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District of Columbia REGISTER

HIGHLIGHTS

- D.C. Council schedules a public hearing to discuss the legal authorization for the Department of Human Services (DHS) to share certain data within DHS and with other District agencies (Bill 26-0753)
- D.C. Council schedules a public oversight hearing on chronic absenteeism and truancy
- D.C. Council schedules a public oversight roundtable on the DC Access System and the implementation of the Supplemental Nutrition Assistance Program (SNAP) and the Medicaid work requirements
- D.C. Council schedules a public oversight roundtable on Overcoming Barriers to Economic Mobility: Strengthening TANF's Employment and Education Program and Bridging Benefits Cliffs
- Office of the State Superintendent of Education updates requirements for the statewide academic assessments
- Office of the State Superintendent of Education announces funding availability for the Fiscal Year 2027 National School Lunch Program (NSLP) Equipment Assistance Grant
- Department of Licensing and Consumer Protection updates the license approval application process for UK-chartered professional engineers
- Office of Planning announces funding availability for the Columbia Heights and Mount Pleasant Public Realm Improvement Grant
- DC Water and Sewer Authority updates the retail water, sewer rates, and charges for Fiscal Years 2027 and 2028

DISTRICT OF COLUMBIA REGISTER

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Errata Notice: The Office of the Tenant Advocate (OTA) published the District of Columbia Tenant Bill of Rights in D.C. Register, Volume 73, Issue No. 39, September 25, 2026, inadvertently with an incorrect form number of FORM OTA 2026.09.17. The Tenant Bill of Rights is republished in D.C. Register, Volume 73, No. 40, on October 2, 2026, with the correct form number of FORM OTA 2026.09.25.

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ENROLLED ORIGINAL

A RESOLUTION

26-497

IN THE COUNCIL OF THE DISTRICT OF COLUMBIA

September 22, 2026

To declare the existence of an emergency, due to congressional review, with respect to the need to amend the Office of Citizen Complaint Review Establishment Act of 1998 to expand the membership of the Police Complaints Board and to allow the Office of Police Complaints' Executive Director to initiate their own complaint if they discover evidence of abuse or misuse of police powers that was not alleged in the original complaint, including the failure to intervene or report to a supervisor when another officer used excessive force, engaged in other forms of misconduct, or violated a rule or regulation; and to amend Chapter 3 of Title 14 of the District of Columbia Official Code to clarify that certain provisions only apply to a victim who is under the age of 18.

RESOLVED, BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this resolution may be cited as the "Comprehensive Policing and Justice Reform Technical Congressional Review Emergency Declaration Resolution of 2026".

Sec. 2. (a) On December 20, 2022, the Council passed the Comprehensive Policing and Justice Reform Amendment Act of 2022, effective April 21, 2023 (D.C. Law 24-345; 70 DCR 6316) ("permanent law"). While most of the permanent law went into effect on April 21, 2023, section 105 of the permanent law remains unfunded and has not yet taken effect. Instead, substantially similar provisions have been maintained on an emergency and temporary basis.

(b) There also existed a need to clarify the scope of reporting requirements amended by the Expanding Supports for Crime Victims Amendment Act of 2022, effective April 6, 2023 (D.C. Law 24-341; 69 DCR 14698) ("Expanding Supports Act"). Section 4 of the Leading Education Access for Reentry and Necessary Success ("LEARNS") Amendment Act of 2026, enacted on July 2, 2026 (D.C. Act 26-368; 73 DCR 9419) ("LEARNS Act"), provides such clarification, but the LEARNS Act has not yet completed its congressional review period.

(c) In response to these issues, the Council passed the Comprehensive Policing and Justice Reform Technical Emergency Amendment Act of 2026, effective July 22, 2026 (D.C. Act 26-371; 73 DCR 11065) ("emergency legislation"). The emergency legislation expires on October 20, 2026. The Council also passed the Comprehensive Policing and Justice Reform Technical Temporary Amendment Act of 2026, enacted on August 13, 2026 (D.C. Act 26-414; 73 DCR 11370) ("temporary legislation"). The temporary legislation is projected to become law on November 13, 2026.

(d) Congressional review emergency legislation is necessary to prevent a gap in the law between the expiration of the emergency legislation and the effective date of the temporary legislation.

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 Comprehensive Policing and Justice Reform Technical Congressional Review Emergency Amendment Act of 2026 be adopted after a single reading.

Sec. 4. This resolution shall take effect immediately.

ENROLLED ORIGINAL

A RESOLUTION

26-498

IN THE COUNCIL OF THE DISTRICT OF COLUMBIA

September 22, 2026

To confirm the appointment of Denise Rolark Barnes to the Board of Library Trustees.

RESOLVED, BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this resolution may be cited as the "Board of Library Trustees Denise Rolark Barnes Confirmation Resolution of 2026".

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

Denise Rolark Barnes
Mississippi Avenue, SE
Washington, DC 20032
(Ward 8)

as a member of the Board of Library Trustees, established by section 4 of An Act To establish and provide for the maintenance of a free public library and reading room in the District of Columbia, approved June 3, 1896 (29 Stat. 244; D.C. Official Code § 39-104), for a term to end January 5, 2031.

Sec. 3. The Council 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

26-499

IN THE COUNCIL OF THE DISTRICT OF COLUMBIA

September 22, 2026

To confirm the appointment of Mary Early to the Board of Library Trustees.

RESOLVED, BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this resolution may be cited as the "Board of Library Trustees Mary Early Confirmation Resolution of 2026".

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

Mary Early
H Street, SW
Washington, DC 20024
(Ward 6)

as a member of the Board of Library Trustees, established by section 4 of An Act To establish and provide for the maintenance of a free public library and reading room in the District of Columbia, approved June 3, 1896 (29 Stat. 244; D.C. Official Code § 39-104), for a term to end January 5, 2030.

Sec. 3. The Council 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

26-500

IN THE COUNCIL OF THE DISTRICT OF COLUMBIA

September 22, 2026

To declare the existence of an emergency with respect to the need to approve Proposed Modification No. M003 to Contract No. DCRL-2026-C-0024 with Crawford Consulting and Mental Health Service, Inc. to provide community-based residential and social services, and to authorize payment for the services received under the modification.

RESOLVED, BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this resolution may be cited as the "Modification No. M003 to Contract No. DCRL-2026-C-0024 with Crawford Consulting and Mental Health Service, Inc. Approval and Payment Authorization Emergency Declaration Resolution of 2026".

Sec. 2. (a) There exists a need to approve Proposed Modification No. M003 to Contract No. DCRL-2026-C-0024 with Crawford Consulting and Mental Health Service, Inc. to provide community-based residential and social services, and to authorize payment for the services received under the modifications.

(b) On May 11, 2026, The Child and Family Services Agency ("CFSA") executed Contract No. DCRL-2026-C-0024 with Crawford Consulting and Mental Health Service, Inc. to provide community-based residential and social services in the District of Columbia in the not-to-exceed amount of $691,648.03 for the period from May 12, 2026, through September 30, 2026.

(c) By Modification No. M001, issued on May 19, 2026, CFSA decreased the not-to-exceed amount to $690,762.37.

(d) By Modification No. M002, issued on July 27, 2026, CFSA incorporated a revised price schedule.

(e) Proposed Modification No. M003 will exercise option year one for the period of October 1, 2026, through September 30, 2027, in the not-to-exceed amount of $1,774,850.84.

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

(g) Council approval is necessary to allow the continuation of these vital services. Without Council approval, Crawford Consulting and Mental Health Service, Inc. cannot be paid for services provided in excess of $1 million for the period from October 1, 2026, through September 30, 2027.

ENROLLED ORIGINAL

Sec. 3. The Council of the District of Columbia determines that the circumstances enumerated in section 2 constitute emergency circumstances making it necessary that the Modification No. M003 to Contract No. DCRL-2026-C-0024 with Crawford Consulting and Mental Health Service, Inc. Approval and Payment Authorization Emergency Act of 2026 be adopted after a single reading.

Sec. 4. This resolution shall take effect immediately.

ENROLLED ORIGINAL

A RESOLUTION

26-501

IN THE COUNCIL OF THE DISTRICT OF COLUMBIA

September 22, 2026

To declare the existence of an emergency with respect to the need to approve Modification Nos. M04, M05 and M06 to Contract No. CW106884 with See Forever Foundation, 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. M04, M05 and M06 to Contract No. CW106884 with See Forever Foundation Approval and Payment Authorization Emergency Declaration Resolution of 2026".

Sec. 2. (a) There exists an immediate need to approve Modification Nos. M04, M05 and M06 to Contract No. CW106884 with See Forever Foundation to provide an education program to youth who are in the custody of the DYRS at the Youth Services Center, and to authorize payment for the goods and services received and to be received under the contract.

(b) By Modification No. M04, issued on July 7, 2026, the Office of Contracting and Procurement ("OCP"), on behalf of the Department of Youth Rehabilitation Services ("DYRS"), exercised a partial option of option year 3 in the not-to-exceed amount of $1 million for the period July 7, 2026, through September 30, 2026.

(c) By Modification No. M05, issued on July 28, 2026, OCP exercised another partial option extending the period of performance through October 7, 2026, at no additional cost.

(d) Proposed Modification No. M06 will exercise the remainder of option year 3 and increase the not-to-exceed amount by $2,968,957.85, to a total not-to-exceed amount of $3,968,957.85.

(e) Council approval is necessary because the modifications will increase the value of the contract to 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, See Forever Foundation cannot be paid for goods and services provided in excess of $1 million for the period from July 7, 2026, through July 6, 2027.

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

ENROLLED ORIGINAL

Modification Nos. M04, M05 and M06 to Contract No. CW106884 with See Forever Foundation Approval and Payment Authorization Emergency Act of 2026 be adopted after a single reading.

Sec. 4. This resolution shall take effect immediately.

ENROLLED ORIGINAL

A RESOLUTION

26-502

IN THE COUNCIL OF THE DISTRICT OF COLUMBIA

September 22, 2026

To declare the existence of an emergency with respect to the need to approve Modification Nos. M0009, M0010, and M0011 to Contract No. CW110208 with Ramjay Inc., and to authorize payment for the goods and services received and to be received under the modifications.

RESOLVED, BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this resolution may be cited as the "Modification Nos. M0009, M0010 and M0011 to Contract No. CW110208 with Ramjay Inc., Approval and Payment Authorization Emergency Declaration Resolution of 2026".

Sec. 2. (a) There exists an immediate need to approve Modification Nos. M0009, M0010, and M0011 to Contract No. CW110208 with Ramjay Inc. to provide transportation services to students with disabilities, and to authorize payment for the goods and services received and to be received under the modifications.

(b) By Modification No. M0009, issued on July 27, 2026, the Office of Contracting and Procurement ("OCP"), on behalf of the Office of the State Superintendent of Education, exercised a partial option of option year 3 in the not-to-exceed amount of $311,850 for the period from August 22, 2026, through September 30, 2026.

(c) By Modification No. M0010, issued on August 22, 2026, OCP increased the not-to-exceed amount of partial option year 3 by $155,925 to a total not-to-exceed amount of $467,775.

(d) Proposed Modification No. M0011 will exercise the remainder of option year 3and increase the not-to-exceed amount by $4,334,715 to a total not-to-exceed amount of $4,802,490 and a total performance period from August 22, 2026, through August 21, 2027.

(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, Ramjay Inc. cannot be paid for goods and services provided in excess of $1 million for the period from August 22, 2026, through August 21, 2027.

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

ENROLLED ORIGINAL

Modification Nos. M0009, M0010, and M0011 to Contract No. CW110208 with Ramjay Inc. Approval and Payment Authorization Emergency Act of 2026 be adopted after a single reading.

Sec. 4. This resolution shall take effect immediately.

ENROLLED ORIGINAL

A RESOLUTION

26-503

IN THE COUNCIL OF THE DISTRICT OF COLUMBIA

September 22, 2026

To declare the existence of an emergency with respect to the need to approve Modification Nos. M0008, M0009, and M0010 to Contract No. CW110323 with Tag-B Parking, LLC, and to authorize payment for the goods and services received and to be received under the modifications.

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. CW110323 with Tag-B Parking, LLC Approval and Payment Authorization Emergency Declaration Resolution of 2026".

Sec. 2. (a) There exists an immediate need to approve Modification Nos. M0008, M0009, and M0010 to Contract No. CW110323 with Tag-B Parking, LLC to provide private student transportation and attendant services to eligible students, and to authorize payment for the goods and services received and to be received under the modifications.

(b) By Modification No. M0008, issued on July 27, 2026, the Office of Contracting and Procurement ("OCP"), on behalf of the Office of the State Superintendent of Education, exercised a partial option of option year 3 in the not-to-exceed amount of $990,000 for the period from August 22, 2026, through September 30, 2026.

(c) By Modification No. M0009, issued on August 31, 2026, OCP increased the not-to-exceed amount by $617,376.96 to a total not-to-exceed amount of $1,607,376.96 for the partial option period.

(d) Proposed Modification No. M0010 will exercise the remainder of option year 3 and increase the amount by $17,102,831.04 to a total not-to-exceed amount of $18,710,208 covering the period of performance from October 1, 2026, through August 21, 2027.

(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 of the modifications is necessary to allow the continuation of these vital services. Without Council approval, Tag-B Parking, LLC cannot be paid for goods and services provided in excess of $1 million for the period from August 22, 2026, through August 21, 2027.

ENROLLED ORIGINAL

Sec. 3. The Council of the District of Columbia determines that the circumstances enumerated in section 2 constitute emergency circumstances making it necessary that the Modification Nos. M0008, M0009 and M0010 to Contract No. CW110323 with Tag-B Parking, LLC Approval and Payment Authorization Emergency Act of 2026 be adopted after a single reading.

Sec. 4. This resolution shall take effect immediately.

ENROLLED ORIGINAL

A RESOLUTION

26-506

IN THE COUNCIL OF THE DISTRICT OF COLUMBIA

September 22, 2026

To declare the existence of an emergency with respect to the need to approve multiyear Contract No. DCAM-21-NC-RFQuals-0001C PPA-26-01 with Flywheel Development, LLC.

RESOLVED, BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this resolution may be cited as the "Contract No. DCAM-21-NC-RFQuals-0001C PPA-26-01 with Flywheel Development, LLC Emergency Declaration Resolution of 2026".

Sec. 2. (a) There exists an immediate need to approve Contract No. DCAM-21-NC-RFQuals-0001C PPA-26-01 with Flywheel Development, LLC.

(b) On June 26, 2026, the Department of General Services ("DGS") executed a letter contract with Flywheel Development, LLC to authorize the immediate commencement of early-stage work to develop solar photovoltaic systems at 27 District-owned sites.

(c) DGS now wishes to enter into a definitive multiyear contract with Flywheel Development, LLC for the same purpose.

(d) Council approval is necessary to allow the District to receive the benefit of reducing the District's energy consumption from existing traditional energy sources and lower overall energy costs.

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 Contract No. DCAM-21-NC-RFQuals-0001C PPA-26-01 with Flywheel Development, LLC Emergency Approval Resolution of 2026 be adopted on an emergency basis.

Sec. 4. This resolution shall take effect immediately.

ENROLLED ORIGINAL

A RESOLUTION

26-507

IN THE COUNCIL OF THE DISTRICT OF COLUMBIA

September 22, 2026

To approve, on an emergency basis, multiyear Contract No. DCAM-21-NC-RFQuals-0001C PPA-26-01 with Flywheel Development, LLC.

RESOLVED, BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this resolution may be cited as the "Contract No. DCAM-21-NC-RFQuals-0001C PPA-26-01 with Flywheel Development, LLC Emergency Approval Resolution of 2026".

