior to opening turbidity curtains, turbidity measurements must be taken inside the turbidity curtains. The turbidity curtains must not be opened until the levels inside the turbidity curtains are below the 20 NTU maximum differential.

f. The turbidity readings must be recorded in a logbook and kept on site. In addition to the turbidity readings, records must also be kept of the date and time of the readings, and name(s) of the person(s) taking the sample and making the readings.

g. If there is no water present on any certain day during operations, that information shall be recorded in the log book.

9. The Permittee shall obtain all necessary permits and other authorizations from appropriate federal and local offices, including permits for Stormwater Management and Erosion and Sediment Control from DOEE in accordance with 21 DCMR §§ 516-534 and 540-547. All staging and temporary activity areas not covered by any permit shall have adequate soil erosion and sedimentation measures.

10. The Permittee shall obtain all required permits and authorizations from the U.S. National Park Service. Please contact the Right-of-Way Program Coordinator at laura_brockington@nps.gov for more information.

11. The Permittee shall obtain all required permits and authorizations from the U.S. Coast Guard and Metropolitan Police Department Harbor Patrol in accordance with 19 DCMR §§ 1001-1005, 1028-1030, and 1033.

12. Temporary impacts to the Potomac River must be mitigated in-place by restoring those resources to pre-construction condition or better.

13. As detailed in the mitigation plan submitted by the VPRA Long Bridge project (WQC-DC-2024-143), the Permittee will mitigate for permanent impacts from this test pile project by payment into the District Wetland and Stream Mitigation Trust Fund.

14. Reporting Requirements:
    a. The Permittee shall submit written notification to DOEE RRD at least seven (7) business days before work commences in accordance with 21 DCMR § 2502.3.

    b. If the Permittee observes any water quality standard exceedances at the site, the Permittee must notify DOEE Industrial Stormwater and Wastewater Branch immediately at (202) 805-1355, stop the work, prepare and submit for review and approval a corrective action plan, and then implement the DOEE-approved corrective action plan in accordance with D.C. Official Code § 8-103.08.

    c. Through the duration of permitted activities, the permittee shall submit weekly turbidity monitoring reports to DOEE RRD through the Surface and Groundwater System (SGS) by the close of business every Tuesday after the one-week reporting period. Reports should contain the data recorded in the logbook kept onsite, including:
        i. the date and time of each turbidity reading,
        ii. the daily background turbidity readings,

iii. the calculated differential of each reading compared to the daily background reading,
   a. If any readings exceeded 20 Nephelometric Turbidity Units (NTU) above background turbidity, provide details on how activities were stopped, confirmation that DOEE Industrial Stormwater and Wastewater Branch was notified, and details on best management practices that were implemented until the 20 NTU maximum differential was reached.
iv. name(s) of the person(s) taking the sample and recording the readings,
v. location and distance of each measurement relative to the turbidity curtain or cofferdam/dewatering equipment,
vi. depth of each reading,
vii. notes, and
viii. photos (as applicable).

d. The Permittee shall submit a final report to SGS no later than seven (7) days after completion of permitted activities to notify the inspector for project closeout.

The application for a WQC, supporting documents, and the draft WQC may be made available upon request. Interested parties wishing to view these documents should provide their names, email addresses, telephone numbers and affiliation, if any, to wetlandprogram@dc.gov.

Interested persons may request a hearing on the WQC application by submitting a request in writing within 10 calendar days of publication of this notice.

Requests for a public hearing should be addressed to wetlandprogram@dc.gov. Alternatively, requests can be submitted via mail to:
Regulatory Review Division
#WQC-DC-2025-179
Department of Energy and Environment
1200 First Street NE, 5th Floor
Washington, DC 20002

For more information, please contact wetlandprogram@dc.gov or (202) 536-8556.

GIRLS GLOBAL ACADEMY PUBLIC CHARTER HIGH SCHOOL

REQUEST FOR PROPOSAL (RFP)

Human Resource Services

Girls Global Academy Public Charter School is seeking proposals from individuals or companies to provide the following services for the 2025-2026 school year:

Human Resource Services include managing onboarding and offboarding process: overall personnel file maintenance and payroll systems; managing employee benefits, open enrollment, reporting, and reconciliations; preparing local (OSSE and PCSB) and federal compliance reports; HR policies, and practice review processes.

Send your proposal by **3:00 PM on July 31st** via email to: rfp@girlsglobalacademy.org

Proposals that do not address the areas as outlined in the RFPs or proposals received past the deadline will not be considered.

For additional information, please contact: rfp@girlsglobalacademy.org.

DEPARTMENT OF HEALTH
HEALTH SYSTEMS AND PREPAREDNESS ADMINISTRATION

NOTICE OF HYBRID MEETING

Board of Medicine
July 30, 2025

On July 30, 2025, at 8:30 am, the Board of Medicine will hold a hybrid (virtual and in-person) meeting to consider and discuss a range of matters impacting competency and safety in the practice of medicine.

The meeting will be open to the public from 8:30 am to 10:30 am to discuss various agenda items and any comments and/or concerns from the public.

In accordance with Section 405(b) of the Open Meetings Amendment Act of 2010, the meeting will then move to Closed Session from 10:30 am until 4:00 pm 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 conducted in person in Room 611, 6th Floor, 2201 Shannon Place SE, Washington, DC 20020 and via videoconference. The public may attend the open session in person or through one of the following:

Meeting link:
https://dcnet.webex.com/dcnet/j.php?MTID=m7f823658b3b1e1556a59c90709042b04

Meeting number:
160 487 2313

Password:
eTJJfPgx322

Join by video system
Dial 1604872313@dcnet.webex.com
You can also dial 173.243.2.68 and enter your meeting number.

Join by phone
+1-202-860-2110 United States Toll (Washington D.C.)
1-650-479-3208 Call-in number (US/Canada)
Access code: 160 487 2313

Executive Director for the Board – Sithembile Chithenga MD, MPH
(sithembile.chithenga@dc.gov)

KIPP DC PUBLIC CHARTER SCHOOLS

REQUEST FOR PROPOSALS

Parking Services

KIPP DC is soliciting proposals from qualified vendors for Parking Services. The RFP can be found on KIPP DC's website at www.kippdc.org/procurement. Questions must be addressed to dorian.ezzard@kippdc.org by July 24, 2025. Proposals must be uploaded to the website by July 29, 2025.

DEPARTMENT OF LICENSING AND CONSUMER PROTECTION

NOTICE OF SPECIAL MEETING

District of Columbia Board of Barber and Cosmetology

The District of Columbia Board of Barber and Cosmetology ("Board") hereby gives notice of its upcoming meeting, pursuant to section 406 of the Open Meetings Act of 2010, effective January 19, 2011 (D.C. Law 18-350; D.C. Official Code § 2-576). The proposed agenda for each meeting will be posted on the Department of Licensing and Consumer Protection's website at www.dlcp.dc.gov and the Office of Open Government's website at https://www.open-dc.gov/public-bodies/meetings, not less than forty-eight (48) hours before the meeting.

The Board will hold a special meeting on Monday, July 21, 2025, at 10:00 a.m.

The Board holds its meetings on the first Monday of each month at 10:00 a.m. The meetings are open to members of the public virtually via Zoom. Please direct all inquiries and questions for public comment to Ms. Kimberly Troxler, Board Administrator, at (202) 805-8239 or kimberly.troxler@dc.gov.

DRAFT AGENDA

1. Call to order - 10 am (Public Session)
2. Attendance
3. Comments from the Public – *(Please submit your questions in advance to kimberly.troxler@dc.gov; in the interest of time. Each public attendee will be allowed 2 minutes.)*
4. Executive session
   Executive Session, which is closed to the public, in order to consult with our attorneys to seek legal advice; to discuss disciplinary matters; and to deliberate upon decisions in adjudication actions and proceedings, as provided by D.C. Code § 2-575(b)(4)(A), § 2-575(b)(9), and § 2-575(b)(13).
5. Legislative Committee
6. Recommendations/Actions
7. Adjourn

Call-in toll number (US/Canada)
Phone Dial-In: 301-715-8592
Webinar ID: 880 3428 6600
Passcode: 07212025

https://dc-gov.zoom.us/j/88034286600?pwd=9ufzK4NcurAU1ZXcgflQEBXPai2KjW.1

The Board will be on recess during the month of August.
The next regular scheduled meeting is September 8, at 10 am via Zoom Teleconference.