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. DCAM-21-NC-RFQuals-0001C PPA-26-01 with Flywheel Development, LLC.

Sec. 3. Transmittal.
The Council shall transmit a copy of this resolution, upon its adoption, to the Mayor.

Sec. 4. 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 § 1-3013.47a).

Sec. 5. Effective date.
This resolution shall take effect immediately.

ENROLLED ORIGINAL

A RESOLUTION

26-508

IN THE COUNCIL OF THE DISTRICT OF COLUMBIA

September 22, 2026

To amend the Council Period 26 Appointment of Chairperson Pro Tempore, Committee Chairpersons, and Committee Membership Resolution of 2025 to make membership changes to Council committees.

RESOLVED, BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this resolution may be cited as the "Council Period 26 Committee Membership Amendment Resolution of 2026".

Sec. 2. Section 3 of the Council Period 26 Appointment of Chairperson Pro Tempore, Committee Chairpersons, and Committee Membership Resolution of 2025, effective January 2, 2025 (Res. 26-2; 72 DCR 376), is amended as follows:

(a) Paragraph (2) is amended by striking the phrase "Doni Crawford, Matthew Frumin, and Janeese Lewis George" and inserting the phrase "Matthew Frumin, Janeese Lewis George, and Elissa Silverman" in its place.

(b) Paragraph (7) is amended by striking the phrase "Charles Allen, Anita Bonds, Doni Crawford, and Wendell Felder" and inserting the phrase "Charles Allen, Anita Bonds, Wendell Felder, and Elissa Silverman" in its place.

(c) Paragraph (8) is amended by striking the phrase "Wendell Felder, Janeese Lewis George, and Robert White" and inserting the phrase "Wendell Felder, Janeese Lewis George, Elissa Silverman, and Robert White" in its place.

(d) Paragraph (9) is amended by striking the phrase "Doni Crawford, Christina Henderson, Janeese Lewis George, and Zachary Parker" and inserting the phrase "Christina Henderson, Janeese Lewis George, Zachary Parker, and Elissa Silverman" in its place.

(e) Paragraph (10) is amended by striking the phrase "Doni Crawford, Brooke Pinto, and Robert White" and inserting the phrase "Brooke Pinto, Elissa Silverman, and Robert White" in its place.

Sec. 3. This resolution shall take effect immediately.

ENROLLED ORIGINAL

A RESOLUTION

26-511

IN THE COUNCIL OF THE DISTRICT OF COLUMBIA

September 22, 2026

To declare the existence of an emergency with respect to the need to amend Chapter 10 of Title 47 of the District of Columbia Official Code to provide a property tax exemption for the property situated on Lot 0005, Square 3766 at 219 Riggs Road, NE.

RESOLVED, BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this resolution may be cited as the "Food & Friends Property Tax Exemption Emergency Declaration Resolution of 2026".

Sec. 2. (a) On November 4, 2025, the Council approved the Food & Friends Property Tax Exemption Emergency Amendment Act of 2025, effective November 4, 2025 (D.C. Act 26-211; 72 DCR 13678)("Emergency Act") to ensure that Food & Friends retains an administrative exemption from real property tax on 97% the land located at 219 Riggs Road, NE. The Emergency Act expired on February 22, 2026.

(b) On December 2, 2025, the Council approved the Food & Friends Property Tax Exemption Temporary Amendment Act of 2025, effective February 12, 2026 (D.C. Law 26-91; 73 DCR 7)("Temporary Act"), which is identical to the Emergency Act. The Temporary Act expires on September 25, 2026.

(c) The expiration of the Temporary Act, without a new round of emergency legislation, would have an adverse impact on the operation of Food & Friends. As such, a second round of emergency legislation is necessary. The Committee of the Whole intends to mark up a permanent version of the legislation on September 22.

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 Food & Friends Property Tax Exemption Emergency Amendment Act of 2026 be adopted after a single reading.

Sec. 4. This resolution shall take effect immediately.

ENROLLED ORIGINAL

A RESOLUTION

26-512

IN THE COUNCIL OF THE DISTRICT OF COLUMBIA

September 22, 2026

To declare the existence of an emergency with respect to the need to amend Title 47 of the District of Columbia Official Code to clarify the applicability of the motor vehicle rental sales tax rate.

RESOLVED, BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this resolution may be cited as the "Peer-to-Peer Car Sharing Rental Vehicle Sales Tax Clarification Emergency Declaration Resolution of 2026".

Sec. 2. (a) Under current law, the Office of Tax and Revenue collects the rental vehicle sales tax of 9.25% on peer-to-peer car sharing services transactions when the owner has more than 5 vehicles. That is the case as a result of amendments to Title 47 of the District of Columbia Official Code made by the Internet Sales Tax Amendment Act of 2018, effective March 22, 2019 (D.C. Law 22-258; 66 DCR 1362), that require all marketplace facilitators to collect and pay District sales tax on transactions that occur on their platforms. However, the code provisions imposing the rental vehicle sales tax rate do not explicitly mention peer-to-peer car sharing services, creating confusion among the public. To provide clarity, the Fiscal Year 2027 Budget Support Act of 2026, enacted on August 14, 2026 (D.C. Act 26-418; 73 DCR 11735) ("Fiscal Year 2027 Budget Support Act"), included a technical amendment in subtitle 7-B adding language to D.C. Official Code §§ 47-2002(a) and 47-2202(a) making it clear that the 9.25% (and, as of October 1, 2026, 11%) rental vehicle sales tax applies "to the sale or charges from any transactions for the sharing of a vehicle or utility trailer made through a marketplace as defined in § 47-2001(g-4), including a peer-to-peer sharing program" and that this tax applies "regardless of whether the rental vehicle or utility trailer is owned by a rental operator as defined in § 50-1505.01(6) or part of a rental fleet as defined in § 50-1505.01(5)."

(b) According to the Office of Tax and Revenue, the language in the Fiscal Year 2027 Budget Support Act would apply the rental vehicle sales tax rate to all peer-to-peer car-sharing service transactions, regardless of whether the owner has fewer than 5 vehicles. This would create a disparity between peer-to-peer car-sharing service transactions and traditional rental vehicle services, which are taxed only at the rental vehicle sales tax rate if the owner has 5 or more rental vehicles. That disparity will negatively affect peer-to-peer car-sharing services in the District.

(c) The Fiscal Year 2027 Budget Support Act has not yet completed congressional review; however, provisions of the Fiscal Year 2027 Budget Support Emergency Act of 2026, effective August 13, 2026 (D.C. Act 26-416; 73 DCR 11509), that are identical to those in the Fiscal Year 2027 Budget Support Act, are already effective and will apply as of October 1, 2026. As such, it is necessary to move an emergency amendment to both Title 47 of the District of Columbia Official Code and to the Fiscal Year 2027 Budget Support Act to revert to the prior language so that the new motor vehicle rental sales tax rate of 11% only applies to peer-to-peer car sharing transactions when the owner of the vehicle has 5 or more vehicles available for sharing in the District.

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 Peer-to-Peer Car Sharing Rental Vehicle Sales Tax Clarification Emergency Amendment Act of 2026 be adopted after a single reading.

Sec. 4. This resolution shall take effect immediately.

ENROLLED ORIGINAL

A RESOLUTION

26-513

IN THE COUNCIL OF THE DISTRICT OF COLUMBIA

September 22, 2026

To declare the existence of an emergency with respect to the need to amend the Ballpark Omnibus Financing and Revenue Act of 2004 and section 47-2762 of the District of Columbia Official Code to authorize the deposit of sports facilities fees in Fiscal Year 2027 into the Ballpark Preservation and Improvement Fund for the purpose of repaying early redemption borrowing made to maintain the timeline for full repayment of the bonds used to build the Nationals Ballpark; and to make conforming amendments.

RESOLVED, BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this resolution may be cited as "Ballpark Bonds Loan Repayment Emergency Declaration Resolution of 2026".

Sec. 2. (a) The District plans to assume short-term debt to take advantage of current market conditions and accelerate repayment of the remaining debt on the ballpark bonds.

(b) Emergency legislation will ensure that the Mayor and the Chief Financial Officer have the appropriate authority to repay any such early redemption borrowing, pay debt service on the bonds for the RFK infrastructure financing, fund any reserves required under the indenture for the RFK infrastructure financing, and maintain the necessary timeline for full repayment of the ballpark bonds.

(c) This authority must be in place at the start of the fiscal year to allow the Office of the Chief Financial Officer to complete the early redemption borrowing in early October.

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 Ballpark Bonds Loan Repayment Emergency Amendment Act of 2026 be adopted after a single reading.

Sec. 4. This resolution shall take effect immediately.

ENROLLED ORIGINAL

A RESOLUTION

26-514

IN THE COUNCIL OF THE DISTRICT OF COLUMBIA

September 22, 2026

To declare the existence of an emergency with respect to the need to amend the Community Schools Incentive Act of 2012 and the Community School Grant Program Amendment Act of 2026 to revise the requirement that appointees to the Community Schools Task Force must be District residents.

BE IT ENACTED BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this resolution may be cited as the "Community Schools Task Force Emergency Declaration Resolution of 2026".

Sec. 2. (a) The Community Schools Task Force ("Task Force") was established as part of the Community School Grant Program Amendment Act of 2026 in the Fiscal Year 2027 Budget Support Act of 2026, enacted on August 14, 2026 (D.C. Act 26-418; 73 DCR 11735) ("BSA") to research, evaluate, and recommend changes to the Council for a more sustainable and intentional model for full-service community schools. The Task Force will review national and local community school models and best practices, and must submit a report to the Council with recommendations by February 28, 2027, in advance of the Mayor's submission of the Fiscal Year 2028 budget. The Task Force is intended to have members with broad expertise in community schools programming and the challenges facing students and families, including expertise in national trends and multi-state research. Many individuals with such expertise reside outside the District. However, the BSA provision establishing the Task Force inadvertently limited eligibility for appointments to District residents only.

(b) Emergency legislation would amend the Community Schools Incentive Act of 2012, effective June 19, 2012 (D.C. Law 19-142; D.C. Official Code § 38-754.03(i)(2)), and the Community School Grant Program Amendment Act of 2026 to permit the appointment of non-District residents in order to broaden the pool of researchers, principals, school leaders, and academics with community schools expertise able to serve on the Task Force.

(c) There exists an immediate need for emergency legislation so that necessary appointments can be made and the Task Force can meet the February 28, 2027 reporting deadline.

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

ENROLLED ORIGINAL

Community Schools Task Force Emergency Amendment Act of 2026 be adopted after a single reading.

Sec. 4. This resolution shall take effect immediately.

ENROLLED ORIGINAL

A RESOLUTION

26-515

IN THE COUNCIL OF THE DISTRICT OF COLUMBIA

September 22, 2026

To declare the existence of an emergency with respect to the need to amend the Department of Behavioral Health Establishment Act of 2013 to continue funding all Fiscal Year 2026 grantees awarded to implement the Substance Use and Behavioral Health Services Targeted Outreach Grant Act of 2025 pilot program in order to continue services without disruption; and to amend the Opioid Abatement Fund Establishment Act of 2022 to authorize the Department of Behavioral Health to expend funds from the Opioid Abatement Fund for the grants.

RESOLVED, BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this resolution may be cited as the "Extension of Substance Use and Targeted Outreach Grants Emergency Declaration Resolution of 2026".

Sec. 2. (a) For the last several years, opioid overdose deaths have reached epidemic proportions in the District and show no signs of slowing down. According to the most recent data from the Office of the Chief Medical Examiner, a total of 76 opioid-related deaths occurred from January through May, a decrease of 25 % from the same time last year. Non-fatal overdoses decreased 26 % from the prior year to date to 1,777. The epidemic continues to have a devastating impact on communities across the nation, and the District has been disproportionately affected. For the 12-month period from December 1, 2024, through November 30, 2025, the District recorded more than 225 fatal opioid overdoses. Black residents accounted for 84 % of decedents, reflecting a continued and disproportionate racial impact. Men comprised 64 % of fatal overdoses, while women accounted for 36 %. Individuals aged 60 to 69 represented the largest age group at 29 %, followed by those aged 40 to 49 and 50 to 59, each at 19 %. Non-fatal overdoses occur at a substantially higher rate. For the 12-month period from February 1, 2025, through January 31, 2026, there were approximately 5,990 non-fatal opioid overdoses in the District. Black residents accounted for 91 % of non-fatal overdoses, compared to 5 % among White residents and 3 % among Hispanic residents. Men comprised 77 % of individuals experiencing non-fatal overdoses. Individuals aged 40 to 49 represented the largest age group at 25 %, followed by those aged 30 to 39 and 60 to 69 at 19 % each. Adults aged 50 to 59 accounted for 17 % of non-fatal overdoses. This data demonstrates that opioid-related harm in the District remains both widespread and inequitable. Fatal overdoses represent only a fraction of overdose events, and the scale of nonfatal overdoses highlights significant opportunities for

intervention, harm reduction, and connection to treatment. There is an ongoing public health crisis in the District. Opioid use is also associated with increased risk of HIV and other infectious diseases, making outreach and engagement critical components of broader public health efforts.

(b) To address these challenges, the District government became proactive. On July 14, 2022, Chairman Mendelson introduced the Opioid Litigation Proceeds Amendment Act of 2022, effective March 10, 2023 (D.C. Law 24-315; 70 DCR 3546), at the request of then-Attorney General Karl Racine. The law was passed by the Council on December 20, 2022. The devastating impact of the epidemic gave rise to thousands of lawsuits across the country and resulted in multimillion dollar payments to local and state governments which required that at least 85% be used for opioid abatement efforts. Thus, the law established the Opioid Abatement Advisory Commission, established an Office of Opioid Abatement at the Department of Behavioral Health ("DBH") to support the Commission's work, and explicitly provided that monies from the settlements would be deposited into the Opioid Abatement Fund ("Fund"), a special purpose fund separate from the District's General Fund, which would be managed by the agency. The law establishing the Fund states, "Money deposited into the Fund shall not be obligated or expended until the Council passes legislation setting forth the permissible uses of the money in the Fund."

(c) In 2023, the Council passed the Department of Behavioral Health Targeted Outreach Grants Act of 2023 in the Fiscal Year 2024 Budget Support Act of 2023, effective September 6, 1012 (D.C. Law 25-50; 70 DCR 12679). The pilot program was designed to test the effectiveness of deploying concentrated, place-based outreach efforts in high-need areas, including direct engagement, relationship-building, harm reduction support, and resource brokering to connect individuals to substance use disorder treatment and behavioral health services. In its first year, the pilot operated in 3 locations in Wards 1, 5, and 7. These sites were identified due to persistent open drug use, high volumes of service calls, and repeated community concerns. The Ward 7 site was of particular concern, as children and infants were frequently observed in the vicinity of individuals actively using drugs. Recognizing the ongoing severity of the crisis, the Council expanded the pilot in the Fiscal Year 2025 Budget Support Act of 2024, effective September 18, 2024 (D.C. Law 25-217; 71 DCR 11542), to include additional locations in Wards 6 and 8. Ward 8 has consistently recorded the highest number of opioid-related overdose fatalities in the District since 2018. In the Fiscal Year 2026 Budget Support Act of 2025, effective December 6, 2025 (D.C. Law 26-55; 72 DCR 9825), the Council directed DBH to continue targeted outreach activities in 6 designated high need areas across Wards 1, 5, 6, 7, and 8.

(d) The pilot program has proven to be successful. For example, one of the sites operating in Ward 1 in the 500 block of T Street, NW by the organization HIPS saw a 51 % decrease in nonfatal overdoses in less than a year. Even more, the pilot program was the outgrowth of the successful "Community Navigators" program funded in Columbia Heights several years ago. And because of the success of the community navigators and the expansion of the pilot program to other wards, the Council introduced the Place-Based Substance Use Disorder Outreach Amendment Act of 2026, effective July 18, 2026 (D.C. Law 26-142; 73 DCR 8157), and passed

the legislation at the May 5, 2026, Legislative Meeting. The legislation codifies and makes permanent the pilot program. The Committee on Health wrote in the legislative history of the bill's report that the goal is to build on the pilot's framework—not terminate it entirely—recognizing the need for sustained, accountable, and data-driven intervention in areas most impacted by the opioid crisis. The law was partially funded in 2026 and fully funded in the Fiscal Year 2027 budget by the Committee on Public Works. In the Fiscal Impact Statement issued by the Chief Financial Officer issued on February 12, 2026, it states that the "DBH fiscal year 2026 budget includes $1 million in one-time funding and $750,000 in recurring Local funds for outreach grants. Establishing a permanent Program will require one additional employee. DBH requires $115,000 in fiscal year 2027 and $479,000 over the financial plan to implement the bill." Subsequently, the Committee on Public Works transferred $115,000 in recurring funds to the Committee on Health to fully fund the Place-Based Substance Use Disorder Outreach Amendment Act of 2026.

(e) In the Report and Recommendations of the Committee on Health on the Fiscal Year 2027 Budget for Agencies Under Its Purview, the Committee noted concerns with the direction of DBH's strategy on the opioid response particularly noting, "DBH's own testimony indicates a concurrent increase in non-fatal overdoses, suggesting that while more individuals are surviving overdoses, the system is not consistently succeeding in connecting those individuals to ongoing treatment and recovery supports. In addition, many individuals who experience fatal overdoses still have no prior engagement with treatment--reflecting persistent gaps in outreach, access, and system capacity." The Committee also flagged concerns around accuracy: "DBH's presentation of progress does not fully account for ongoing gaps in the continuum of care. Stable housing and recovery supports remain among the most critical gaps in the system. Effective treatment requires a full continuum of care, including transitional and supportive housing, without which individuals are at high risk of relapse and repeated crisis system involvement. Testimony at numerous hearings and roundtables over the past few years consistently emphasized that without meaningful expansion of these supports, individuals will continue to cycle through emergency and crisis systems rather than achieve sustained recovery."

(f) In August 2026, DBH, which administers the grants for the pilot program, sent out an official notification to grantee organizations operating in high need areas that funding for the pilot program will conclude at the end of the current award period on September 30, 2026, and will not be renewed beyond FY26. Sustained investment, stronger system coordination, and a more comprehensive continuum of care is, and will be, necessary to ensure that recent gains are preserved and translated into durable, equitable outcomes for residents most impacted by the crisis.

(g) Based on conversations with the agency, they intend to issue new grants for Wards 7 and 8 using local funds from the Place-Based Substance Use Disorder Outreach Amendment Act of 2026 which is fully funded in FY2027. Additionally, the agency has received $2.4 million in State Opioid Response grants from the federal government to supplement local dollars in targeted outreach and have issued a Request for Applications in July 2026 for opportunities in

regions which include Wards 7 and 8 areas such as: Bellevue, Congress Heights/Shipley, Douglass, Historic Anacostia, Naval Station and Air Force, Naylor/Hillcrest, Saint Elizabeths, Twinning, Washington Highlands, Brentwood, Eastland Gardens, Fort Dupont, Fort Lincoln/Gateway, Kingman Park, Lincoln Heights, Marshall Heights, Stadium Armory, Trinidad, and Woodridge.

(h) As the legislative history shows, it was never the intent of the Council to terminate the pilot program and cause a disruption in services for already identified high-need areas. The abrupt termination of funding for the pilot program's Fiscal Year 2026 grantees, effective September 30, 2026, is inconsistent with the Council's legislative intent, as reflected in the Fiscal Year 2027 Budget Support Act of 2026 and the passage of the Place-Based Substance Use Disorder Outreach Amendment Act of 2026, both of which contemplated a continuation and expansion of outreach services rather than a lapse in services during the transition to a permanent program. To prevent a disruption in services that would jeopardize the health and safety of residents in high-need areas and undermine the progress achieved under the pilot program, DBH is directed and authorized by the Council to continue funding all current Fiscal Year 2026 grantee organizations at their existing locations, using funds from the Opioid Abatement Fund, until such time as a permanent program is formally established and commenced pursuant to the Place-Based Substance Use Disorder Outreach Amendment Act of 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 Extension of Substance Use and Targeted Outreach Grants Emergency Amendment Act of 2026 be adopted after a single reading.

Sec. 4. This resolution shall take effect immediately.

ENROLLED ORIGINAL

A RESOLUTION

26-516

IN THE COUNCIL OF THE DISTRICT OF COLUMBIA

September 22, 2026

To declare the existence of an emergency with respect to the need for the Department of Small and Local Business Development to award a grant to the Duke Business Improvement District Corporation to improve conditions for property owners, businesses, residents, and visitors within the Greater Shaw/U Street area.

RESOLVED, BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this resolution may be cited as the "Duke District BID Grantmaking Emergency Declaration Resolution of 2026".

Sec. 2. (a) The Duke Business Improvement District Corporation, d/b/a Duke District BID has been organized under the District of Columbia Nonprofit Corporation Act of 2010 to operate exclusively to improve neighborhood vitality and act as a Business Improvement District ("BID") for property owners, businesses, residents, and visitors within the Greater Shaw/U Street neighborhood. The neighborhood is referred to collectively as the "Duke District", in honor of Duke Ellington, who grew up and launched his music career in this area, one that continues to be a vibrant cultural hub to this day.

(b) Pursuant to the Business Improvements District Act of 1996, effective May 29, 1996 (D.C. Law 11-134; D.C. Official Code § 2-1215.01 *et seq*.), the Duke District BID has put together the business plan, boundaries, and property owner petitions necessary to submit a BID application to the Department of Small and Local Business Development. The Duke District BID petition has surpassed the signatures necessary to advance with its application, which will be accompanied by Council legislation.

(c) In 2023, the Council established the Greater U Street Performance Parking Zone to manage curbside availability, address congestion during peak nightlife hours, and generate a local source of revenue deposited into the Greater U Street Parking Benefit Fund. In the Fiscal Year 2027 Budget Support Act of 2026, enacted on August 14, 2026 (D.C. Act 26-418; 73 DCR 11735) ("BSA"), $1 million of revenue deposited into the fund was authorized to be issued as a grant in support of a place management organization in the area covered by the Greater U Street Performance Parking Zone. This funding was authorized with a BID organization in mind, but the Duke District BID had not yet attained the signatures necessary to advance. Per application materials, the proposed boundaries of the Duke District BID are coincident with the boundary of the Greater U Street Performance Parking Zone.

(d) Emergency legislation is necessary to appropriately direct place management grantmaking funds authorized in the BSA, in order to provide seed funding advancing the establishment of the Duke District BID and allow for services to be stood up alongside existing neighborhood-serving partners, including Main Streets and Clean Teams. These funds will support the economic vitality, cultural vibrancy, cleanliness, safety, and overall quality of life of the community and District as a whole.

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 Duke District BID Grantmaking Emergency Amendment Act of 2026 be adopted after a single reading.

Sec. 4. This resolution shall take effect immediately.

ENROLLED ORIGINAL

A RESOLUTION

26-517

IN THE COUNCIL OF THE DISTRICT OF COLUMBIA

September 22, 2026

To declare the existence of an emergency with respect to the need to amend Chapter 39 of Title 28 of the District of Columbia Official Code to deem certain federally-regulated consumer price transparency practices in the telecommunications industry compliant with District price transparency requirements.

RESOLVED, BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this resolution may be cited as the "Broadband Price Transparency Regulation Emergency Declaration Resolution of 2026".

Sec. 2. (a) The Enhancing Consumer Protection Procedures Amendment Act of 2026, enacted on June 25, 2026 (D.C. Act 26-344; 73 DCR 9162) ("ECPPA"), is pending congressional review. When it becomes law, it will make various changes to the District's laws protecting consumers against unfair and deceptive practices. Most notably for purposes of the emergency legislation, section 4(f) of the ECPPA would create a new provision at D.C. Official Code § 28-3204(a)(12) outlawing "[a]dvertising, displaying, or offering a price for a good or service that does not include all mandatory fees or charges other than… [t]axes or fees imposed by a government on the transaction[.]"

(b) After the ECPPA was enacted and funded, representatives of Verizon and other broadband telecommunication service and equipment merchants (collectively, the "telecom merchants") raised concerns that certain advertising practices that their industry has adopted pursuant to Federal Communications Commission ("FCC") regulations may violate the new ECPPA provision cited above.

(c) Specifically, the telecom merchants typically include a single base price in advertisements, and FCC regulations allow for that base price to omit certain jurisdiction-specific charges that the government arguably does not impose directly on "the transaction" but that the telecom merchants use to recoup government-imposed costs. For example, under 24 DCMR § 3302, telecom merchants pay the District fees calculated based on the linear feet of underground conduits and similar public infrastructure that the telecom merchants' equipment occupies, and the telecom merchants pass this cost through to consumers as an estimated pro rata line item. This is a mandatory charge to the consumer that is arguably not imposed "by a government on the transaction" but the telecom merchants still omit it from the base price in their nationwide advertising pursuant to FCC rules.

(d) The telecom merchants nonetheless contend that District consumers are protected from deceptive pricing because the FCC requires the telecom merchants to prepare a comprehensive, federally required, jurisdiction-specific price breakdown, known as the "nutrition label," which includes all such charges and to present that breakdown to consumers at the point of sale.

(e) The telecom merchants further contend that even if District regulators eventually conclude that the nutrition label—taken as a whole and in conjunction with the advertised base price—may be interpreted to satisfy the ECPPA's obligation not to omit pricing information, the telecom merchants will still be vulnerable to potentially costly private litigation with no significant public benefit, due to the cause of action provision at D.C. Official Code § 28-3905(k), which the ECPPA would amend and redesignate as D.C. Official Code § 28-3905(m).

(f) To resolve confusion as to whether telecom merchants' compliance with the nutrition label requirements is satisfactory under the ECPPA or whether telecom merchants must alter their nationwide advertising practices to satisfy District law and avoid litigation, a narrow legislative intervention before the ECPPA takes effect is warranted.

(g) The ECPPA will become law soon. Although section 6 of the ECPPA initially made the ECPPA's applicability subject to appropriation, the ECPPA is funded in the Fiscal Year 2027 budget. Section 7264(b) of the Fiscal Year 2027 Budget Support Emergency Act of 2026, effective August 13, 2026 (D.C. Act 26-416; 73 DCR 11509) ("FY27 Emergency BSA"), repeals the ECPPA's subject-to-appropriation section. Section 9001 of the FY27 Emergency BSA provides that this change to the ECPPA's applicability will become applicable on October 1, 2026, meaning that the ECPPA will assume the force of law immediately when it completes congressional review after October 1, 2026. As noted on the Legislative Information Management System page for the ECPPA, the projected law date is currently November 14, 2026, but this is based on congressional calendar plans that remain subject to change.

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 Broadband Price Transparency Regulation Emergency Amendment Act of 2026 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

B26-0811 Opening of Streets, Designation of Opened Streets, and Closing of a Portion of a Street in Square 1112-E Act of 2026

Intro. 09-21-2026 by Chairman Mendelson and referred to the Committee of the Whole

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B26-0812 Elimination and Establishment of the Highway Plan in Square 5963, Lots 801, 802, and 803, S.R. 26-00076, Act of 2026

Intro. 09-22-2026 by Chairman Mendelson and referred to the Committee of the Whole

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B26-0813 Commercial Bingo Amendment Act of 2026

Intro. 09-22-2026 by Chairman Mendelson and referred to the Committee on Human Services

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B26-0814 Dolores Tucker Way Designation Act of 2026

Intro. 09-22-2026 by Councilmember Nadeau and referred to the Committee of the Whole

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B26-0816 Board of Library Trustees Technical Amendment Act of 2026

Intro. 09-23-2026 by Councilmember Frumin and referred to the Committee on Human Services

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B26-0817 Electric Way Designation Act of 2026

Intro. 09-24-2026 by Councilmember Allen and referred to the Committee of the Whole

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B26-0818 For-Hire Passenger Service Reform Act of 2026

Intro. 09-25-2026 by Councilmember Nadeau and referred to the Committee on Public Works and Operations

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B26-0819 Ownership and Wealth-building for our Neighbors (OWN) Omnibus Amendment Act of 2026

Intro. 09-28-2026 by Councilmember R. White and referred to the Committee on Housing

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B26-0820 Affordable Housing Tax Assessment Alignment Act of 2026

Intro. 09-28-2026 by Councilmembers R. White, Pinto, Nadeau, Allen, Bonds, Frumin, and Chairman Mendelson and referred to the Committee of the Whole with comments from the Committee on Housing

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B26-0821 Pre-Approved Housing Plans Act of 2026

Intro. 09-28-2026 by Councilmembers R. White, Pinto, Nadeau, Allen, Bonds, Frumin, and Lewis George and referred to the Committee of the Whole with comments from the Committee on Housing

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B26-0822 Understanding the Cost of Housing Regulations Act of 2026

Intro. 09-28-2026 by Councilmembers R. White, Pinto, and Bonds and referred to the Committee on Housing

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B26-0823 Risk-Based Third-Party Code Review Act of 2026

Intro. 09-28-2026 by Councilmembers R. White, and Pinto and referred to the Committee of the Whole with comments from the Committee on Housing

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PR26-0810 Robert F. Kennedy Campus Master Plan Approval Resolution of 2026

Intro. 09-24-2026 by Chairman Mendelson and referred to the Committee of the Whole

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COUNCIL OF THE DISTRICT OF COLUMBIA
COMMITTEE ON HUMAN SERVICES
NOTICE OF PUBLIC HEARING
1350 Pennsylvania Avenue, NW, Washington, DC 20004

COUNCILMEMBER MATTHEW FRUMIN, CHAIRPERSON,
COMMITTEE ON HUMAN SERVICES,

ANNOUNCES A PUBLIC HEARING ON

B26-0753, the "Health and Human Service Programs and Benefits Eligibility and Delivery Data-Sharing Clarifications Amendment Act of 2026"

B26-0808, the "Green Workforce Pilot Amendment Act of 2026"

Thursday, October 22, 2026
11:00 a.m.
Room 500 of the John A. Wilson Building and Zoom Virtual Platform

Watch live at:
https://dccouncil.gov/hearings/
https://www.youtube.com/@cmfrumin

On Thursday, October 22, 2026, Matthew Frumin, Chairperson of the Committee on Human Services, will convene a public hearing to consider B26-0753, the "Health and Human Service Programs and Benefits Eligibility and Delivery Data-Sharing Clarifications Amendment Act of 2026", and B26-0808, the "Green Workforce Pilot Amendment Act of 2026". The hearing will be held in a hybrid format, in both Room 500 of the John A. Wilson Building and on the Zoom virtual platform, beginning at 11:00 a.m.

The purpose of B26-0753 is to clarify the legal authorization for the Department of Human Services (DHS) to share certain data within DHS and between DHS and other District agencies. Specifically, this legislation would allow DHS's homeless services department to share data with the agency's public benefits department to help DHS customers automatically qualify for exemptions from new federal work requirements. By doing so, the agency is attempting to lessen the reporting burden on people participating in the Supplemental Nutrition Assistance Program (SNAP). In the future, this same information could facilitate proactively exempting customers from new Medicaid Community Engagement requirements set to go into effect in January of 2027. The Council passed an emergency version of this legislation on July 14, 2026.