This meeting is governed by the Open Meetings Act. Please address any questions or complaints arising under this meeting to the Office of Open Government at opengovoffice@dc.gov.

OFFICE OF THE SECRETARY OF THE DISTRICT OF COLUMBIA

RECOMMENDATIONS FOR APPOINTMENTS AS NOTARIES PUBLIC

Notice is hereby given that the following named persons have been recommended for appointment as Notaries Public in and for the District of Columbia, effective on or after September 15, 2025.

Comments on these potential appointments should be submitted, in writing, to the Office of Notary Commissions and Authentications, 899 North Capitol Street, Suite 8100, Washington, D.C. 20002 within seven (7) days of the publication of this notice in the *D.C. Register* on September 15, 2025. Additional copies of this list are available at the above address or the website of the Office of the Secretary at www.os.dc.gov.

Abdelaziz	Zina	Self 5029 Sargent Road, NE	20017
Acosta	Lia	Legal Aid DC 1331 H Street, NW, 350	20005
Aklilu	Selam	U Street Parking 1208 9 Street, NW	20001
Albury	Cheronda Y.	Merrill Lynch 1800 K Street, NW, Suite 800	20006
Alvarez	Brenda	AARP 601 E Street, NW, AARP	20049
Barnes	Tashima	Self (Dual) 1400 Fairmont Street, NW, #208	20009
Belmonte	Jocelyn Elizabeth	R. McGhee & Associates 2031 Florida Avenue, NW, 3rd Floor	20009
Callender	Rodney	PNC Bank 7601 Georgia Avenue, NW	20012
Callender	Rodney E	PNC Bank 7601 Georgia Avenue, NW	20012
Ciccone	Alexandria	Eckert Seamans Cherin & Mellott, LLC 1717 Pennsylvania Avenue, NW, Suite 1200	20006
Clark	Kayla Agnes	Office of Attorney General 400 6 Street, NW	20001
Cowan	Destinee	Medstar Georgetown University Hospital 3800 Reservoir Road, NW	20007
Daniels	Marcia Charice	Self 725 Crittenden Street, NE	20017
David	Christopher Joseph	Paragon Title 1410 O Street, NW	20009

Doy-Johnson	Janel Jeana	Self 454 Burns Street, SE	20019
Faulkner	Rosalind Kernelle	Calvert House Apartments 2401 Calvert Street, NW	20008
Gold	Madeline	Legal Aid DC 1331 H Street, NW	20005
Gomes	Gloria S.	State Department Federal Credit Union 2201 C Street, NW	20520
Graham-Watanabe	Ashley R.	Neighborhood Legal Services Program 64 New York Avenue, NE, Suite 180	20002
Harris	Bria	Self 2620 10th Street, NE	20018
Isaacs	Deborah Christine	Self 2236 Observatory Place, NW	20007
Johnson Jr	Fred Allen	Self 50 Brandywine Street, SW	20032
Jones	LaMonica	Service Employees Internation Union 1800 Massachusetts Avenue, NW	20036
JONES	OCTAVIA M	WELLS FARGO BANK 609 H Street, NE	20002
Kimmons	Elizabeth	Metropolitan Police Department 441 4th Street, NW, 1060 N	20001
Kissinger	Lily Grace	Gilbert LLP 700 Pennsylvania Avenue, SE, 400	20003
Lowrie	Tara VanBrunt	Accenture 699 14th Street, NW, 9	20005
Massaquoi	Mina Margriet	Miriam's Kitchen 2401 Virginia Avenue, NW	20037

McKinley	Katrice	Self 4202 Fort Dupont Street, SE	20020
Millett	Shannon	Nbl Associates, LP 800 9th Street, SW	20024
Mingione	Elizabeth	Trustpoint & Alderson Reporting 1029 Vermont Avenue, NW	20005
Monaco	Thomas J.	Small Enterprise Assistance Funds 1500 K Street, NW, 375	20005
Montgomery	Jonathan Leonardo	Fragomen, LLP 1101 15th Street, NW, Suite 700	20005
Morgan	Chris	ACCION International 1101 15th Street, NW, Suite 400	20005
O'Brien	Joseph Alexander	Sudow Kohlhagen, LLP 1000 Maine Avenue, SW, Suite 325	20024
Richardson	Grace Bower	Lewis-Burke Associates 440 1st Street, NW, 700	20001
Romeo	Amanda R.	Stout Risius Ross, LLC 1015 15 Street, NW, 1050	20005
Sdeek	Mohamed H.	EDS Visa Services, LLC 1616 H Street, NW, Suite 300	20006
Sellman	Vanity	Wells Fargo Bank 4841 Massachusetts Avenue, NW	20016
Shields	Chiquita	Self (Dual) 1330 7th Street, NW	20001
Southall	Quentin Cornelius	The Glenmede Trust Company 1750 H Street, NW, Suite 350	20006
Thuku	Irungu	Accenture 699 14th Street, NW, NA	20005

Turcios	Susan Romina	First Book 1319 F Street, NW	20004
Waithe	Roberto	Self 1817 23 Street, SE, 191 D	20020
Waithe	Roberto	Self 1817 23 Street, SE, 191 D	20020
Wallace	Tenia Latrice	Self 4721 Texas Avenue, SE, 404	20019
Wise	C'amirah A.	Truist Bank 6422 Georgia Avenue, NW	20012
Yarbrough	Herbert	Self 1350 Maryland Avenue, NE, #410	20008
Zahn	Nicholas	GCS-Sigal 1140 Third Street, NE, 320	20002

SOCIAL JUSTICE PUBLIC CHARTER SCHOOL

REQUEST FOR PROPOSALS

Social Justice Public Charter School located in Washington DC is seeking bids from prospective candidates to provide the following services:

5455 3RD St NE, Washington DC 20011

1. **AV/IT** :Reference the [linked] school floor plan, which highlights specific areas requiring camera installation, repositioning, or access control upgrades. Vendors should address each location-specific request in their proposal
    a. Scope of work [Link] tinyurl.com/SJS-AV
2. **FF&E**: Provide, deliver, and install classroom, office, and common area furnishings as part of the school's permanent campus project. FF&E list is linked in the Scope of Work.
    a. Scope of work [Link] tinyurl.com/SJS-FFE
3. **Project Manager** -serve as a liaison between **SJPCS (the tenant), construction contractors, and Foundation stakeholders**, ensuring transparent communication, effective coordination, and timely execution across all phases of the project.
    a. Scope of work [Link] tinyurl.com/SJS-PM

333 Kennedy St NE, Washington DC 20011

1. **Student Data Analysis & Strategizing** : Student level data analysis will include data tied directly to state and authorizer accountability services; supporting leadership to drive data-driven and provide professional learning and coaching connected to state and authorizer accountability.
    a. Scope of work [Link] tinyurl.com/SJS-SDA
2. **Special Education Contracted Services:** Vendors who provide special education contracted services, specifically Occupational Therapy (OT),Physical Therapy (PT.) and evaluation services.
    a. Scope of work [Link] tinyurl.com/SJS-SPED
3. **Substitute Teacher**: Provide on-call substitute teachers to fill as needed vacancies. Substitute teacher requests will vary from short to long term requests. Substitute teachers would cover ELA, Math, P.E., electives .
    a. Scope of work [Link] tinyurl.com/SJS-SubTeacher
4. **Security Surveillance** :**overnight video and surveillance monitoring services** at our temporary SY 25-26 Learning Lab
    a. Scope of work [Link] tinyurl.com/SJS-Security
5. **Handyman Services for Modular Facilities**:**on-call and scheduled handyman services** to support the upkeep of modular classroom facilities located on school grounds.
    a. Scope of work [Link] tinyurl.com/SJS-Handyman
6. **Chromebook Purchase-**SJS is seeking to purchase 100 student Chromebook units
    a. Scope of work [Link] /tinyurl.com/SJS-Chromebook

Bids that do not address all areas as outlined in the RFP Scope of work documents or bids received past the deadline will not be considered.For additional information contact Amber Ramos at 301-257-0287 or amber@thesocialjusticeschool.org.