B26-0808 requires the Department of Human Services (DHS) to establish a Green Workforce Pilot Program to empower recipients of public benefits to meet new federal work requirements while

gaining meaningful experience and benefiting from individualized job coaching. The Pilot will employ residents in conservation and environmental roles, with wages and hours tailored to avoid benefits cliffs and to allow residents to access the federal and District Earned Income Tax Credits.

The Committee invites the public to provide oral and written testimony. Members of the public may sign up to testify using the Hearing Management System at https://lims.dccouncil.gov/hearings/. **Online registration will close 2 business days before the hearing (October 20, 2026 at 5:00pm).** If you cannot register to testify online, please contact Ella Roth, Legislative Assistant for the Committee on Human Services, at (202) 704-6525 or eroth@dccouncil.gov.

Registered witnesses will receive an e-mail from the Committee with instructions on how to testify and register for a Zoom link before the hearing. The first representative to speak on behalf of an organization will have five (5) minutes to testify. Subsequent representatives of the same organization will have three (3) minutes to testify. All other members of the public will have three (3) minutes to testify. Advisory Neighborhood Commissioners will have five (5) minutes to testify.

Witnesses who anticipate needing spoken language interpretation or who require closed captioning are asked to communicate with the Committee about how it can best help them participate as soon as possible. If a witness who requires accommodations to participate reaches out to the Committee **fewer than five (5) business days before the hearing, it may no longer be possible to arrange for an accommodation.** An alternative may be offered.

All witnesses are strongly encouraged to provide written testimony by uploading it to the Hearing Management System. **The record will close for all forms of testimony at 5:00pm on Thursday, November 5, 2026.**

COUNCIL OF THE DISTRICT OF COLUMBIA
COMMITTEE ON HUMAN SERVICES
NOTICE OF PUBLIC HEARING
1350 Pennsylvania Avenue, NW, Washington, DC 20004

COUNCILMEMBER MATTHEW FRUMIN, CHAIRPERSON,
COMMITTEE ON HUMAN SERVICES,

ANNOUNCES A PUBLIC HEARING ON

B26-0816, the "Board of Library Trustees Technical Amendment Act of 2026"

Thursday, October 22, 2026
4:00 p.m.
Room 500 of the John A. Wilson Building and Zoom Virtual Platform

Watch live at:
https://dccouncil.gov/hearings/
https://www.youtube.com/@cmfrumin

On Thursday, October 22, 2026, Matthew Frumin, Chairperson of the Committee on Human Services, will convene a public hearing to consider B26-0816, the "Board of Library Trustees Technical Amendment Act of 2026". The hearing will be held in a hybrid format, in both Room 500 of the John A. Wilson Building and on the Zoom virtual platform, beginning at 4:00 p.m.

The stated purpose of B26-0816 is to make several technical, administrative, and clarifying revisions to the establishing statute of the District of Columbia Public Library (DCPL) and its governing Board of Library Trustees (BOLT). The requested revisions ensure DCPL can continue to operate efficiently by replacing outdated language, ensuring leadership continuity, clarifying agency reporting responsibilities, and making explicit several previously implicit characteristics of BOLT's authority to regulate revenue-generating activity.

The Committee invites the public to provide oral and written testimony. Members of the public may sign up to testify using the Hearing Management System at https://lims.dccouncil.gov/hearings/. **Online registration will close at 4:00 p.m. on October 20, 2026.** If you cannot register to testify online, please contact Emelie Shany, Legislative Assistant, at (202) 741-8596 or eshany@dccouncil.gov.

Registered witnesses will receive an e-mail from the Committee with instructions on how to testify and register for a Zoom link before the hearing. The first representative to speak on behalf of an organization will have five (5) minutes to testify. Subsequent representatives of the same organization will have three (3) minutes to testify. All other members of the public will have three (3) minutes to testify. Advisory Neighborhood Commissioners will have five (5) minutes to testify.

Witnesses who anticipate needing spoken language interpretation or who require closed captioning are asked to communicate with the Committee about how it can best help them participate as soon as possible. If a witness who requires accommodations to participate reaches out to the Committee **fewer than five (5) business days before the hearing, it may no longer be possible to arrange for an accommodation.** An alternative may be offered.

All witnesses are strongly encouraged to provide written testimony by uploading it to the Hearing Management System. **The record will close for all forms of testimony at the end of the business day on Thursday, November 5, 2026.**

Council of the District of Columbia
COMMITTEE ON PUBLIC WORKS AND OPERATIONS
NOTICE OF PUBLIC HEARING
1350 Pennsylvania Avenue, N.W., Washington, D.C. 20004

COUNCILMEMBER BRIANNE K. NADEAU, CHAIRPERSON
COMMITTEE ON PUBLIC WORKS AND OPERATIONS

announces a public hearing on

B26-818, THE FOR-HIRE PASSENGER SERVICE REFORM ACT OF 2026, AND B26-667, THE SURVEILLANCE PRICING PROHIBITION AMENDMENT ACT OF 2026

Monday, October 19, 2026, 9:30 a.m.
John A. Wilson Building, 1350 Pennsylvania Ave., N.W., Room 500 and virtual via Zoom.

To Watch Live:
https://www.youtube.com/@dccouncilpublicworks

On **Monday, October 19, 2026,** Councilmember Brianne K. Nadeau, Chairperson of the Committee on Public Works and Operations, will convene a public hearing to consider the For-Hire Passenger Service Reform Act of 2026 and the Surveillance Pricing Prohibition Amendment Act of 2026. The hearing will be held in person in room 500 of the John A. Wilson Building and virtually via the Zoom platform beginning at 9:30am.

B26-818, the **For-Hire Passenger Service Reform Act of 2026**, would provide a comprehensive modernization of the District's outdated laws governing for-hire passenger vehicle services such as taxis and ride-hailing mobile applications. Councilmember Nadeau proposed this legislation based on years of experience as Committee Chairperson overseeing and collaborating with the Department of For-Hire Vehicles and Office of the Attorney General; based on a review of comparable laws and best practices in more than 20 jurisdictions; based on a roundtable with a variety of industry experts; and based on the Committee's investigation into unauthorized private for-hire vehicle services.

This legislation advances the recommendations of the *Preliminary Report on Unauthorized Private For-Hire Vehicle Investigation*, approved by the Committee on Public Works and Operations on September 16, 2026. That report notes that the District's current for-hire vehicle laws contain extensive vulnerabilities for exploitation by bad-faith actors. B26-818 would resolve these vulnerabilities and level the playing field in the industry by providing clear definitions and mandates focused on the character of service provided to the passenger. It would ensure dignified and equitable access to wheelchair-accessible vehicles and address other issues of passenger safety and consumer experience that were raised in the course of the Committee's oversight.

B26-667, the **Surveillance Pricing Prohibition Amendment Act of 2026**, would prohibit the use of personally identifiable information collected through electronic surveillance to set the price for

a good or service. Councilmember Christina Henderson introduced this legislation in response to reports of purveyors of goods and services across a variety of industries charging different prices to different consumers for the same good or service based on the consumers' personal characteristics. The legislation would enable government enforcement actions and private litigation under the framework of the District's Consumer Protection Procedures Act.

Those who wish to testify must register using the Council's Hearing Management System at https://lims.dccouncil.gov/hearings by **5:30 p.m. Wednesday, October 14.** Representatives of organizations will be allowed a maximum of five minutes for oral testimony, and individuals will be allowed a maximum of three minutes. Witnesses who anticipate needing spoken language interpretation, or require sign language interpretation, are requested to inform the Committee office of the need as soon as possible but no later than five business days before the proceeding by emailing publicworks@dccouncil.gov. We will make every effort to fulfill timely requests. Witnesses will receive instructions on how to participate by Zoom or in person prior to the hearing. If you have additional questions, please email publicworks@dccouncil.gov.

Testimony should be submitted through the Council's Hearing Management System, https://lims.dccouncil.gov/hearings, in advance of the hearing. Testimony will be publicly accessible upon Committee review. If you are unable to testify at the hearing, written statements are encouraged and will be made a part of the official record. Statements for the record should be submitted through the Hearing Management System.

The record will close at 5:30 p.m. on Monday, November 2, 2026.

COUNCIL OF THE DISTRICT OF COLUMBIA

Committee on Housing

Robert C. White, Jr., Chair
1350 Pennsylvania Avenue, N.W., Washington, D.C. 20004

Notice of Public Hearing

On:

B26-0819 - Ownership and Wealth-building for our Neighbors (OWN) Omnibus Amendment Act of 2026

B26-0822 - Understanding the Cost of Housing Regulations Act of 2026

Thursday, October 22, 10 am
In the John A. Wilson Building, 1350 Pennsylvania Avenue, N.W., Room 412 and via Zoom

Live via:
https://dccouncil.gov/hearings/
https://www.entertainment.dc.gov/page/live-tv
https://youtube.com/@committeeonhousingdc

On **Thursday, October 22 at 10 am**, Councilmember Robert C. White, Jr., Chair of the Committee on Housing, will convene a public hearing on B26-0819 - Ownership and Wealth-building for our Neighbors (OWN) Omnibus Amendment Act of 2026 and B26-0822 - Understanding the Cost of Housing Regulations Act of 2026.

The stated purpose of B26-0819**, the "Ownership and Wealth-building for our Neighbors (OWN) Omnibus Amendment Act of 2026,"** introduced by Councilmember Robert White is to require the disclosure of a condominium buildings reserve study at the time of a condominium sale, to create a path for IZ homeowners to receive additional equity when selling their unit similarly to a typical home sale, to allow for on-demand HPAP group session training, to alter the underwriting practices of an HPAP application in allowing a lender to be the primary underwriter, and to establish a local foreclosure prevention program funded by a marginal fee at the time of residential closings.

The stated purpose of B26-0822**, the "Understanding the Cost of Housing Regulations Act of 2026,"** introduced by Councilmembers Robert White, Brooke Pinto, and Anita Bonds is to establish a third-party cost review comparing DC's development costs, permitting timelines, and regulatory burdens with Maryland

and Virginia peer jurisdictions to equip the District to understand the tradeoffs in its current regulatory environment.

The Committee invites the public to testify live or to submit written testimony. Anyone wishing to testify must sign up at lims.dccouncil.gov/hearings/or by phone at (202) 727-8270 by the close of business on Tuesday, October 20. Witnesses are encouraged, but not required, to submit written testimony electronically in advance at lims.dccouncil.gov/hearings/. Witnesses may choose to participate in person or remotely via Zoom. The Committee will follow-up with additional instructions on how to provide testimony in advance of the proceeding.

All public witnesses will be allowed 4 minutes to testify, while Advisory Neighborhood Commissioners will be permitted five minutes to testify. Government Witnesses will be permitted 10 minutes to testify.

Witnesses who anticipate needing language interpretation, or require sign language interpretation, are requested to inform the Committee of the need as soon as possible but no later than five (5) business days before the proceeding. We will make every effort to fulfill timely requests, however requests received in less than five (5) business days may not be fulfilled and alternatives may be offered.

The Committee also encourages the public to submit written testimony to be included for the public record. Copies of written testimony should be submitted at lims.dccouncil.gov/hearings/. The record for this public hearing will close at the close of business on Thursday, October 29.

COUNCIL OF THE DISTRICT OF COLUMBIA
COMMITTEE OF THE WHOLE
NOTICE OF PUBLIC OVERSIGHT HEARING

1350 Pennsylvania Avenue, NW, Washington, DC 20004

CHAIRMAN PHIL MENDELSON
COMMITTEE OF THE WHOLE
ANNOUNCES A PUBLIC OVERSIGHT HEARING
on
Chronic Absenteeism and Truancy
on
Thursday, November 12, 2026, at 10:00 a.m.
Hearing Room 500, John A. Wilson Building (Track A)

Hearing Room 500 (Track A)
John A. Wilson Building
1350 Pennsylvania Avenue NW
DC Council Website (www.dccouncil.gov)

Council Chairman Phil Mendelson announces a public hearing of the Committee of the Whole on *Chronic Absenteeism and Truancy* on **November 12, 2026, at 10:00 a.m.**

The purpose of this oversight hearing is to hear from government witnesses, experts, school leaders, teachers, families, advocates, and students about school attendance (absenteeism and truancy) as well as barriers to regular school attendance and how to remove those barriers. In the 2025-2026 school year, 35.5% of all students were truant, a 1.1% improvement from the previous school year, while 38.8% of students were chronically absent, a 0.6% improvement from the previous year. Numerous studies have shown that chronic absenteeism and truancy have serious consequences for students, from falling behind academically to a higher likelihood of dropping out. Moreover, juvenile delinquency strongly correlates with truancy. While schools have a crucial role to play by building relationship-centered learning environments, engaging families, and staging early interventions, they are not alone in the task of promoting student attendance. The Deputy Mayor of Education, the Child and Family Services Agency, Court Social Services, the Office of the State Superintendent of Education, the Department of Human Services (DHS), and the Office of the Attorney General all play significant roles in supporting student attendance. The Committee is particularly concerned with strategies to increase student attendance, the efficacy of early warning and support systems, and coordination across government agencies in tackling the dire problem of chronic absenteeism and truancy. This hearing will also serve as an opportunity to reflect on the second year of the DHS truancy intervention pilot and its results.

Those who wish to testify must register at http://www.ChairmanMendelson.com/testify by **5:00 p.m., Tuesday, November 10, 2026. Testimony is limited to three minutes**. Witnesses who anticipate needing spoken language interpretation, or require sign language interpretation, are requested to inform the Committee office of the need as soon as possible but no later than five business days before the proceeding. We will try to fulfill timely requests, although alternatives may be offered. Requests received in less than five business days may not be fulfilled. If you have additional questions, please email bverlin@dccouncil.gov or contact Bijan Verlin, at (202) 724-4865.

Public witnesses will participate in person or virtually via the Internet on the Zoom Video Conference platform. Testimony should be submitted through the Council's Hearing Management System (https://lims.dccouncil.gov/hearings) in advance of the hearing. Testimony will be publicly accessible upon Committee review. If you are unable to testify at the hearing, written statements are encouraged and will be made a part of the official record. Statements for the record should be submitted through the Hearing Management System or left by voicemail by calling (202) 430-6948 (up to 3 minutes which will be transcribed). **The record will close at 5:00 pm on Thursday, November 26, 2026.**

COUNCIL OF THE DISTRICT OF COLUMBIA
COMMITTEE ON HEALTH
COMMITTEE ON HOUSING
NOTICE OF PUBLIC OVERSIGHT ROUNDTABLE
1350 Pennsylvania Avenue, NW, Washington, DC 20004

COUNCILMEMBER CHRISTINA HENDERSON, CHAIRPERSON
COMMITTEE ON HEALTH
AND
COUNCILMEMBER MATTHEW FRUMIN, CHAIRPERSON
COMMITTEE ON HUMAN SERVICES

ANNOUNCE A PUBLIC JOINT OVERSIGHT ROUNDTABLE

ON

The DC Access System and Implementing SNAP and Medicaid Work Requirements

ON

Thursday, October 29, 2026, 10:00 a.m.
John A. Wilson Building
1350 Pennsylvania Avenue, NW
Hybrid in Room 412 and Virtual via Zoom
To Watch Live:
https://dccouncil.gov/council-videos/
https://www.christinahendersondc.com/live
https://www.youtube.com/@cmchenderson

Councilmember Christina Henderson, Chair of the Committee on Health, and Councilmember Matthew Frumin, Chair of the Committee on Human Services, announce a joint oversight roundtable on the DC Access System and Implementing SNAP and Medicaid Work Requirements. The roundtable will be held on Thursday October 29, 2026, at 10:00 a.m. in hearing room 412 of the John A. Wilson Building, 1350 Pennsylvania Avenue, NW.

This joint oversight roundtable will explore how the District is adapting its systems, processes, and customer support in response to federally mandated work requirements in the Supplemental Nutrition Assistance Program (SNAP) and Medicaid. The roundtable will continue investigating challenges District residents face when applying for and maintaining eligibility for health care and social services benefits through the DC Access System (DCAS). DCAS is managed and funded by the Department of Health Care Finance (DHCF) and benefit determinations are made by the Department of Human Services (DHS) Economic Security Administration (ESA). The Council will invite DHCF and DHS/ESA to provide an update on the agencies' progress since the December 2023 DCAS roundtable and discuss strategies to streamline implementation of

significant federal and local benefit eligibility changes. In particular, the Committees will examine the implementation and anticipated impact of new work requirements, how these changes may affect District residents' ability to apply for and maintain their benefits, and steps District agencies are taking to improve access to benefits and prevent eligible District residents from experiencing unnecessary disruption in coverage.

Participation in this roundtable is limited by invitation. Members of the public are welcome and encouraged to submit written testimony for the record. Witnesses will be appearing in person and virtually using the Zoom platform. Public witnesses will have 3 minutes to testify. Witnesses who anticipate needing spoken language interpretation, or require sign language interpretation, are requested to inform the Committee office of the need as soon as possible but no later than five business days before the proceeding. We will make every effort to fulfill timely requests, although alternatives may be offered. Requests received in less than five business days may not be fulfilled. If you have additional questions, please email Ange Joseph, Legislative Assistant at acjoseph@dccouncil.gov.

Testimony should be submitted through the Council's Hearing Management System https://lims.dccouncil.gov/hearings in advance of the hearing. Testimony will be publicly accessible upon Committee review. Statements for the record should be submitted through the Hearing Management System or left by voicemail by calling (202) 430-6046. The record will close at 5:00pm on Thursday, November 12, 2026.

COUNCIL OF THE DISTRICT OF COLUMBIA
COMMITTEE ON HUMAN SERVICES
NOTICE OF PUBLIC OVERSIGHT ROUNDTABLE
1350 Pennsylvania Avenue, NW, Washington, DC 20004

COUNCILMEMBER MATTHEW FRUMIN, CHAIRPERSON,
COMMITTEE ON HUMAN SERVICES,

ANNOUNCES A PUBLIC OVERSIGHT ROUNDTABLE ON

Overcoming Barriers to Economic Mobility: Strengthening TANF's Employment and Education Program and Bridging Benefits Cliffs

Wednesday, December 9, 2026
10:00 a.m.
Room 412 of the John A. Wilson Building and Zoom Virtual Platform

Watch live at:
https://dccouncil.gov/hearings/
https://www.youtube.com/@cmfrumin

On Wednesday, December 9, 2026, Matthew Frumin, Chairperson of the Committee on Human Services, will convene a public oversight roundtable on Overcoming Barriers to Economic Mobility: Strengthening TANF's Employment and Education Program and Bridging Benefits Cliffs. The roundtable will be held in a hybrid format, in both Room 412 of the John A. Wilson Building and on the Zoom virtual platform, beginning at 10:00 a.m.

This oversight roundtable will explore how the Department of Human Services (DHS) is adapting its programs to expand pathways to economic mobility. Specifically, the roundtable will examine recent updates to the Temporary Assistance for Needy Families (TANF) Employment and Education Program (TEP), opportunities to improve program evaluation and outcomes, and how to address benefits cliffs.

DHS partners with several TEP vendors to improve the employment and education outcomes of TANF participants. Effective October 1, 2026, the agency restructured performance-based financial incentives for both vendors and participants. The Committee will scrutinize how DHS arrived at this updated framework, the agency's plans to evaluate the current model to inform next year's solicitation, and alternative strategies to connect TANF participants with pathways to financial independence.

This discussion will also seek to assess and inform DHS efforts to address benefits cliffs, or the "cliff effect," in which a sudden decrease in public benefits can occur with a small increase in one's earnings and disincentivize the pursuit of earnings increases. The Committee will investigate

strategies DHS can implement to address benefits cliffs and help families make informed choices that meaningfully improve their economic security.

The Committee invites the public to provide oral and written testimony. Members of the public may sign up to testify using the Hearing Management System at https://lims.dccouncil.gov/hearings/. **Online registration will close at 10:00 a.m. on December 7, 2026.** If you cannot register to testify online, please contact Ella Roth, Legislative Assistant, at (202) 704-6525 or eroth@dccouncil.gov.

Registered witnesses will receive an e-mail from the Committee with instructions on how to testify and register for a Zoom link before the roundtable. The first representative to speak on behalf of an organization will have five (5) minutes to testify. Subsequent representatives of the same organization will have three (3) minutes to testify. All other members of the public will have three (3) minutes to testify. Advisory Neighborhood Commissioners will have five (5) minutes to testify.

Witnesses who anticipate needing spoken language interpretation or who require closed captioning are asked to communicate with the Committee about how it can best help them participate as soon as possible. If a witness who requires accommodations to participate reaches out to the Committee **fewer than five (5) business days before the hearing, it may no longer be possible to arrange for an accommodation.** An alternative may be offered.

All witnesses are strongly encouraged to provide written testimony by uploading it to the Hearing Management System. **The record will close for all forms of testimony at 5:00 p.m. on Wednesday, December 16, 2026.**

COUNCIL OF THE DISTRICT OF COLUMBIA

Committee on Housing

Robert C. White, Jr., Chair
1350 Pennsylvania Avenue, N.W., Washington, D.C. 20004

Notice of Public Roundtable

On:

B26-0597 - Housing Production Omnibus Amendment Act of 2026
Tuesday, October 13, 11 am
In the John A. Wilson Building, 1350 Pennsylvania Avenue, N.W., Room 500 and via Zoom

Live via:
https://dccouncil.gov/hearings/
https://www.entertainment.dc.gov/page/live-tv
https://youtube.com/@committeeonhousingdc

On **Tuesday, October 13 at 11 am**, Councilmember Robert C. White, Jr., Chair of the Committee on Housing, will convene a public roundtable with only invited witnesses testifying on the latest committee draft of B26-0597 - Housing Production Omnibus Amendment Act of 2026.

The stated purpose of **B26-0597, the "Housing Production Omnibus Amendment Act of 2026,"** introduced by Councilmembers Brianne Nadeau, Robert C. White, Jr., Janeese Lewis George, and Charles Allen, is to establish the Housing Opportunity Fund as a permanent, interest-bearing fund to replace the Housing Production Trust Fund. It organizes the Fund into five sub-accounts: Housing Production, Affordable Housing Subsidy, Preservation, Tenant Purchase Support, and District Acquisition. The bill sets rules for fund allocation, reprogramming, audits, and reporting. It authorizes the issuance of bonds, allows District retirement funds to invest in local housing, and creates programs for land acquisition and a revolving construction loan fund. This bill also amends existing laws to expand condemnation authority for housing development, clarify nonprofit workforce housing tax exemptions, and apply District purchase rights to certain properties.

Only invited witnesses may testify during this roundtable, however, the Committee will accept timely written testimony from members of the public.

The purpose of the roundtable is to receive additional feedback on the latest Committee on Housing draft of the bill which has changed based on feedback received on the March 30th, 2026, hearing. This draft will be shared with invited

witnesses in advance and posted to the hearing webpage by the day of the roundtable.

The roundtable will begin at 11 AM in hybrid format both in person in room 500 of the John A. Wilson Building and on zoom. Members of the public will be able to view the roundtable in person or at https://dccouncil.gov/council-videos/, https://entertainment.dc.gov/page/live-tv, and https://youtube.com/@committeonhousingdc.

Witnesses who anticipate needing language interpretation, or require sign language interpretation, should notify the Committee of the need as soon as possible but no later than five (5) business days before the proceeding. We will make every effort to fulfill timely requests, however requests received in less than five (5) business days may not be fulfilled and alternatives may be offered.

The Committee encourages witnesses and the public to submit written testimony to be included for the public record. Copies of written testimony should be submitted to http://lims.dccouncil.gov/hearings/. The record for this roundtable will close at the close of business on Tuesday, October 20, 2026.

Council of the District of Columbia
COMMITTEE ON PUBLIC WORKS AND OPERATIONS
NOTICE OF PUBLIC ROUNDTABLE
1350 Pennsylvania Avenue, N.W., Washington, D.C. 20004

COUNCILMEMBER BRIANNE K. NADEAU, CHAIRPERSON
COMMITTEE ON PUBLIC WORKS AND OPERATIONS

ANNOUNCES A PUBLIC ROUNDTABLE ON

PR26-0717 - COMMISSION ON HUMAN RIGHTS NIRANJAN ADHIKARI CONFIRMATION RESOLUTION OF 2026

PR26-0718 - COMMISSION ON HUMAN RIGHTS MONIKA NEMETH CONFIRMATION RESOLUTION OF 2026

Monday, October 5, 2026, 9:30 a.m.
Hybrid in Room 500 and Virtual via Zoom

Watch live at:
https://www.youtube.com/@dccouncilpublicworks

On Monday, October 5, 2026, Councilmember Brianne K. Nadeau, Chairperson of the Committee on Public Works and Operations, will convene a public roundtable to consider the proposed resolutions listed above. The roundtable will begin at 9:30 a.m.

The proposed measures would confirm the Mayor's appointment of Monika Nemeth and Niranjan Adhikari to the Commission on Human Rights, which decides administrative cases under certain anti-discrimination laws including the Human Rights Act of 1977.

The roundtable will have a hybrid format, with nominees and public witnesses appearing in person or virtually via the Zoom platform. Those who wish to testify must register using the Council's Hearing Management System at https://lims.dccouncil.gov/hearings by **5:00 p.m. on Thursday, October 1, 2026**. Representatives of organizations will be allowed a maximum of five minutes for oral testimony, and individuals will be allowed a maximum of three minutes.

Witnesses who anticipate needing spoken language interpretation, or require sign language interpretation, are requested to inform the Committee office of the need as soon as possible but no later than five business days before the proceeding by emailing publicworks@dccouncil.gov. We will make every effort to fulfill timely requests. Witnesses will receive instructions on how to participate by Zoom prior to the hearing. If you have additional questions, please email publicworks@dccouncil.gov.

Testimony should be submitted through the Council's Hearing Management System, https://lims.dccouncil.gov/hearings in advance of the roundtable. Testimony will be publicly accessible upon Committee review. If you are unable to testify at the roundtable, written statements are encouraged and will be made a part of the official record. Statements for the record should be submitted through the Hearing Management System.

The record will close at 5:00 p.m. one week after the roundtable, on Monday, October 12, 2026.

COUNCIL OF THE DISTRICT OF COLUMBIA
Notice of Grant Budget Modifications

Pursuant to the Consolidated Appropriations Act of 2017, approved May 5, 2017 (P.L. 115-31), the Council of the District of Columbia gives notice that the Mayor has transmitted the following Grant Budget Modification (GBM).

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

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

GBM 26-0062 Grant Budget Modification as of September 2, 2026

RECEIVED: 14-day review begins September 30, 2026

COUNCIL OF THE DISTRICT OF COLUMBIA
Notice of Reprogramming Requests

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

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

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

Reprog. 26-0153: Request to reprogram Fiscal Year 2026 Local funds budget authority in the amount of $750,000 within the Department of Youth Rehabilitation Services (DYRS) was filed in the Office of the Secretary Wednesday September 24, 2026. The funds are needed to increase DYRS' ability to comply with court orders to place youth in residential facilities that are awaiting placement.

RECEIVED: 14-day review begins Friday September 25, 2026

ALCOHOLIC BEVERAGE AND CANNABIS ADMINISTRATION

NOTICE OF PUBLIC HEARING

Placard Posting Date:	October 2, 2026
Protest Petition Deadline:	November 16, 2026
Roll Call Hearing Date:	December 7, 2026
Protest Hearing Date:	January 13, 2027

License No.:	ABRA-137491
Licensee:	ADN West End, LLC
Trade Name:	Any Day Now West
License Class:	Retailer's Class "C" Restaurant
Address:	2115 Ward Court, N.W.
Contact:	Abele Tekle: (202) 686-7600, atekle@theveritaslawfirm.com

WARD 2 ANC 2B SMD 2B06

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 December 7, 2026 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 **January 13, 2027 at 1:30 p.m.**

NATURE OF OPERATION

New Retailer's Class "C" Restaurant with seating for 80 inside the premises and a Total Occupancy Load of 149. Sidewalk Café with 20 seats and a Summer Garden with 30 seats.

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

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

ALCOHOLIC BEVERAGE AND CANNABIS ADMINISTRATION

NOTICE OF PUBLIC HEARING

Placard Posting Date:	October 2, 2026
Protest Petition Deadline:	November 16, 2026
Roll Call Hearing Date:	December 7, 2026
License No.:	ABRA-136046
Licensee:	GSD Hospitality, LLC
Trade Name:	Bar Nuestro/Colada Shop
License Class:	Retailer's Class "C" Restaurant
Address:	1345 Yards Place, S.E.
Contact:	Cameron Mixon, Esq.: (202) 686-7600, cmixon@theveritaslawfirm.com

WARD 8 ANC 8F SMD 8F02

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 December 7, 2026, 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

The Licensee is requesting to increase the seating capacity inside of the premises from 80 to 96, to increase the seating capacity of the Summer Garden from 58 to 66, and to increase the Total Occupancy Load of the entire establishment from 96 to 183.

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

Sunday through Thursday 7am – 1am, Friday and Saturday 7am – 2am

HOURS OF ALCOHOLIC BEVERAGE CARRY-OUT AND DELIVERY

Sunday through Saturday 7am – 1am

ALCOHOLIC BEVERAGE AND CANNABIS ADMINISTRATION
ON
10/2/2026

Notice is hereby given that:

License Number: ABRA-074845 **License Class/Type: B / Retail - Grocery**

Applicant: Johy Corporation

Trade Name: The Corner Market

SMD: 6C02

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

400 EAST CAPITOL STREET NE

PETITIONS/LETTERS OF OPPOSITION OR SUPPORT MUST BE FILED ON OR BEFORE:
11/16/2026

A HEARING WILL BE HELD ON:
12/7/2026

AT 10:00 a.m., Suite 4200-B, 899 North Capitol Street N.E., Washington, DC, 20002

Days	Hours of Operation	Hours of Sales/Service
Sunday:	7 am - 11 pm	9 am - 10 pm
Monday:	7 am - 11 pm	9 am - 10 pm
Tuesday:	7 am - 11 pm	9 am - 10 pm
Wednesday:	7 am - 11 pm	9 am - 10 pm
Thursday:	7 am - 11 pm	9 am - 10 pm
Friday:	7 am - 11 pm	9 am - 10 pm
Saturday:	7 am - 11 pm	9 am - 10 pm

FOR FURTHER INFORMATION CALL: (202) 442-4423

ALCOHOLIC BEVERAGE AND CANNABIS ADMINISTRATION
ON
10/2/2026

Notice is hereby given that:

License Number: ABRA-076413 **License Class/Type: B / Retail - Grocery**

Applicant: Myungjoon, Inc.