RFP Release Date..... July 18,2025
Submission Deadline.....July 28, 2025
Award of Contract..... August 1,2025
Anticipated Service Start Date..... TBD
Send Proposal to.....Amber@thesocialjusticeschool.org

Proposals should be submitted via email no later than 5:00 PM EST, on July 28, 2025. Please specify "RFP for [Service Name]" in the subject line. Questions can be addressed to amber@thesocialjusticeschool.org.

Amber Ramos
333 Kennedy St NE
Washington DC 20011
Amber@thesocialjusticeschool.org

STATESMEN COLLEGE PREPARATORY ACADEMY FOR BOYS PUBLIC CHARTER SCHOOL

REQUEST FOR PROPOSALS

Real Estate Services for School Facility Identification in Ward 7 and 8

Statesman College Preparatory Academy for Boys Public Charter School solicits proposals for the following service:

- **Real Estate Services for School Facility Identification in Ward 7 and 8**

Full RFP available by request. All proposals must be submitted in PDF format and emailed to amandabloom@statesmenboys.org no later than 5:00 PM on Wednesday, July 30th, 2025. No phone calls please.

THE SEED PUBLIC CHARTER SCHOOL OF WASHINGTON, D.C.

REQUEST FOR PROPOSALS

Renovation of (4) apartments

The SEED Public Charter School of Washington DC is inviting firms to submit proposals to Renovate (4) Apartments located at 4300 C Street, SE Washington, DC 20019.

Additional specifications outlined in the Request for Proposal (RFP) may be obtained between the hours of 8 am – 4pm from:

Carl Dyson

Campus Operations Manager

THE SEED PUBLIC CHARTER SCHOOL of Washington, D.C.

4300 C Street, SE

Washington, D.C. 20019

202-248-7773 x 5045

The deadline for submitting bids is July 21st, 2025.

All bids not addressing all areas as outlined in the RFP will not be considered

WASHINGTON LATIN PUBLIC CHARTER SCHOOLS

NOTICE OF INTENT TO ENTER A SOLE SOURCE CONTRACT

Issued: July 18, 2025

Washington Latin Public Charter Schools intends to enter into a sole source contract with EmpowerK12 for contracted data analysis services in school year 2025-26. Washington Latin Public Charter Schools anticipates that the consulting agreement will exceed $25,000.00.

EmpowerK12 has been delivering these services and expertise for charter LEAs since 2015 and they have a unique combination of technical expertise, education expertise, and deep insight into Washington, D.C. data through their network of 35+ partner schools and long-term experience. Based on our experience working with them and the unique capabilities they offer; it is in our best interest to deepen our partnership with them. The partnership will be for up to (3) years.

Questions or comments to this Notice of Intent should be sent via email to proposals@latinpcs.org no later than **COB July 28, 2025**.

GOVERNMENT OF THE DISTRICT OF COLUMBIA
BOARD OF ZONING ADJUSTMENT

Application No. 21101 of Mendomas, LLC, pursuant to 11 DCMR Subtitle X § 901, for a special exception under the daytime care use provisions of Subtitle U § 203.1(h) to allow a new child development center for 82 children and 20 staff in an existing building in the R-1B Zone at 245 Peabody Street, N.W. (Square 3338, Lot 811).

HEARING DATES: October 2 and November 13, 2024
DECISION DATE: December 4, 2024

DECISION AND ORDER

This self-certified application was filed January 26, 2024 on behalf of Mendomas, LLC ("Applicant"), the owner of the property that is the subject of the application. Following a public hearing, the Board voted to approve the application subject to conditions.

PRELIMINARY MATTERS

Notice of Application and Notice of Hearing. In accordance with Subtitle Y §§ 400.4 and 402.1, the Office of Zoning provided notice of the application and of the public hearing by letters, dated February 14, 2024, to the Applicant, the Office of Planning ("OP"), the District Department of Transportation ("DDOT"), the Department of Buildings, Advisory Neighborhood Commission ("ANC") 4B, the ANC in which the subject property is located, and Single Member District ANC 4B07, the Office of Advisory Neighborhood Commissions, the Councilmember for Ward 4 as well as the Chairman of the Council and the at-large members of the D.C. Council, and the owners of all property within 200 feet of the subject property. Notice was published in the *District of Columbia Register* on March 8, 2024 (71 DCR 2365) as well as through the calendar on the Office of Zoning website.[1]

Parties. Pursuant to Subtitle Y § 403.5, the Applicant and ANC 4B were automatically parties in this proceeding. The Board granted requests for party status in opposition to the application submitted by Joshua Toll (Exhibits 36, 37) and Brandon Jamison (Exhibits 34, 35), the owners of properties abutting or adjacent to the subject property. The Board denied a request for party status in opposition to the application submitted by Genell Anderson. (Exhibit 29.)

Applicant's Case. The Applicant presented evidence and testimony in support of the application from David Bloom, the project architect, and Nicole White, an expert in transportation. The

[1] The public hearing was originally scheduled on May 1, 2024 and was postponed twice at the request of the Applicant or ANC 4B. (Exhibits 16, 19.)

Applicant proposed to construct an addition to an existing building, formerly used as a church, and to establish a new child development center at the site.

OP Report. By memoranda dated September 20, 2024 and November 6, 2024, the Office of Planning recommended approval of the application subject to any conditions recommended by DDOT as well as the conditions proffered by the Applicant "intended to generally mitigate any potential impacts" of the new child development center. (Exhibits 26 and 59.)

DDOT Report. By memoranda dated September 20 and November 6, 2024, the District Department of Transportation indicated no objection to approval of the application subject to conditions intended to avoid the creation of adverse traffic impacts. (Exhibits 27 and 58.)

ANC Report. ANC 4B submitted a resolution in support of the application that the ANC adopted at a public meeting on September 23, 2024, with a quorum present. (Exhibit 52.)

Parties in Opposition. The parties in opposition urged the Board to deny the application, arguing that the child development center, at the size proposed by the Applicant, would exacerbate existing objectionable traffic and parking conditions as well as create safety issues for pedestrians, especially considering the proximity of an existing public charter school.

Persons in support. The Board received letters in support of the application from residents living near the subject property, who commented favorably on the Applicant's proposal.

Persons in opposition. The Board received letters and heard testimony from persons in opposition to the application, including residents living near the subject property. The persons in opposition generally objected to the number of students at the planned child development center and asserted that approval of the application would cause adverse impacts related to traffic, parking, and unsafe conditions associated with the pick-up and drop-off of children, especially considering the proximity and size of a nearby public charter school.

FINDINGS OF FACT

1. The property that is the subject of this application is an interior lot on the north side of Peabody Street, N.W. near its intersection with 3rd Street, with the address 245 Peabody Street, N.W. (Square 3338, Lot 811.)

2. The subject property is rectangular, 75 feet wide and approximately 157.5 feet deep. The lot area is approximately 11,800 square feet.

3. The subject property is improved with a detached building that was formerly used as a church but was vacant for several years before being purchased by the Applicant in 2023. The building is one story, with a cellar, and is approximately 23 feet in height. The subject property has side yards of nine feet (west) and 26 feet (east) as well as a rear yard of

approximately 72.4 feet. The existing lot occupancy is approximately 18 percent. (Exhibits 4, 8, 50.)

4. The Applicant proposed to enlarge the existing building for use as a child development center with a maximum of 82 children and 20 staff. (Exhibit 8.)

5. The Applicant planned to build a second-story addition to the existing building as well as two-story side and rear additions. A ramp will be installed at the rear exit of the building.