Trade Name: Los Primos

SMD: 1D04

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

3170 MOUNT PLEASANT STREET NW

PETITIONS/LETTERS OF OPPOSITION OR SUPPORT MUST BE FILED ON OR BEFORE:
11/16/2026

A HEARING WILL BE HELD ON:
12/7/2026

AT 10:00 a.m., Suite 4200-B, 899 North Capitol Street N.E., Washington, DC, 20002

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

FOR FURTHER INFORMATION CALL: (202) 442-4423

ALCOHOLIC BEVERAGE AND CANNABIS ADMINISTRATION
ON
10/2/2026

Notice is hereby given that:

License Number: ABRA-060359 **License Class/Type: B / Retail - Grocery**

Applicant: Habtmical Letckidan T.

Trade Name: Rafael Grocery Deli

SMD: 5E03

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

233 FLORIDA AVENUE NW

PETITIONS/LETTERS OF OPPOSITION OR SUPPORT MUST BE FILED ON OR BEFORE:
11/16/2026

A HEARING WILL BE HELD ON:
12/7/2026

AT 10:00 a.m., Suite 4200-B, 899 North Capitol Street N.E., Washington, DC, 20002

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

FOR FURTHER INFORMATION CALL: (202) 442-4423

ALCOHOLIC BEVERAGE AND CANNABIS ADMINISTRATION
ON
10/2/2026

Notice is hereby given that:

License Number: ABRA-005950 **License Class/Type: B / Retail - Grocery**

Applicant: Prester John's Corporation

Trade Name: Wisemillers Grocery & Deli

SMD: 2E08

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

1236 36TH STREET NW

PETITIONS/LETTERS OF OPPOSITION OR SUPPORT MUST BE FILED ON OR BEFORE:
11/16/2026

A HEARING WILL BE HELD ON:
12/7/2026

AT 10:00 a.m., Suite 4200-B, 899 North Capitol Street N.E., Washington, DC, 20002

Days	Hours of Operation	Hours of Sales/Service
Sunday:	8 am - 11:30 pm	9 am - 11:30 pm
Monday:	7 am - 11:30 pm	9 am - 11:30 pm
Tuesday:	7 am - 11:30 pm	9 am - 11:30 pm
Wednesday:	7 am - 11:30 pm	9 am - 11:30 pm
Thursday:	7 am - 11:30 pm	9 am - 11:30 pm
Friday:	7 am - 11:30 pm	9 am - 11:30 pm
Saturday:	8 am - 11:30 pm	9 am - 11:30 pm

FOR FURTHER INFORMATION CALL: (202) 442-4423

ALCOHOLIC BEVERAGE AND CANNABIS ADMINISTRATION
ON
10/2/2026

Notice is hereby given that:

License Number: ABRA-021260 **License Class/Type: B / Retail - Grocery**

Applicant: Solneb, Incorporated

Trade Name: 14th Mini-market

SMD: 4C04

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

3904 14TH STREET NW

PETITIONS/LETTERS OF OPPOSITION OR SUPPORT MUST BE FILED ON OR BEFORE:
11/16/2026

A HEARING WILL BE HELD ON:
12/7/2026

AT 10:00 a.m., Suite 4200-B, 899 North Capitol Street N.E., Washington, DC, 20002

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

FOR FURTHER INFORMATION CALL: (202) 442-4423

ALCOHOLIC BEVERAGE AND CANNABIS ADMINISTRATION
ON
10/2/2026

Notice is hereby given that:

License Number: ABRA-014926 **License Class/Type: B / Retail - Grocery**

Applicant: Vace Inc

Trade Name: Vace Italian Deli

SMD: 3C06

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

3315 CONNECTICUT AVENUE NW

PETITIONS/LETTERS OF OPPOSITION OR SUPPORT MUST BE FILED ON OR BEFORE:
11/16/2026

A HEARING WILL BE HELD ON:
12/7/2026

AT 10:00 a.m., Suite 4200-B, 899 North Capitol Street N.E., Washington, DC, 20002

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

FOR FURTHER INFORMATION CALL: (202) 442-4423

ALCOHOLIC BEVERAGE AND CANNABIS ADMINISTRATION
ON
10/2/2026

Notice is hereby given that:

License Number: ABRA-008809 **License Class/Type: B / Retail - Grocery**

Applicant: Clinton Price

Trade Name: Price's Grocery

SMD: 5A07

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

5018 ROCK CREEK CHURCH RD NE

PETITIONS/LETTERS OF OPPOSITION OR SUPPORT MUST BE FILED ON OR BEFORE:
11/16/2026

A HEARING WILL BE HELD ON:
12/7/2026

AT 10:00 a.m., Suite 4200-B, 899 North Capitol Street N.E., Washington, DC, 20002

Days	Hours of Operation	Hours of Sales/Service
Sunday:	24 HOURS - 24HOUR	9 am - 12midnight
Monday:	24HOURS - 24HOUR	9 am - 12midnight
Tuesday:	24HOURS - 24HOUR	9 am - 12midnight
Wednesday:	24HOURS - 24HOUR	9 am - 12midnight
Thursday:	24HOURS - 24HOUR	9 am - 12midnight
Friday:	24HOURS - 24HOUR	9 am - 12midnight
Saturday:	24HOURS - 24HOUR	9 am - 12midnight

FOR FURTHER INFORMATION CALL: (202) 442-4423

ALCOHOLIC BEVERAGE AND CANNABIS ADMINISTRATION
ON
10/2/2026

Notice is hereby given that:

License Number: ABRA-081331 **License Class/Type: B / Retail - Full Service Grocery**

Applicant: Broad Branch Market LLC

Trade Name: The Broad Branch Market

SMD: 3/4G05

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

5608 BROAD BRANCH ROAD NW

PETITIONS/LETTERS OF OPPOSITION OR SUPPORT MUST BE FILED ON OR BEFORE:
11/16/2026

A HEARING WILL BE HELD ON:
12/7/2026

AT 10:00 a.m., Suite 4200-B, 899 North Capitol Street N.E., Washington, DC, 20002

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

ENDORSEMENT(S): Tasting

FOR FURTHER INFORMATION CALL: (202) 442-4423

ALCOHOLIC BEVERAGE AND CANNABIS ADMINISTRATION
ON
10/2/2026

Notice is hereby given that:

License Number: ABRA-082681 **License Class/Type: B / Retail - Grocery**

Applicant: The Landragin Operating Company Three, LLC

Trade Name: Cork & Fork

SMD: 2F03

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

1522 14TH STREET NW

PETITIONS/LETTERS OF OPPOSITION OR SUPPORT MUST BE FILED ON OR BEFORE:
11/16/2026

A HEARING WILL BE HELD ON:
12/7/2026

AT 10:00 a.m., Suite 4200-B, 899 North Capitol Street N.E., Washington, DC, 20002

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

ENDORSEMENT(S): Tasting

FOR FURTHER INFORMATION CALL: (202) 442-4423

ALCOHOLIC BEVERAGE AND CANNABIS ADMINISTRATION
ON
10/2/2026

Notice is hereby given that:

License Number: ABRA-094207 **License Class/Type: B / Retail - Grocery**

Applicant: Simply Smiles, LLC
Trade Name: Simply Smiles
SMD: 6D02

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

333 E STREET SW

PETITIONS/LETTERS OF OPPOSITION OR SUPPORT MUST BE FILED ON OR BEFORE:
11/16/2026

A HEARING WILL BE HELD ON:
12/7/2026

AT 10:00 a.m., Suite 4200-B, 899 North Capitol Street N.E., Washington, DC, 20002

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

FOR FURTHER INFORMATION CALL: (202) 442-4423

ALCOHOLIC BEVERAGE AND CANNABIS ADMINISTRATION
ON
10/2/2026

Notice is hereby given that:

License Number: ABRA-097880 **License Class/Type: B / Retail - Grocery**

Applicant: SKYK, Inc.

Trade Name: Sonya's Market

SMD: 1A10

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

2833 11TH STREET NW

PETITIONS/LETTERS OF OPPOSITION OR SUPPORT MUST BE FILED ON OR BEFORE:
11/16/2026

A HEARING WILL BE HELD ON:
12/7/2026

AT 10:00 a.m., Suite 4200-B, 899 North Capitol Street N.E., Washington, DC, 20002

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

FOR FURTHER INFORMATION CALL: (202) 442-4423

ALCOHOLIC BEVERAGE AND CANNABIS ADMINISTRATION
ON
10/2/2026

Notice is hereby given that:

License Number: ABRA-100238 **License Class/Type: B / Retail - Full Service Grocery**

Applicant: Eve LLC

Trade Name: Zemen

SMD: 4C01

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

4418 GEORGIA AVENUE NW

PETITIONS/LETTERS OF OPPOSITION OR SUPPORT MUST BE FILED ON OR BEFORE:
11/16/2026

A HEARING WILL BE HELD ON:
12/7/2026

AT 10:00 a.m., Suite 4200-B, 899 North Capitol Street N.E., Washington, DC, 20002

Days	Hours of Operation	Hours of Sales/Service
Sunday:	8 am - 11 pm	8 am - 11 pm
Monday:	8 am - 11 pm	8 am - 11 pm
Tuesday:	8 am - 11 pm	8 am - 11 pm
Wednesday:	8 am - 11 pm	8 am - 11 pm
Thursday:	8 am - 12 am	8 am - 12 am
Friday:	8 am - 12 am	8 am - 12 am
Saturday:	8 am - 12 am	8 am - 12 am

FOR FURTHER INFORMATION CALL: (202) 442-4423

ALCOHOLIC BEVERAGE AND CANNABIS ADMINISTRATION
ON
10/2/2026

Notice is hereby given that:

License Number: ABRA-107224 **License Class/Type: B / Retail - Grocery**

Applicant: B & B Corners Market, LLC

Trade Name: Four Corners Market

SMD: 4D02

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

440 KENNEDY STREET NW

PETITIONS/LETTERS OF OPPOSITION OR SUPPORT MUST BE FILED ON OR BEFORE:
11/16/2026

A HEARING WILL BE HELD ON:
12/7/2026

AT 10:00 a.m., Suite 4200-B, 899 North Capitol Street N.E., Washington, DC, 20002

Days	Hours of Operation	Hours of Sales/Service
Sunday:	7 am - 12 am	8 am - 12 am
Monday:	7 am - 12 am	8 am - 12 am
Tuesday:	7 am - 12 am	8 am - 12 am
Wednesday:	7am - 12 am	8 am - 12 am
Thursday:	7am - 12 am	8 am - 12 am
Friday:	7 am - 12 am	8 am - 12 am
Saturday:	7 am - 12 am	8 am - 12 am

FOR FURTHER INFORMATION CALL: (202) 442-4423

ALCOHOLIC BEVERAGE AND CANNABIS ADMINISTRATION
ON
10/2/2026

Notice is hereby given that:

License Number: ABRA-109874 **License Class/Type: B / Retail - Full Service Grocery**

Applicant: Wal-Mart Stores East, LP

Trade Name: Wal-Mart #3035

SMD: 4B09

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

310 RIGGS ROAD NE

PETITIONS/LETTERS OF OPPOSITION OR SUPPORT MUST BE FILED ON OR BEFORE:
11/16/2026

A HEARING WILL BE HELD ON:
12/7/2026

AT 10:00 a.m., Suite 4200-B, 899 North Capitol Street N.E., Washington, DC, 20002

Days	Hours of Operation	Hours of Sales/Service
Sunday:	6 am - 12 am	7 am - 12 am
Monday:	6 am - 12 am	7 am - 12 am
Tuesday:	6 am - 12 am	7 am - 12 am
Wednesday:	6 am - 12 am	7 am - 12 am
Thursday:	6 am - 12 am	7 am - 12 am
Friday:	6 am - 12 am	7 am - 12 am
Saturday:	6 am - 12 am	7 am - 12 am

ENDORSEMENT(S): Tasting

FOR FURTHER INFORMATION CALL: (202) 442-4423

ALCOHOLIC BEVERAGE AND CANNABIS ADMINISTRATION
ON
10/2/2026

Notice is hereby given that:

License Number: ABRA-109902 **License Class/Type: B / Retail - Full Service Grocery**

Applicant: Wal-Mart Stores East, LP

Trade Name: Wal-Mart #5968

SMD: 4B05

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

5929 GEORGIA AVENUE NW

PETITIONS/LETTERS OF OPPOSITION OR SUPPORT MUST BE FILED ON OR BEFORE:
11/16/2026

A HEARING WILL BE HELD ON:
12/7/2026

AT 10:00 a.m., Suite 4200-B, 899 North Capitol Street N.E., Washington, DC, 20002

Days	Hours of Operation	Hours of Sales/Service
Sunday:	6 am - 12 am	7 am - 12 am
Monday:	6 am - 12 am	7 am - 12 am
Tuesday:	6 am - 12 am	7 am - 12 am
Wednesday:	6 am - 12 am	7 am - 12 am
Thursday:	6 am - 12 am	7 am - 12 am
Friday:	6 am - 12 am	7 am - 12 am
Saturday:	6 am - 12 am	7 am - 12 am

ENDORSEMENT(S): Tasting

FOR FURTHER INFORMATION CALL: (202) 442-4423

ALCOHOLIC BEVERAGE AND CANNABIS ADMINISTRATION
ON
10/2/2026

Notice is hereby given that:

License Number: ABRA-110217 **License Class/Type: B / 25 Percent**

Applicant: Square 369 Hotel TRS, LLC

Trade Name: Courtyard By Marriott & Residence Inn By Marriott Washington Down

SMD: 2G04

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

901 L STREET NW

PETITIONS/LETTERS OF OPPOSITION OR SUPPORT MUST BE FILED ON OR BEFORE:
11/16/2026

A HEARING WILL BE HELD ON:
12/7/2026

AT 10:00 a.m., Suite 4200-B, 899 North Capitol Street N.E., Washington, DC, 20002

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

ENDORSEMENT(S): Tasting

FOR FURTHER INFORMATION CALL: (202) 442-4423

ALCOHOLIC BEVERAGE AND CANNABIS ADMINISTRATION
ON
10/2/2026

Notice is hereby given that:

License Number: ABRA-117463 **License Class/Type: B / Retail - Grocery**

Applicant: N&K Market, Inc.

Trade Name: Chesapeake Big Market

SMD: 8E07

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

601 CHESAPEAKE STREET SE

PETITIONS/LETTERS OF OPPOSITION OR SUPPORT MUST BE FILED ON OR BEFORE:
11/16/2026

A HEARING WILL BE HELD ON:
12/7/2026

AT 10:00 a.m., Suite 4200-B, 899 North Capitol Street N.E., Washington, DC, 20002

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

FOR FURTHER INFORMATION CALL: (202) 442-4423

ALCOHOLIC BEVERAGE AND CANNABIS ADMINISTRATION
ON
10/2/2026

Notice is hereby given that:

License Number: ABRA-118047 **License Class/Type: B / Internet**

Applicant: The Warehouse Wine Company L.L.C.