6. As a result of the new construction, the building height will increase to approximately 26 feet, nine inches. The new construction will not alter the west side yard, which will remain nine feet, and will provide a side yard of approximately 16.7 feet on the east as well as a rear yard of approximately 32.25 feet. The lot occupancy will be approximately 33.2 percent. (Exhibits 2, 4, 24A.)

7. The child development center will occupy approximately 8,928 square feet in the enlarged building, serving a maximum of 82 children between the ages of six months to five years. (Exhibits 28, 63.)

8. The child development center will operate from 7:00 a.m. until 6:00 p.m., Monday through Friday. Pick-up and drop-off times will be staggered, with the peak drop-off activity occurring between 8:15 and 9:15 a.m. and peak pick-up activity occurring between 4:45 and 5:45 p.m. (Exhibit 28.)

9. Pick-up and drop-off activities will occur on Peabody Street. Consistent with DDOT's recommendation, the Applicant plans to obtain signage to reserve three parking spaces on Peabody Street abutting the subject property to facilitate pick-up/drop-off activity. The restricted spaces will allow parking for 15 minutes between 7:00 a.m. and 6:00 p.m. on school days. (Exhibit 28.)

10. The Applicant will implement specific procedures to facilitate the pick-up and drop-off operation. During the drop-off period, a designated staff member stationed at the front of the building will contact intake staff members who will escort the children to their classrooms. During the pick-up period, employees will prepare the children for departure and designated staff will bring children to the front of the building. (Exhibit 57A1.)

11. The Applicant's pick-up/drop-off procedures will not permit the use of the public alley and will prohibit drivers of vehicles traveling to the subject property from making U-turns or from double-parking when engaged in pick-up and drop-off activities. While the primary pick-up/drop-off area will be designated on Peabody Street in front of the Applicant's building, parents/guardians driving to the child development center may utilize legal parking spaces in the vicinity, provided that drivers will be instructed not to block traffic while waiting for a parking space. (Exhibit 57A1.)

12. The Applicant will include provisions in the child development center's handbook for parents or guardians of enrolled children to facilitate pick-up and drop-off activities. The handbook will describe the Applicant's process and specify that drivers of vehicles engaged in pick-up/drop-off at the child development center must not block the public alley. The Applicant will inform parents that the policies will be enforced, with penalties for violations ranging from a written warning to monetary fines and termination of the enrollment contract for a third violation. The Applicant will require the parents or guardians to sign addendums to the handbook to ensure that the policies are well known. (Exhibits 28, 50, 57, 57A1, 57E.)

13. The Applicant will include a statement about its parking policies in its employee handbook. The employee handbook will encourage the use of public transportation and carpools, and will instruct employees not to park on Peabody Street east of 3rd Street. The Applicant will inform employees that the parking policies will be enforced, with penalties for violations ranging from written warnings to monetary fines and termination of employment for a third violation. The Applicant will require the employees of the child development center to sign addendums to ensure that the policies are well known. (Exhibits 28, 57, 57A2, 57E.)

14. The child development center will have an outdoor play area in the northeast corner of the subject property. The Applicant will also utilize off-site play areas, including local playgrounds, and will take children for walks around the neighborhood. Outdoor activities will occur with the same adult-to-child ratios used inside the child development center and will be scheduled so that a limited number of children will be escorted outside at one time. (Exhibits 8, 30A, 63.)

15. The Applicant will install a six-foot solid fence along the east side yard and rear (north) lot line, as shown on the plans in Exhibit 30A, with a locked gate on the alley side ramp. (Exhibits 30A, 63.)

16. The Applicant will implement a transportation demand management ("TDM") plan to reduce the number of vehicular trips and the parking demand associated with the child development center. (Exhibits 28, 57E.) As part of the TDM plan, the Applicant will appoint a transportation coordinator who will:
    (a) meet with goDCgo to develop goals and plans, and consult with goDCgo's School Services Team to track progress;
    (b) conduct commuter surveys of staff and parents;
    (c) promote commuter benefits and other sustainable transportation programs, including providing reminders about open enrollment for commuter benefits and hosting a tabling event with goDCgo to encourage employees to enroll in commuter benefits;
    (d) provide transportation information to staff and to families of children who are enrolled or may be enrolled in the child development center, including the provision of information about transportation options in newsletters and on the Applicant's website;

(e) promote "sustainable transportation holidays" such as car-free day, walk to school day, and bike to work day;
(f) provide Capital Bikeshare corporate memberships to all interested staff and promote Capital Bikeshare as a form of commuting to and from the subject property;
(g) host a bicycle safety course for staff and promote bicycling classes, such as those offered by the Washington Area Bicyclist Association;
(h) provide preferential parking for carpools for staff, including by assigning the parking spaces at the subject property and giving priority to carpools;
(i) create a pre-tax commuter benefit program for staff; and
(j) charge employees the market rate for parking or comply with "parking cashout" measures to provide commuter benefits in lieu of parking benefits.

17. The subject property abuts a public alley, 15 feet wide, along the west (side) and north (rear) lot lines. The alley extends east-west across the middle portion of Square 3338, providing access to Peabody Street to the south and Quackenbos Street to the north.

18. The Applicant will provide five vehicle parking spaces in the northwest corner of the subject property, accessible from the public alley. The parking spaces will be reserved for use by employees of the child development center. (Exhibit 28.)

19. One long-term bicycle parking space will be provided in the cellar of the building. Short-term bicycle parking will be provided at the front of the building, accessible from the public alley. (Exhibits 24A, 28, 30A.)

20. Trash will be stored in a commercial trash storage container in a fenced enclosure adjacent to the alley at the rear of the subject property. Trash collection will occur from the alley at least once per week. (Exhibit 28, Figures 14-15; Exhibit 63.)

21. Other properties in Square 3338, including the abutting property to the east of the subject property, are improved with two-story detached principal dwellings. The surrounding neighborhood is developed primarily with one- or two-story detached principal dwellings.

22. Fort Slocum Park is located approximately one block south of the subject property. The park is bounded by 3rd, Oglethorpe, and Madison Streets as well as Kansas Avenue.

23. Capital City Public Charter School is located at 100 Peabody Street, N.W., approximately 550 feet east of the subject property. The charter school serves over 1,000 students from pre-kindergarten through Grade 12. (Exhibit 26.)

24. Pick-up and drop-off activity for the charter school occurs on Peabody Street east of 2nd Street, N.W. (Exhibit 59.)

25. On January 7, 2019, the Department of Consumer and Regulatory Affairs issued Certificate of Occupancy No. CO1900412 authorizing a public charter school use at 100 Peabody Street, N.W. The description of occupancy was stated as: "Public charter school, 1000 students ages 3 to 18, from early childhood to 12th grade, 220 faculty/staff, 77 surface parking spaces and accessory reheat kitchen with 500 seat theater." (Exhibit 59 at 6.)

26. On September 13, 2024, the Office of the State Superintendent of Schools issued a license to the charter school authorizing operation of a child development center at the site to provide before- and after-school care to children attending the school. The license authorized enrollment of 84 children, comprising 24 preschoolers (36 months to five years) and 60 school age (five years to 15 years). The child development center was authorized to operate between 7:30 a.m. and 6:00 p.m., Monday through Friday. (Exhibit 59 at 5.)

27. The segment of Peabody Street near the subject property is classified as a local road that accommodates two-way vehicle traffic.

28. Parking restrictions are not currently in place on Peabody Street, 2nd Place, or 3rd Street within a block of the subject property. Portions of Peabody and 2nd Streets are subject to restrictions (*e.g.*, two-hour limits for residential parking permit holders on weekdays and 15-minute parking or no parking on school days) near the charter school.

29. The subject property is located approximately one mile from the Takoma and Fort Totten Metrorail stations. (Exhibits 27, 28.)

30. The subject property is located within a half-mile of a Metrobus Priority Corridor Network route (79). (Exhibit 27.)

31. Two Capital Bikeshare stations are located within a half-mile of the subject property. Peabody Street is a designated bicycle route. (Exhibit 28.)