Trade Name: The Warehouse Wine Company

SMD: 3D03

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

4301 50TH STREET NW

PETITIONS/LETTERS OF OPPOSITION OR SUPPORT MUST BE FILED ON OR BEFORE:
11/16/2026

A HEARING WILL BE HELD ON:
12/7/2026

AT 10:00 a.m., Suite 4200-B, 899 North Capitol Street N.E., Washington, DC, 20002

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

FOR FURTHER INFORMATION CALL: (202) 442-4423

ALCOHOLIC BEVERAGE AND CANNABIS ADMINISTRATION
ON
10/2/2026

Notice is hereby given that:

License Number: ABRA-123063 **License Class/Type: B / Retail - Grocery**

Applicant: Addis Feleke, Inc.
Trade Name: Maya Market & Deli
SMD: 4C06

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

233 UPSHUR STREET NW

PETITIONS/LETTERS OF OPPOSITION OR SUPPORT MUST BE FILED ON OR BEFORE:
11/16/2026

A HEARING WILL BE HELD ON:
12/7/2026

AT 10:00 a.m., Suite 4200-B, 899 North Capitol Street N.E., Washington, DC, 20002

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

ENDORSEMENT(S): Tasting

FOR FURTHER INFORMATION CALL: (202) 442-4423

ALCOHOLIC BEVERAGE AND CANNABIS ADMINISTRATION
ON
10/2/2026

Notice is hereby given that:

License Number: ABRA-127046 **License Class/Type: B / Retail - Full Service Grocery**

Applicant: Valentine Meats LLC

Trade Name: Stachowski's Market

SMD: 2E06

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

1425 28TH STREET NW

PETITIONS/LETTERS OF OPPOSITION OR SUPPORT MUST BE FILED ON OR BEFORE:
11/16/2026

A HEARING WILL BE HELD ON:
12/7/2026

AT 10:00 a.m., Suite 4200-B, 899 North Capitol Street N.E., Washington, DC, 20002

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

ENDORSEMENT(S): Tasting

FOR FURTHER INFORMATION CALL: (202) 442-4423

ALCOHOLIC BEVERAGE AND CANNABIS ADMINISTRATION
ON
10/2/2026

Notice is hereby given that:

License Number: ABRA-127561 **License Class/Type: B / Beer and Wine**

Applicant: The Farmhouse on 17th , LLC

Trade Name: Prego Again

SMD: 2B04

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

1617 17TH STREET NW

PETITIONS/LETTERS OF OPPOSITION OR SUPPORT MUST BE FILED ON OR BEFORE:
11/16/2026

A HEARING WILL BE HELD ON:
12/7/2026

AT 10:00 a.m., Suite 4200-B, 899 North Capitol Street N.E., Washington, DC, 20002

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

ENDORSEMENT(S): Tasting

FOR FURTHER INFORMATION CALL: (202) 442-4423

ALCOHOLIC BEVERAGE AND CANNABIS ADMINISTRATION
ON
10/2/2026

Notice is hereby given that:

License Number: ABRA-128908 **License Class/Type: B / Retail - Grocery**

Applicant: New York Fortune Inc.

Trade Name: 209 Food Hall Carryout

SMD: 5E01

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

209 NEW YORK AVENUE NW

PETITIONS/LETTERS OF OPPOSITION OR SUPPORT MUST BE FILED ON OR BEFORE:
11/16/2026

A HEARING WILL BE HELD ON:
12/7/2026

AT 10:00 a.m., Suite 4200-B, 899 North Capitol Street N.E., Washington, DC, 20002

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

FOR FURTHER INFORMATION CALL: (202) 442-4423

ALCOHOLIC BEVERAGE AND CANNABIS ADMINISTRATION
ON
10/2/2026

Notice is hereby given that:

License Number: ABRA-134046 **License Class/Type: B / Retail - Class B**

Applicant: Elly, LLC

Trade Name: Alabama Convenience

SMD: 8E02

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

2209 ALABAMA AVENUE SE

PETITIONS/LETTERS OF OPPOSITION OR SUPPORT MUST BE FILED ON OR BEFORE:
11/16/2026

A HEARING WILL BE HELD ON:
12/7/2026

AT 10:00 a.m., Suite 4200-B, 899 North Capitol Street N.E., Washington, DC, 20002

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

FOR FURTHER INFORMATION CALL: (202) 442-4423

ALCOHOLIC BEVERAGE AND CANNABIS ADMINISTRATION

NOTICE OF PUBLIC HEARING

Placard Posting Date:	October 2, 2026
Protest Petition Deadline:	November 16, 2026
Roll Call Hearing Date:	December 7, 2026
Protest Hearing Date:	January 13, 2027
License No.:	ABRA-136668
Licensee:	Crave Dessert Bar - DC, LLC
Trade Name:	Crave Dessert Bar
License Class:	Retailer's Class "C" Restaurant
Address:	2 Massachusetts Avenue, N.W.
Contact:	Sean Morris, Esq.: (301) 654-6570, stm@morrisesq.com

WARD 6 ANC 6E SMD 6E07

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 December 7, 2026 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 **January 13, 2027 at 1:30 p.m.**

NATURE OF OPERATION

New Retailer's Class "C" Restaurant with a Seating Capacity of 75, Total Occupancy Load of 90, and a Sidewalk Café with 70 Seats.

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

Sunday through Thursday 11am – 12am, Friday and Saturday 11am – 2am

ALCOHOLIC BEVERAGE AND CANNABIS ADMINISTRATION

NOTICE OF PUBLIC HEARING

Placard Posting Date:	October 2, 2026
Protest Petition Deadline:	November 16, 2026
Roll Call Hearing Date:	December 7, 2026
Protest Hearing Date:	January 13, 2027
License No.:	ABRA-137521
Licensee:	Dukes Court Hospitality, LLC
Trade Name:	DZO
License Class:	Retailer's Class "C" Tavern
Address:	2112 Ward Court, N.W.
Contact:	Daniel Koffman: (202) 686-7600, atekle@theveritaslawfirm.com

WARD 2 ANC 2B SMD 2B06

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 December 7, 2026 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 **January 13, 2027, at 1:30 p.m.**

NATURE OF OPERATION

New Retailer's Class "C" Tavern with seating for 75 and a Total Occupancy Load of 99 indoors. Sidewalk Café Endorsement with a Total Occupancy Load of 30 and seating for 20.

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

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

ALCOHOLIC BEVERAGE AND CANNABIS ADMINISTRATION

NOTICE OF PUBLIC HEARING

Placard Posting Date:	October 2, 2026
Protest Petition Deadline:	November 16, 2026
Roll Call Hearing Date:	December 7, 2026
Protest Hearing Date:	January 13, 2027

License No.:	ABRA-126772
Licensee:	Embers, LLC
Trade Name:	Embers
Registration/License Type:	Medical Cannabis Retailer
Address:	1921 18th Street N.W.
Contact:	Barry Doyle; 202-669-2821; Barry1111@gmail.com

WARD 2 ANC 2B SMD 2B08

Notice is given that the above-named medical cannabis retailer applicant has requested a transfer license to be located at **1921 18th Street N.W.** 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 December 7, 2026 at 10 a.m., Suite 4200-A, 899 North Capitol Street N.E., Washington, DC, 20002**. The **Protest Hearing date** is scheduled for **January 13, 2027 at 1:30 p.m.** All hearings before the Board are conducted virtually.

NATURE OF OPERATION

The medical cannabis retailer applicant is requesting to relocate its operations **1921 18th Street N.W.** The proposed facility with approximately 1,320 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 delivery and education tasting endorsements.

HOURS OF OPERATION FOR RETAILER

Sunday – Saturday 9 am – 11 pm

HOURS OF RETAILER SALES OPEN TO THE PUBLIC

Sunday – Saturday 9 am – 11 pm

HOURS OF DELIVERY FOR RETAILER

Sunday – Saturday 9 am – 9 pm

ALCOHOLIC BEVERAGE AND CANNABIS ADMINISTRATION

NOTICE OF PUBLIC HEARING

Placard Posting Date:	October 2, 2026
Protest Petition Deadline:	November 16, 2026
Roll Call Hearing Date:	December 7, 2026
License No.:	ABRA-129639
Licensee:	Epic Lounge, Inc.
Trade Name:	Epic Restaurant & Lounge
License Class:	Retailer's Class "C" Tavern
Address:	4809 Georgia Avenue, N.W
Contact:	Anteneh Fantaye: (202) 361-2961, comfortride2024@yahoo.com

WARD 4 ANC 4D SMD 4D04

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 December 7, 2026 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

Licensee is requesting an expansion to increase the Total Occupancy Load from 60 to 230. Licensee will be adding a 2nd floor to the premises.

HOURS OF OPERATION FOR INSIDE PREMISES

Sunday through Saturday 8am – 6am

HOURS OF ALCOHOLIC BEVERAGE SALES, SERVICE, AND CONSUMPTION FOR INSIDE PREMISES

Sunday through Thursday 11am – 2am, Friday and Saturday 11am – 3am

HOURS OF LIVE ENTERTAINMENT FOR INSIDE PREMISES

Sunday through Thursday 11am – 2am, Friday and Saturday 11am – 3am

ALCOHOLIC BEVERAGE AND CANNABIS ADMINISTRATION

NOTICE OF PUBLIC HEARING

Placard Posting Date:	October 2, 2026
Protest Petition Deadline:	November 16, 2026
Roll Call Hearing Date:	December 7, 2026
License No.:	ABRA-122472
Licensee:	Americantina, LLC
Trade Name:	Marx Café American Bar
License Class:	Retailer's Class "C" Tavern
Address:	3203 Mt. Pleasant Street, N.W.
Contact:	Daniel Quiroz: (202) 518-7600, danielquiroz76@gmail.com

WARD 1 ANC 1D SMD 1D04

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 December 7, 2026 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
Licensee is requesting a Streatery Endorsement with 16 seats.

HOURS OF OPERATION INSIDE PREMISES AND FOR THE SIDEWALK CAFE
Sunday through Thursday 11am – 2am, Friday and Saturday 11am – 3am

HOURS OF ALCOHOLIC BEVERAGE SALES, SERVICE, AND CONSUMPTION INSIDE PREMISES AND FOR THE SIDEWALK CAFÉ
Sunday through Thursday 11am – 1:30am, Friday and Saturday 11am – 2:30am

HOURS OF LIVE ENTERTAINMENT INSIDE PREMISES ONLY
Sunday through Saturday 6pm – 1:30am

PROPOSED HOURS OF OPERATION FOR THE STREATERY
Sunday through Thursday 11am – 2am, Friday and Saturday 11am – 3am

PROPOSED HOURS OF ALCOHOLIC BEVERAGE SALES, SERVICE, AND CONSUMPTION FOR THE STREATERY
Sunday through Thursday 11am – 1:30am, Friday and Saturday 11am – 2:30am

ALCOHOLIC BEVERAGE AND CANNABIS ADMINISTRATION

NOTICE OF PUBLIC HEARING

Placard Posting Date:	October 2, 2026
Protest Petition Deadline:	November 16, 2026
Roll Call Hearing Date:	December 7, 2026
Protest Hearing Date:	January 13, 2027
License No.:	ABRA-137492
Licensee:	Munchies Tavern, LLC
Trade Name:	Munchies Tavern
License Class:	Retailer's Class "C" Tavern
Address:	2052 West Virginia Avenue, N.E.
Contact:	Jeff Jackson: (202) 251-1566, jjharlem112@gmail.com

WARD 5 ANC 5D SMD 5D02

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 December 7, 2026, 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 **January 13, 2027, at 1:30 p.m.**

NATURE OF OPERATION

New Retailer's Class "C" Tavern with a Seating Capacity of 250, Total Occupancy Load of 250, and a Sidewalk Café with 40 Seats. The Licensee is also requesting an Entertainment Endorsement to provide Live Entertainment with Dancing and Cover Charge inside the premises. Holiday Extension of Hours. Alcohol Carry-out and Delivery Endorsement.

HOURS OF OPERATION AND HOURS OF ALCOHOLIC BEVERAGE SALES, SERVICE, AND CONSUMPTION INSIDE THE PREMISES

Sunday through Thursday 11am – 2am, Friday and Saturday 11am – 3am

HOURS OF OPERATION AND HOURS OF ALCOHOLIC BEVERAGE SALES, SERVICE, AND CONSUMPTION FOR THE OUTDOOR SIDEWALK CAFÉ

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

HOURS OF ALCOHOLIC BEVERAGE CARRY-OUT AND DELIVERY

Sunday through Saturday 11am – 11pm

ALCOHOLIC BEVERAGE AND CANNABIS ADMINISTRATION

NOTICE OF PUBLIC HEARING

Placard Posting Date:	October 2, 2026
Protest Petition Deadline:	November 16, 2026
Roll Call Hearing Date:	December 7, 2026
Protest Hearing Date:	January 13, 2027
License No.:	ABRA-136981
Licensee:	Café Salsa, LLC
Trade Name:	Post Pub
License Class:	Retailer's Class "C" Restaurant
Address:	1422 L Street, N.W.
Contact:	Sami Khan: (571) 234-2045, samikhan1962@aol.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 December 7, 2026 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 **January 13, 2027, at 1:30 p.m.**

NATURE OF OPERATION

New Retailer's Class "C" Restaurant with seating for 85 and a Total Occupancy Load of 85 indoors. An Entertainment Endorsement is requested to provide Live Entertainment with Dancing and Cover Charge. Carry-out and Delivery Endorsement. Holiday Extension of Hours Endorsement.

HOURS OF OPERATION AND ALCOHOLIC BEVERAGE SALES, SERVICE, AND CONSUMPTION

Sunday through Thursday 11am – 2am, Friday and Saturday 11am – 3am

HOURS OF LIVE ENTERTAINMENT

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

HOURS OF ALCOHOLIC BEVERAGE CARRY-OUT AND DELIVERY

Sunday through Saturday 11am – 1am

ALCOHOLIC BEVERAGE AND CANNABIS ADMINISTRATION

NOTICE OF PUBLIC HEARING

****READVERTISEMENT**

Placard Posting Date:	October 2, 2026
Protest Petition Deadline:	November 16, 2026
Roll Call Hearing Date:	December 7, 2026
Protest Hearing Date:	January 13, 2027

License No.:	ABRA-137149
Licensee:	Proper Café Shaw, LLC
Trade Name:	Proper Cafe
License Class:	Retailer's Class "C" Restaurant
Address:	1545 New Jersey Avenue, N.W.
Contact:	Abigail Reiman: (703) 568-8971, reiman.abby@gmail.com

WARD 5 ANC 5E SMD 5E01

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 December 7, 2026, 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 **January 13, 2027, at 1:30 p.m.**

NATURE OF OPERATION

New Retailer's Class "C" Restaurant with a Seating Capacity of 123 and Total Occupancy Load of 123. Live Entertainment Endorsement with Cover Charge and Dancing.

HOURS OF OPERATION, ALCOHOLIC BEVERAGE SALES, SERVICE, AND CONSUMPTION, AND LIVE ENTERTAINMENT

Sunday through Thursday 6am – 10pm, Friday and Saturday 6am – 11pm

ALCOHOLIC BEVERAGE AND CANNABIS ADMINISTRATION

NOTICE OF PUBLIC HEARING

Placard Posting Date:	October 2, 2026
Protest Petition Deadline:	November 16, 2026
Roll Call Hearing Date:	December 7, 2026
License No.:	ABRA-097516
Licensee:	Right Forward LLC
Trade Name:	Right Proper Brewing Company
License Class:	Retailer's Class "C" Tavern
Address:	920 Girard Street, N.E.
Contact:	Thor Cheston: (202) 526-5904, thor@rightproperbrewing.com

WARD 5 ANC 5B SMD 5B04

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 December 7, 2026 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
Licensee is requesting a Streatery with 24 seats.