32. The subject property is located in a Residential House (R) zone, R-1B. The Residential House zones are residential zones, designed to provide for stable, low- to moderate-density residential areas suitable for family life and supporting uses. (Subtitle D § 101.1.) The R zones are intended to (a) provide for the orderly development and use of land and structures in areas predominantly characterized by low- to moderate-density residential development; (b) recognize and reinforce the importance of neighborhood character, walkable neighborhoods, housing affordability, aging in place, preservation of housing stock, improvements to the overall environment, and low- and moderate-density housing to the overall housing mix and health of the city; (c) allow for limited compatible accessory and non-residential uses; (d) allow for the matter-of-right development of existing lots of record; (e) establish minimum lot area and dimensions for the subdivision and creation of new lots of record; and (f) discourage multiple dwelling unit development. (Subtitle D § 101.2.)

33. The purposes of the R-1B zone are (a) to protect quiet residential areas now developed with detached dwellings and adjoining vacant areas likely to be developed for those purposes and (b) to stabilize the residential areas and promote a suitable environment for family life. (Subtitle D § 101.3.) The R-1B zone is intended to provide for areas predominantly developed with detached houses on moderately sized lots. (Subtitle D § 101.5.)

CONCLUSIONS OF LAW AND OPINION

The Applicant seeks a special exception under Subtitle U § 203.1(h), the daytime care use provision, to allow a new child development center in the R-1B zone at 245 Peabody Street, N.W. (Square 3338, Lot 811). The Board is authorized under § 8 of the Zoning Act, D.C. Official Code § 6-641.07(g)(2), to grant special exceptions, as provided in the Zoning Regulations, where, in the judgment of the Board, the special exception will be in harmony with the general purpose and intent of the Zoning Regulations and Zoning Maps and will not tend to affect adversely the use of neighboring property in accordance with the Zoning Regulations and Zoning Map, subject to specific requirements. (See 11 DCMR Subtitle X § 901.2.)

The Board is authorized to approve a daytime care use[2] in the R-1B zone as a special exception, subject to specific requirements.[3] (Subtitle U § 203.1(h).) The requirements include that the child development center must be located and designed to create no objectionable traffic condition and no unsafe condition for picking up and dropping off persons in attendance (Subtitle U § 203.1(h)(1)), any off-site play area must be located so as not to endanger individuals traveling between the play area and the center or facility (Subtitle U § 203.1(h)(2)), and more than one child/elderly development center or adult day treatment facility in a square or within 1,000 feet of another child/elderly development center or adult day treatment facility may be approved only when the Board finds that the cumulative effect of these facilities will not have an adverse impact on the neighborhood due to traffic, noise, operations, or other similar factors (Subtitle U § 203.1(h)(4)). Based on the findings of fact, and having given great weight to the recommendation of the Office of Planning and to the issues and concern stated by ANC 4B, the Board concludes that the application satisfies the requirements for approval of the requested special exception to allow the child development center use, subject to the conditions adopted in this order.

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[2] The "daytime care" use category encompasses the "non-residential licensed care [and] supervision … of individuals who are not related by blood, adoption, or marriage to the caregiver and who are present at the site for less than 24 hours per day." Examples of a daytime care use include a child development center. (Subtitle B § 200.2(h)(1).) The Zoning Regulations define "child development center" as a "building or part of a building, other than a child development home, used for the non-residential licensed care, education, counseling, or training of individuals under the age of fifteen (15) years of age and, totaling seven (7) or more persons, who are not related by blood or marriage to the caregiver and who are present for less than twenty-four (24) hours per day. This definition encompasses facilities generally known as child care centers, pre-schools, nursery schools, before-and-after school programs, and similar programs and facilities. A child development center includes the following accessory uses: counseling, education, training, and health and social services for the person or persons with legal charge of individuals attending the center, including, but not limited to, any parent, spouse, sibling, child, or legal guardian of such individuals." (Subtitle B § 100.2.)

[3] Subtitle U § 203.1 addresses special exception uses in R-Use Groups A, B, and C. The R-1B zone is classified as R-Use Group A. (Subtitle U § 200.2.)

The Applicant proposed to operate a child development center in an existing building, which the Applicant planned to enlarge consistent with applicable development standards. The detached building formerly housed an institutional use (a church) and is located on a relatively large lot. The Board concludes that the location and design of the child development center use will not create objectionable traffic conditions or unsafe conditions for picking up and dropping off the children in attendance, with operation of the use in accordance with the conditions of approval adopted in this order.

With respect to potential objectionable traffic conditions, the Board notes that the application meets or exceeds the applicable zoning requirements for vehicle and bicycle parking, and the Applicant will implement a TDM plan to encourage travel to and from the subject property by means other than vehicle. The subject property is served by public transportation and bicycle facilities are available nearby. The Board credits the conclusions stated in the Applicant's traffic study (Exhibits 28 and 57E), which was prepared by a transportation expert in accordance with DDOT guidelines for a comprehensive traffic review ("CTR") study.[4] The findings stated in the traffic study included that most children and staff will travel to and from the subject property by vehicle,[5] but the planned child development center will not create objectionable traffic conditions or unsafe conditions for picking up and dropping off children in attendance. The Board agrees, noting that the subject property fronts on a street that accommodates two-way vehicle traffic in an area where street parking spaces are generally available, and that drop-off and pick-up activities will be staggered, rather than scheduled to occur within a short period of time, so they will not create a large queue of vehicles at the subject property or coincide with peak travel to and from the nearby charter school. The Applicant will supervise the drop-off and pick-up activities to ensure safety and to avoid interference with the alley abutting the subject property, thereby avoiding potential traffic congestion for nearby residents.

The Board was not persuaded by the parties in opposition, who challenged "the premises and assumptions" of the Applicant's traffic study, especially its estimates of mode split, vehicle occupancy, and trip generation, in arguing that approval of the application would result in an

[4] The traffic study utilized a vehicle occupancy rate of 1.60 persons/vehicle, consistent with CTR guidelines for childcare use. The traffic study also employed a mode split provided by the Applicant based on the results of a survey of parents and staff at another child development center owned by the Applicant at 5331 Colorado Avenue, N.W., which is now located in the Sixteenth Street Heights Residential House zone (R-1B/SH). The child development center obtained special exception approval in 2016 for 150 children, ages two through five years, and 17 staff, with hours of operation not to exceed 6:30 a.m. to 6:30 p.m., Monday through Friday. See Application No. 14493-A (Star of Bethlehem Church of God; April 27, 2016). The Board later granted a modification allowing enrollment of up to 150 children ranging in age from two months to 14 years. See Application No. 14493-B (MG Properties Management LLC; January 30, 2020).

[5] According to the traffic study, approximately 60 percent of the children enrolled at the child development center and 72 percent of the employees are expected to travel to and from the subject property by vehicle. The traffic study determined that the planned child development center will likely generate 104 person trips during the morning peak hour and 106 person trips during the peak evening hour, with the highest volume of vehicle trips comprising 22 outbound trips during the evening peak hour. The study anticipated 40 vehicle trips during the morning peak hour and 41 vehicle trips during the evening peak hour. (Exhibit 28.)

increase of vehicle traffic, "further exacerbating traffic conditions on Peabody Street" near the subject property. (Exhibit 60.) The Applicant's traffic study, including its scope and methodology, was reviewed by DDOT, which stated no objection and concurred with its findings.[6] The Board credits DDOT's testimony that "the impacts on the transportation network [related to the planned child development center] will be moderate to minor" given the Applicant's implementation of the DDOT-approved TDM plan, "the site's access to transit and bicycle facilities [and the] walkability of the neighborhood." (Exhibit 27.) The Board also notes that ANC 4B concluded that the Applicant's TDM plan will be "sufficient to mitigate any traffic impacts on the neighborhood, including banning alley usage, providing parking beyond the minimum required, and providing new bike racks." (Exhibit 52.)

The Board credits the testimony of the Applicant's traffic expert that operation of the planned child development center will not tend to cause objectionable conditions related to parking. The Applicant will meet or exceed the zoning requirements for vehicle and bicycle parking, and will implement a TDM plan to encourage travel to and from the subject property by means other than vehicles. In addition to implementing TDM measures designed to reduce the potential number of vehicle trips to the subject property in connection with the operation of the planned child development center, the Applicant proposed limits on employee parking, which the Board adopts in this order as conditions of approval of the application. The five new parking spaces created at the rear of the subject property will be reserved for employees, with a preference for vehicles used by a carpool. The Applicant will also ensure that none of its employees will park on Peabody Street east of 3rd Street N.W., thereby avoiding increased parking demand near the public charter school. The Board credits the findings of the Applicant's traffic study, which was based in part on repeated observations, at various times and locations, of the availability of parking spaces on the streets near the subject property. The traffic study concluded that the child development center will likely create a demand for 14 vehicle parking spaces, considering the number of staff and the likely mode split, and that the area contained "sufficient on-street parking spaces … to accommodate [the nine on-street spaces required for] staff parking." The Board credits the testimony of the Applicant's traffic expert that the availability of parking on Peabody Street will be sufficient to accommodate employees of the child development center who do not park at the subject property as well as the pick-up and drop-off activities. (Exhibit 28.)

The Board concludes that approval of the application will not tend to create any unsafe condition for picking up or dropping off children in attendance at the child development center. The Applicant and DDOT agreed that three short-term parking spaces near the entrance to the child development center will facilitate safe and efficient drop-off and pick-up activities, which will be supervised and facilitated by employees of the child development center. The Board was persuaded that the Applicant will operate safe pick-up and drop-off activities at the subject property considering the Applicant's supervision of the process and the limited number of children enrolled, which the Applicant's traffic expert estimated will generate fewer than 20 vehicle trips

[6] The Applicant's traffic expert testified that "the scope and methodology used for the transportation statement are consistent with industry standards and DDOT CTR [comprehensive traffic review] guidelines. The calculations were approved by DDOT." (Transcript of October 2, 2024 at 228); and "we coordinated with DDOT to outline the scope of our supplemental transportation statement as suggested by DDOT." (Transcript of November 13, 2024 at 108-109.)

for drop-offs between 8:15 and 8:45 a.m. The majority of pick-ups at the child development center are expected to occur after 5:00 p.m., later than the dismissal time for most students at the nearby public charter school, with a maximum of queue estimated at 11 vehicles at 5:25 p.m. Especially considering the number of students at the charter school and its hours of operation, including its existing before- and after-school programs, the Board determines that the addition of a maximum of 82 children at the subject property, who will attend a child development center with different hours of operation, will not tend to create unsafe conditions for pick-up and drop-off activities when operated in compliance with the conditions adopted in this order.

The Board concludes that the planned child development center will be located to facilitate the use of off-site play areas without endangering the individuals traveling between the facility and a play area. The Applicant indicated that trips to and from nearby play areas will be undertaken in small groups under the supervision of the facility's employees. The area surrounding the subject property is characterized by relatively low-density residential use, where sidewalks facilitate pedestrian travel along neighborhood streets.

The Board concludes that the cumulative effect of child development centers – the Applicant's child development center and the before- and after-school program for students at the nearby public charter school – will not have an adverse impact on the neighborhood due to traffic, noise, operations, or other similar factors. The subject property and the location of the charter school are at a sufficient distance that any noise generated at either site will not adversely affect the neighborhood, especially considering that the majority of activities will occur indoors. With respect to traffic, the Board notes that the charter school's program began more than a decade ago and therefore was taken into consideration in the traffic study prepared by the Applicant's transportation expert.[7] The majority of drop-off and pick-up activities at the two facilities will not occur during the same peak periods. The Applicant's traffic expert studied the likely traffic impacts of the charter school and the planned child development center at the subject property during morning and afternoon peak periods[8] and concluded that Peabody Street has sufficient capacity to accommodate pick-up/drop-off operations at the subject property along with charter school operations. (Exhibit 57E.) The Board notes that DDOT agreed that the Applicant's "original and supplemental analysis demonstrated sufficient on-street parking spaces available to account for the current and projected pick-up and drop-off demand during all observation periods." (Exhibit 58.)

Subtitle X § 901.2. The Board concludes that approval of the application, subject to the conditions adopted in this order, will be in harmony with the general purpose and intent of the Zoning Regulations and Zoning Maps and will not tend to affect adversely the use of neighboring property

[7] The Applicant provided information taken from the charter school's website that indicated that the before- and after-school program has been in operation for 12 years, although it obtained a license for a child development center only recently (see Exhibit 57C).

[8] The study utilized peak periods as 8:15 to 9:15 a.m., 3:15 to 4:15 p.m. (the dismissal time for the charter school), and 4:45 to 5:45 p.m. (dismissal time for both facilities) as well as 7:00 to 8:00 a.m. at DDOT's request. According to the Applicant, the charter school arrival time is 8:15 to 8:30 a.m., with dismissal at 3:30 p.m. except for the aftercare program, which closes at 6:00 p.m., after the Applicant's expected peak pick-up time. (Exhibit 57E.)

in accordance with the Zoning Regulations and Zoning Map, as is required for approval of the application under Subtitle X § 901.2. Approval of the application is consistent with the intent of the Residential House (R) zones to provide for a stable, low- to moderate-density residential area suitable for family life and supporting uses, and with the intent of the R zones to provide for the orderly development and use of land and structures in areas predominantly characterized by low- to moderate-density residential development, to recognize and reinforce the importance of neighborhood character, walkable neighborhoods, and improvements to the overall environment to the health of the city, and to allow for limited compatible non-residential uses. Approval of the requested special exception is consistent with the purpose of the R-1B zone to stabilize a residential area and promote a suitable environment for family life.

Approval of the application, subject to the conditions adopted in this order, will not tend to affect adversely the use of neighboring property in accordance with the Zoning Regulations and Zoning Map. The planned expansion of the existing building to accommodate the new child development center will be undertaken consistent with applicable development standards, thereby ensuring that the use of neighboring properties will not be adversely affected with respect to the light, air, and privacy available to those properties. Operation of the child development center in compliance with the conditions of approval adopted in this order will avoid adverse impacts on the use of neighboring properties. For the reasons already discussed, the Board concludes that approval of the application will not tend to adversely affect the use of neighboring properties with respect to traffic or parking, including pick-up and drop-off activities. The child development center use will occur largely inside the building. Outdoor activities at the subject property will be screened by a privacy fence, will involve small groups of children at any one time, and will occur under supervision. Trash storage and collection will occur via the public alley, which will also provide access to staff parking. The Board credits the testimony of the Office of Planning that approval of the application will be consistent with the requirements for approval of the requested special exception.

Great weight. The Board is required to give "great weight" to the recommendation of the Office of Planning. (D.C. Official Code § 6-623.04.) For the reasons discussed above, the Board agrees with OP's recommendation that, in this case, the application should be approved subject to conditions to mitigate any potential adverse impacts.

The Board is also required to give "great weight" to the issues and concerns raised by the affected ANC. (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)(A)); see also Subtitle Y § 406.2. In this case, ANC 4B submitted a resolution in support of the application, including the conditions of approval proposed by the Applicant. (Exhibit 52.) For the reasons discussed above, the Board concurs with the ANC's recommendation in this case.

Based on the findings of fact and conclusion of law, the Board concludes that the Applicant has satisfied the burden of proof with respect to the request for a special exception under the daytime care use provision of Subtitle U § 203.1(h) to allow a new child development center in the R-1B zone at 245 Peabody Street, N.W. (Square 3338, Lots 811). Accordingly, it is **ORDERED** that the

application is **GRANTED** subject to the following **CONDITIONS** and in conformance with the plans shown at Exhibit 30A:

1. The special exception granted in this order is approved for a term of 10 years, beginning on the date on which this order became final.

2. The child development center shall enroll no more than 82 children, ages 6 months to 5 years old.

3. The child development center's staff shall be limited to no more than 20 persons.

4. The hours of operation of the child development center shall not exceed 7:00 a.m. to 6:00 p.m. per day, Monday through Friday.

5. The Applicant shall limit the number of children utilizing the outdoor play area at the subject property so that not all the children are at the play area at any one time.

6. The Applicant shall schedule off-site visits so that a limited number of children will be escorted through the neighborhood at any one time.

7. The Applicant shall install and maintain fencing as shown on page 2 of Exhibit 24A, with a locked gate on the alley side ramp.

8. The Applicant shall implement and enforce strict pick-up/drop-off policies, including restrictions on blocking the public alley, a prohibition on using the alley for any vehicles involved in pick-up/drop-off activities, and penalties for any violations of the policies. The Applicant shall provide detailed information about the pick-up/drop-off policies in the handbook provided to parents/guardians of the children enrolled and shall require parents/guardians to sign a statement indicating that they have been informed about the Applicant's policies.

9. The Applicant shall designate at least one staff member who will be present at the front of the child development center during peak drop-off and pick-up times to ensure efficient traffic flow, prevent congestion, and ensure compliance with the Applicant's pick-up/drop-off rules.

10. The Applicant shall coordinate with DDOT to install signage on Peabody Street abutting the subject property to create three parking spaces reserved for short-term parking limited to 15 minutes from 7:00 a.m. to 6:00 p.m. on school days.

11. The Applicant shall reserve the five parking spaces at the rear of the subject property for use by its staff. The parking spaces shall not be used for pick-up/drop-off activities with possible exceptions in the case of a student with special needs; the Applicant will inform the ANC if an exception is made.

12. The Applicant shall ensure that none of its employees will park on Peabody Street east of 3rd Street N.W. The Applicant shall state this policy in its employee handbook and agreement, including penalties for noncompliance, and shall require employees to sign a statement indicating that they have been informed about the Applicant's parking policies.

13. The Applicant shall implement a transportation demand management ("TDM") plan substantially as shown in Exhibit 57E of the record (also described in Finding of Fact No. 16).

14. The Applicant shall store trash in an enclosure at the rear of the subject property and roll bins to the public alley for collection. The Applicant shall arrange commercial trash and garbage collection, with collections occurring at least once a week.

15. The Applicant shall attend a public meeting of ANC 4B at least once every six months to provide an assessment of the Applicant's compliance with the conditions of approval adopted in this order.

16. For the first six months of operation, the Applicant shall monitor conditions and collect data on peak congestion times. The Applicant shall make necessary adjustments to pick-up/drop-off procedures to ease traffic flow.

17. The Applicant shall provide one long-term and four short-term bicycle parking spaces as shown on the architectural plans (Exhibit 30A).

VOTE: **3-0-2** (Frederick L. Hill, Chrishaun S. Smith, and Joseph S. Imamura to APPROVE; Lorna L. John and Carl H. Blake not participating)

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: July 2, 2025

PURSUANT TO 11 DCMR SUBTITLE Y § 604.11, NO ORDER OF THE BOARD SHALL TAKE EFFECT UNTIL TEN (10) DAYS AFTER IT BECOMES FINAL PURSUANT TO SUBTITLE Y § 604.7.

PURSUANT TO 11 DCMR SUBTITLE Y § 702.1, THIS ORDER SHALL NOT BE VALID FOR MORE THAN TWO YEARS UNLESS, WITHIN SUCH TWO-YEAR PERIOD, THE APPLICANT FILES PLANS FOR THE PROPOSED STRUCTURE WITH THE DEPARTMENT OF BUILDINGS FOR THE PURPOSE OF SECURING A BUILDING PERMIT, OR THE APPLICANT FILES A REQUEST FOR A TIME EXTENSION PURSUANT

TO SUBTITLE Y § 705 PRIOR TO THE EXPIRATION OF THE TWO-YEAR PERIOD AND THE REQUEST IS GRANTED. PURSUANT TO SUBTITLE Y § 703.14, NO OTHER ACTION, INCLUDING THE FILING OR GRANTING OF AN APPLICATION FOR A MODIFICATION PURSUANT TO SUBTITLE Y §§ 703 OR 704, SHALL TOLL OR EXTEND THE TIME PERIOD.

PURSUANT TO 11 DCMR SUBTITLE Y § 604, 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 SUBTITLE A § 303, 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.

BOARD OF ZONING ADJUSTMENT
REVISED NOTICE OF VIRTUAL PUBLIC MEETING

TIME AND PLACE: Wednesday, September 17, 2025, @ 9:30 a.m.
Via WebEx: https://dcoz.dc.gov/BZA09-17-2025
Via Telephone: 202-860-2110 Access code: 2318 112 8982
Via YouTube: https://www.youtube.com/c/DCOfficeofZoning

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

WARDS FIVE & SEVEN

Application of:	**TowerCo and Verizon Wireless**
Case No.:	**20573A**
Address:	2500 Benning Road N.W. (Parcel 160/42)
ANC:	**5D & 7D**
Relief:	Modification without Hearing to: • the Board of Zoning Adjustment Order No. 20573 (pursuant to Subtitle Y § 703)
Project:	To install 12 antennas and increase the height an additional 15 feet of an existing monopole in the RA-2 Zone.

EXPEDITED REVIEW

WARD ONE

Application of:	**Carla Frank and Robert Flaherty**
Case No.:	**21343**
Address:	3033 11th Street N.W. (Square 2851, Lot 138)
ANC:	**1A**
Relief:	Special Exceptions from: • the rear yard requirements of Subtitle E § 207.1 (pursuant to Subtitle E § 5201 and Subtitle X § 901.2) • the accessory building side yard requirements of Subtitle E § 210.1 (pursuant to Subtitle D § 5201 and Subtitle X § 901.2)

Project:	To construct a rear addition to an existing, semi-detached, two-story with cellar, principal dwelling unit in the RF-1 Zone.

PLEASE NOTE:
This public meeting will be held virtually through WebEx for the Board to deliberate on or decide the items listed on the agenda. Public testimony is not taken at a public meeting session. Information for the public to view or listen to the public meeting is listed above and will be provided on the Office of Zoning website by the Friday before the meeting date. Visit https://dcoz.dc.gov/watchlive.

The public meeting in these cases will be conducted in accordance with the provisions of Subtitles X and Y of the District of Columbia Municipal Regulations, Title 11.

Expedited Review Applications:
Expedited Review applications will remain on the public meeting agenda unless a request for party status is filed in opposition, or if a request to remove the application from the agenda is made by: (1) a Board member; (2) Office of Planning; (3) an affected ANC or affected Single Member District; (4) the Councilmember representing the area in which the property is located, or representing an area located within two-hundred feet of the property; or (5) an owner or occupant of any property located within 200 feet of the property.

The removal of the application from the Expedited Review Calendar will be announced as a preliminary matter on the scheduled decision date and then rescheduled for a public hearing on a later date. Notice of the rescheduled hearing will be posted on the Office of Zoning website calendar at https://app.dcoz.dc.gov/Home/Calendar and on a revised public hearing notice in the OZ office. If an applicant fails to appear at the public hearing, this application may be dismissed.

Individuals and organizations may also submit written comments to the Board by uploading submissions via the Interactive Zoning Information System ("IZIS") at https://app.dcoz.dc.gov/Login.aspx or sent by email to bzasubmissions@dc.gov. Written comments and/or testimony must be submitted to the record at least 24 hours prior to the start of the hearing. If you are unable to use either of these means of submission, please contact Robert Reid at (202) 727-5471 for further assistance

Modification Without Hearing Applications:
Per Subtitle Y § 703, requests for party status as well as responses and comments from non-parties are not permitted for modification without hearing cases.

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

Do you need assistance to participate?

Amharic

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Chinese
您需要有人帮助参加活动吗？
如果您需要特殊便利设施或语言协助服务（翻译或口译），请在见面之前提前五天与 Zee Hill 联系，电话号码 (202) 727-0312，电子邮件 Zelalem.Hill@dc.gov。这些是免费提供的服务。

French
Avez-vous besoin d'assistance pour pouvoir participer ? Si vous avez besoin d'aménagements spéciaux ou d'une aide linguistique (traduction ou interprétation), veuillez contacter Zee Hill au (202) 727-0312 ou à Zelalem.Hill@dc.gov cinq jours avant la réunion. Ces services vous seront fournis gratuitement.

Korean
참여하시는데 도움이 필요하세요?
특별한 편의를 제공해 드려야 하거나, 언어 지원 서비스(번역 또는 통역)가 필요하시면, 회의 5일 전에 Zee Hill 씨께 (202) 727-0312로 전화 하시거나 Zelalem.Hill@dc.gov 로 이메일을 주시기 바랍니다. 이와 같은 서비스는 무료로 제공됩니다.

Spanish
¿Necesita ayuda para participar?
Si tiene necesidades especiales o si necesita servicios de ayuda en su idioma (de traducción o interpretación), por favor comuníquese con Zee Hill llamando al (202) 727-0312 o escribiendo a Zelalem.Hill@dc.gov cinco días antes de la sesión. Estos servicios serán proporcionados sin costo alguno.

Vietnamese
Quí vị có cần trợ giúp gì để tham gia không?
Nếu quí vị cần thu xếp đặc biệt hoặc trợ giúp về ngôn ngữ (biên dịch hoặc thông dịch) xin vui lòng liên hệ với Zee Hill tại (202) 727-0312 hoặc Zelalem.Hill@dc.gov trước năm ngày. Các dịch vụ này hoàn toàn miễn phí.

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

FREDERICK L. HILL, CHAIRPERSON
CARL BLAKE, VICE-CHAIRPERSON
CHRISHAUN SMITH, MEMBER,
NATIONAL CAPITAL PLANNING COMMISSION
A PARTICIPATING MEMBER OF THE ZONING COMMISSION
KEARA M. MEHLERT, SECRETARY TO THE BOARD OF ZONING ADJUSTMENT
SARA A. BARDIN, DIRECTOR, OFFICE OF ZONING

This meeting is governed by the Open Meetings Act. Please address any questions or complaints regarding this meeting to the Office of Open Government at opengovoffice@dc.gov .

OFFICE OF DOCUMENTS AND ADMINISTRATIVE ISSUANCES

DISTRICT OF COLUMBIA REGISTER
2025 AGENCY SUBMISSION DEADLINE SCHEDULE

The deadline for submitting notices for publication in the *District of Columbia Register* by District agencies, boards, commissions, and public charter schools is THURSDAY, noon of the PREVIOUS week. For example, the deadline for the Friday, January 10, 2025 *District of Columbia Register* is Thursday, noon on January 2, 2025.

The deadline for a Register to be published during a week that has an official District of Columbia holiday is WEDNESDAY noon of the PREVIOUS week. For example, Monday, January 20, 2025 (Martin Luther King Jr. Day) is an official District of Columbia holiday therefore, the deadline for the Friday, January 24, 2025 *District of Columbia Register* is Wednesday, noon on January 15, 2025.

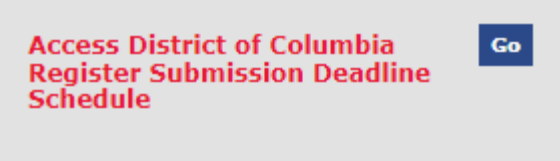
If an official government holiday falls on a Thursday, the deadline for submitting documents is WEDNESDAY. Because Thursday, November 27, 2025 is Thanksgiving Day, the deadline for the December 5, 2025 *District of Columbia Register* is Wednesday, noon on November 26, 2025.

Because Thursday, June 19, 2025 is Juneteenth, the deadline for the June 27, 2025 *District of Columbia Register* is Wednesday, noon on June 18, 2025.

Documents that are uploaded after the noon deadline will be published in the next edition of the Register.

The DC Register Submission Deadline Schedule is published at the end of each Register.

The Office of Documents also publishes the Submission Deadline Schedule on the DCRegs Home page:



Below is the 2025 District of Columbia Register Submission Deadline schedule.

OFFICE OF DOCUMENTS AND ADMINSTRATIVE ISSUANCES
DISTRICT OF COLUMBIA REGISTER
2025 AGENCY SUBMISSION DEADLINE SCHEDULE

D.C. Register Issue		Submission Deadline	
Vol. 72/1	January 3, 2025*	Tuesday	December 24, 2024
Vol. 72/2	January 10, 2025	Thursday	January 2, 2025
Vol. 72/3	January 17, 2025	Thursday	January 9, 2025
Vol. 72/4	January 24, 2025*	Wednesday	January 15, 2025
Vol. 72/5	January 31, 2025	Thursday	January 23, 2025
Vol. 72/6	February 7, 2025	Thursday	January 30, 2025
Vol. 72/7	February 14, 2025	Thursday	February 6, 2025
Vol. 72/8	February 21, 2025*	Wednesday	February 12, 2025
Vol. 72/9	February 28, 2025	Thursday	February 20, 2025
Vol. 72/10	March 7, 2025	Thursday	February 27, 2025
Vol. 72/11	March 14, 2025	Thursday	March 6, 2025
Vol. 72/12	March 21, 2025	Thursday	March 13, 2025
Vol. 72/13	March 28, 2025	Thursday	March 20, 2025
Vol. 72/14	April 4, 2025	Thursday	March 27, 2025
Vol. 72/15	April 11, 2025	Thursday	April 3, 2025
Vol. 72/16	April 18, 2025*	Wednesday	April 9, 2025
Vol. 72/17	April 25, 2025	Thursday	April 17, 2025
Vol. 72/18	May 2, 2025	Thursday	April 24, 2025
Vol. 72/19	May 9, 2025	Thursday	May 1, 2025
Vol. 72/20	May 16, 2025	Thursday	May 8, 2025
Vol. 72/21	May 23, 2025	Thursday	May 15, 2025
Vol. 72/22	May 30, 2025 *	Wednesday	May 21, 2025
Vol. 72/23	June 6, 2025	Thursday	May 29, 2025
Vol. 72/24	June 13, 2025	Thursday	June 5, 2025
Vol. 72/25	June 20, 2025*	Wednesday	June 11, 2025
Vol. 72/26	June 27, 2025	Wednesday	June 18, 2025
Vol. 72/27	July 4, 2025 *	Wednesday	June 25, 2025
Vol. 72/28	July 11, 2025	Thursday	July 3, 2025
Vol. 72/29	July 18, 2025	Thursday	July 10, 2025
Vol. 72/30	July 25, 2025	Thursday	July 17, 2025
Vol. 72/31	August 1, 2025	Thursday	July 24, 2025
Vol. 72/32	August 8, 2025	Thursday	July 31, 2025
Vol. 72/33	August 15, 2025	Thursday	August 7, 2025
Vol. 72/34	August 22, 2025	Thursday	August 14, 2025
Vol. 72/35	August 29, 2025	Thursday	August 21, 2025
Vol. 72/36	September 5, 2025*	Wednesday	August 27, 2025
Vol. 72/37	September 12, 2025	Thursday	September 4, 2025
Vol. 72/38	September 19, 2025	Thursday	September 11, 2025
Vol. 72/39	September 26, 2025	Thursday	September 18, 2025
Vol. 72/40	October 3, 2025	Thursday	September 25, 2025
Vol. 72/41	October 10, 2025	Thursday	October 2, 2025
Vol. 72/42	October 17, 2025*	Wednesday	October 8, 2025
Vol. 72/43	October 24, 2025	Thursday	October 16, 2025
Vol. 72/44	October 31, 2025	Thursday	October 23, 2025
Vol. 72/45	November 7, 2025	Thursday	October 30, 2025
Vol. 72/46	November 14, 2025*	Wednesday	November 5, 2025
Vol. 72/47	November 21, 2025	Thursday	November 13, 2025
Vol. 72/48	November 28, 2025*	Wednesday	November 19, 2025
Vol. 72/49	December 5, 2025	Wednesday	November 26, 2025
Vol. 72/50	December 12, 2025	Thursday	December 4, 2025
Vol. 72/51	December 19, 2025	Thursday	December 11, 2025
Vol. 72/52	December 26, 2025*	Wednesday	December 17, 2025
Vol. 73/1	January 2, 2026*	Wednesday	December 24, 2025

*Weeks with District of Columbia Government public holidays.

Last Updated December 10, 2024