HOURS OF OPERATION FOR INSIDE PREMISES
Sunday through Saturday 7am – 12am

HOURS OF ALCOHOLIC BEVERAGE SALES, SERVICE, AND CONSUMPTION FOR INSIDE PREMISES
Sunday through Saturday 8am – 12am

HOURS OF OPERATION AND HOURS OF ALCOHOLIC BEVERAGE SALES, SERVICE, AND CONSUMPTION FOR THE SIDEWALK CAFÉ
Sunday through Saturday 10am – 11pm

PROPOSED HOURS OF OPERATION FOR THE STREATERY
Sunday through Saturday 7am – 11pm

PROPOSED HOURS OF ALCOHOLIC BEVERAGE SALES, SERVICE, AND CONSUMPTION FOR THE STREATERY
Sunday through Saturday 10am – 11pm

ALCOHOLIC BEVERAGE AND CANNABIS ADMINISTRATION

NOTICE OF PUBLIC HEARING

Placard Posting Date:	October 2, 2026
Protest Petition Deadline:	November 16, 2026
Roll Call Hearing Date:	December 7, 2026
License No.:	ABRA-134268
Licensee:	Sankofa Cafe, LLC
Trade Name:	Sankofa Café
License Class:	Retailer's Class "C" Tavern
Address:	2714 Georgia Avenue, N.W.
Contact:	Mulu Gerima (202) 640-3425, mulu@sankofa.com

WARD 1 ANC 1E SMD 1E05

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 December 7, 2026, 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 an Entertainment Endorsement with Cover Charge inside the premises.

HOURS OF OPERATION INSIDE PREMISES
Sunday through Saturday 7am – 11pm

HOURS OF ALCOHOLIC BEVERAGE SALES, SERVICE, AND CONSUMPTION INSIDE PREMISES
Sunday through Saturday 11am – 11pm

HOURS OF OPERATION AND ALCOHOLIC BEVERAGE SALES, SERVICE, AND CONSUMPTION OUTSIDE IN THE SUMMER GARDEN
Sunday through Saturday 11am – 11pm

PROPOSED HOURS OF LIVE INDOOR ENTERTAINMENT
Sunday through Saturday 11am – 11pm

ALCOHOLIC BEVERAGE AND CANNABIS ADMINISTRATION

NOTICE OF PUBLIC HEARING

Placard Posting Date:	October 2, 2026
Protest Petition Deadline:	November 16, 2026
Roll Call Hearing Date:	December 7, 2026
License No.:	ABRA-129408
Licensee:	Cetintas, LLC
Trade Name:	Sofra
License Class:	Retailer's Class "C" Restaurant
Address:	2623 Connecticut Avenue, N.W.
Contact:	Jeff Jackson: (202) 251-1566, jjharlem112@gmail.com

WARD 3 ANC 3C SMD 3C01

Notice is hereby given that this licensee has requested Substantial Changes 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 December 7, 2026 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 CHANGES

The Licensee is requesting to Change License Class from a Retailer C Restaurant to Retailer C Tavern. The Licensee is also requesting a Change of Hours inside the premises and for the Summer Garden.

CURRENT HOURS OF OPERATION AND HOURS OF ALCOHOLIC BEVERAGE SALES, SERVICE, AND CONSUMPTION INSIDE PREMISES AND FOR THE OUTDOOR SUMMER GARDEN

Sunday through Saturday 11am – 12am

PROPOSED HOURS OF OPERATION AND HOURS OF ALCOHOLIC BEVERAGE SALES, SERVICE, AND CONSUMPTION INSIDE PREMISES AND FOR THE OUTDOOR SUMMER GARDEN

Sunday through Thursday 11am – 2am, Friday and Saturday 11am – 3am

ALCOHOLIC BEVERAGE AND CANNABIS ADMINISTRATION

NOTICE OF PUBLIC HEARING

Placard Posting Date:	October 2, 2026
Protest Petition Deadline:	November 16, 2026
Roll Call Hearing Date:	December 7, 2026
License No.:	ABRA-128982
Licensee:	SEK Holdings, LLC
Trade Name:	Tenley Provisions
License Class:	Retailer's Class "C" Tavern
Address:	4700 Wisconsin Avenue, N.W.
Contact:	Diana Corzo: (202) 686-7600, dcorzo@theveritaslawfirm.com

WARD 3 ANC 3E SMD 3E03

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 December 7, 2026 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 Endorsement with 68 seats.

CURRENT HOURS OF OPERATION INSIDE PREMISES
Sunday through Saturday 12am to 12am (24-hour operations)

CURRENT HOURS OF ALCOHOLIC BEVERAGE SALES, SERVICE, AND CONSUMPTION INSIDE PREMISES
Sunday through Saturday 7am – 11pm

PROPOSED HOURS OF OPERATION FOR SIDEWALK CAFÉ
Sunday through Saturday 12am to 12am (24-hour operations)

PROPOSED HOURS OF ALCOHOLIC BEVERAGE SALES, SERVICE, AND CONSUMPTION FOR SIDEWALK CAFÉ
Sunday through Saturday 7am – 11pm

ALCOHOLIC BEVERAGE AND CANNABIS ADMINISTRATION

NOTICE OF PUBLIC HEARING

Placard Posting Date:	October 2, 2026
Protest Petition Deadline:	November 16, 2026
Roll Call Hearing Date:	December 7, 2026
Protest Hearing Date:	January 13, 2027

License No.:	ABCA-136838
Licensee:	Nugg Heaven, LLC
Trade Name:	The Dispensary
Registration/License Type:	Medical Cannabis Retailer
Address:	1383-1385 H Street N.E.
Contact:	Colenester Jones; 202-733-8299; coljones0121@gmail.com

WARD 6 ANC 6A SMD 6A06

Notice is given that the above-named medical cannabis retailer applicant has requested a new license to be located at **1383-1385 H Street 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 December 7, 2026 at 10 a.m., Suite 4200-A, 899 North Capitol Street N.E., Washington, DC, 20002**. The **Protest Hearing date** is scheduled for **January 13, 2027 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 **1383-1385 H Street N.E.** The proposed facility with approximately 2,140 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 delivery and education tasting endorsements.

HOURS OF OPERATION FOR RETAILER

Sunday – Saturday 8 am – 11 pm

HOURS OF RETAILER SALES OPEN TO THE PUBLIC

Sunday – Saturday 10 am – 10 pm

HOURS OF DELIVERY FOR RETAILER

Sunday – Saturday 10 am – 10 pm

OFFICE OF THE STATE SUPERINTENDENT OF EDUCATION

NOTICE OF FINAL RULEMAKING

The State Superintendent of Education, pursuant to the authority set forth in Sections 3(b)(11), (15) and (20), and 7d of the State Education Office Establishment Act of 2000, effective October 21, 2000 (D.C. Law 13-176, D.C. Official Code §§ 38-2602(b)(11), (15), and (20), and 38-2610(a)); Section 106 of the Testing Integrity Act of 2013, effective October 17, 2013 (D.C. Law 20-27; D.C. Official Code §38-771.06); and Mayor's Order 2018-91, dated November 15, 2018, hereby gives notice of the adoption of the following amendments to Chapter 23 (State-Wide Academic Assessments) of Subtitle A (Office of the State Superintendent of Education) of Title 5 (Education) of the District of Columbia Municipal Regulations ("DCMR").

In order to measure and report the achievement of students and performance of schools in the District of Columbia, the Office of the State Superintendent of Education ("OSSE") must administer statewide assessments. Pursuant to the District of Columbia Public Education Reform Act of 2007, effective June 12, 2007 (D.C. Law 17-9; D.C. Official Code § 38-1800.01 *et seq*.), OSSE serves as the District's state education agency ("SEA") and performs the functions of an SEA for the District of Columbia under applicable federal law, including overseeing state functions for standards, assessments, and federal accountability requirements for elementary and secondary education.

This rulemaking sets forth the minimum requirements to protect the integrity of the statewide assessments and to ensure that results are accurate and meaningful. OSSE's goal is for schools and Local Educational Agencies ("LEAs") to deliver a uniform and equitable statewide assessment program. For assessments to yield fair and accurate results, the assessments must be administered in consistent, standardized conditions, and teachers and administrators must understand and recognize acceptable and unacceptable assessment practices and protocols. This rulemaking supports this goal.

Additionally, this rulemaking establishes a process for conducting investigations in the instance of unacceptable assessment practices and protocols. The standards and procedures included in the rulemaking will be used to determine whether a violation occurred, the issuance of sanctions for violations, and the process of reviewing OSSE's findings of both non-sanctionable and sanctionable violations.

On July 22, 2019, OSSE issued an Advanced Notice of Proposed Rulemaking ("ANPR") on OSSE's website to provide stakeholders an opportunity to provide advanced comment on proposed amendments to Chapter 23 prior to this rulemaking. The comment period was open for thirty (30) days, closing on August 21, 2019. OSSE received comments from two (2) stakeholders and incorporated this feedback in the First Notice of Proposed Rulemaking, published in the *District of Columbia Register* on February 14, 2020 at 67 DCR 001563. The amendments included the following: updating language to clarify intent, replacing "LEA" with "school" where appropriate, aligning timelines with updated practices, and making amendments to respond to schools' need for flexibility around planning and staffing the assessments. No public comments were received in response to the first notice of proposed rulemaking.

OSSE published a Second Notice of Proposed Rulemaking in the *District of Columbia Register* on July 25, 2025 at 72 DCR 008263. The test integrity regulations were updated to better align the rulemaking with computer-based testing, best practices for applying student accommodations, and compliance requirements for adhering to the Test Integrity Act of 2013. OSSE did not receive any public comments in response to this notice of proposed rulemaking.

This final rulemaking makes two minor changes from the second proposed rulemaking: it removes unnecessary pluralization from § 2304.7 and adds "Section 504 plan" in § 2306.15 to note that accommodations may be provided pursuant to a student's Individualized Education Program (IEP) or Section 504 plan.

On June 22, 2026, the Mayor transmitted the proposed final rules to the Council of the District of Columbia for its review and approval pursuant to Section 106 of the District of Columbia Testing Integrity Act, effective October 17, 2013 (D.C. Law 20-27; D.C. Official Code § 38-771.06) ("Section 106"). *See* Testing Integrity and Security Rulemaking Approval Resolution of 2026 (P.R. 26-748). In accordance with Section 106, "If the Council does not approve or disapprove the proposed rules, by resolution, within the 14-day review period, the proposed rules shall be deemed approved."

The Council did not take action to approve or disapprove the proposed final rules before the end of the 14-day review period, and the proposed final rules were therefore deemed approved by the Council on July 16, 2026.

The State Superintendent of Education adopted this rule as final on September 18, 2026. The rulemaking will become effective on the date of publication of this notice in the *District of Columbia Register*.

Chapter 23, STATE-WIDE ACADEMIC ASSESSMENTS, of Title 5-A DCMR, OFFICE OF THE STATE SUPERINTENDENT OF EDUCATION, is amended as follows:

New Sections 2303 through 2316 are added to read as follows:

2303 TESTING INTEGRITY AND SECURITY: GENERAL PROVISIONS AND APPLICABILITY

2303.1 Pursuant to the Testing Integrity Act of 2013, effective October 17, 2013 (D.C. Law 20-27; D.C. Official Code §§ 38-771.01 *et seq.*), and Section 3(b)(20) of the State Education Office Establishment Act of 2000, effective October 21, 2000 (D.C. Law 13-176; D.C. Official Code § 38-2602(b)(20)), OSSE shall administer and enforce this chapter to protect the integrity of the statewide assessments and to ensure that assessment results are accurate and meaningful.

2303.2 The requirements set forth in this chapter shall apply to the following:

(a) Local education agencies ("LEAs");

(b) All schools within the District of Columbia Public Schools and all public charter schools;

(c) Each statewide assessment administered pursuant to Section 2301;

(d) All students in an assessed grade range, including eligible students currently receiving education services in a nonpublic school setting; and

(e) All school and LEA personnel and contractors.

2303.3 In addition to the other requirements and restrictions imposed by this chapter, an LEA, a school, and all authorized personnel shall:

(a) Ensure all secure test materials, including all test materials used to facilitate paper- and computer-based testing, are secured under lock and key, or password-protected electronic access, unless another equivalent security measure for electronic secure test materials is utilized;

(b) Prohibit unauthorized access to all secure test materials and all student information used or obtained in the administration of a statewide assessment;

(c) Maintain an inventory of all secure test materials;

(d) Obtain, securely maintain, and securely distribute test materials; and

(e) Cooperate and participate in any OSSE investigation pursuant to § 2313.

2304 TESTING INTEGRITY AND SECURITY: *BEFORE* THE ADMINISTRATION OF STATEWIDE ASSESSMENTS

2304.1 (a) OSSE shall annually release test security policies that include:

(1) Test administration requirements for statewide assessments to be administered during that school year;

(2) Procedures or requirements to ensure test materials are securely maintained and distributed;

(3) Procedures or requirements to ensure statewide assessments are administered with fidelity, in a consistent manner, and in standardized conditions; and

(4) Lists of prohibited or unapproved electronic devices and materials or references.

(b) Test security policies issued pursuant to this subsection may expand on the requirements set forth in this chapter.

2304.2 An LEA shall submit to OSSE the start and end dates for each statewide assessment its school(s) will administer that year no later than four (4) weeks before the start of the testing window for the respective statewide assessment.

2304.3 An LEA shall report the name of its LEA test integrity coordinator(s) to OSSE by October 30 of each school year.

(a) An LEA shall designate staff members to serve in the following authorized personnel roles with responsibilities as specified below:

(1) One LEA test integrity coordinator for the administration of all statewide assessments by the LEA, who is responsible for testing integrity and security for the LEA in its entirety during the administration of all statewide assessments and who supervises all of the LEA's test monitors, test administrators, and proctors; provided, that the LEA may also designate up to three (3) additional individuals to serve as assessment-specific LEA test integrity coordinators for specific statewide assessments administered within the LEA, and each such designee shall assume all responsibilities of the LEA test integrity coordinator for the assessment to which they are assigned;

(2) No more than three (3) school test monitors for each school or campus under the LEA's control who are responsible for creating and implementing all aspects of the school test security plan before, during, and after the statewide assessment at the school or campus site; coordinating security and maintaining data integrity within their school or campus; and training all authorized personnel at their school or campus;

(3) A school technology coordinator for each school to support the school in appropriately implementing computer-based testing by preparing the testing platform and the student and test administrator devices for testing; and

(4) A school special populations coordinator for each school to support the school in appropriately implementing accommodations and accessibility features, to have access to those accommodations and features on all applicable statewide assessments, and to provide training to authorized personnel tasked with providing those accommodations and features to students.

(b) (1) An LEA shall designate school-based staff members to serve as test administrators.

(2) Test administrators shall, as directed by the school test monitor, administer the statewide assessment to students. Test administration responsibilities shall include:

(A) Managing the testing sessions as outlined in the appropriate Test Administrator manual;

(B) Establishing the testing environment within the test location;

(C) Coordinating the distribution and return of test materials to and from students;

(D) Ensuring that students receive appropriate accommodations, as applicable; and

(E) Maintaining the security of all of the test administrator's test materials.

(3) Test administrators shall comply with all the responsibilities and prohibitions of authorized personnel.

(c) (1) An LEA may also designate individuals, including volunteers, contractors, or aides, to serve as test proctors.

(2) Test proctors shall, as directed by the school test monitor and test administrator:

(A) Assist test administrators with classroom management during testing;

(B) Distribute and collect test materials; and

(C) Administer accommodations.

(3) Test proctors shall be under the constant and consistent direct supervision of a test administrator or school test monitor.

2304.4 Each nonpublic school or program serving a DC student shall designate a nonpublic school or program test monitor, who is responsible for creating and submitting a school test plan for the nonpublic school or program site(s) and collaborating with the LEA test integrity coordinator(s) at each LEA for which the school or program serves a student to ensure statewide assessments are administered in compliance with all applicable federal and District laws and regulations.

2304.5 An LEA shall:

(a) Ensure the LEA test integrity coordinator(s) participate in OSSE's training on test security policies and procedures for statewide assessments prior to LEA-level training of LEA- and school-level authorized personnel;

(b) Ensure all authorized personnel whose duties involve test administration are trained in state, LEA, and school test security requirements, policies, and procedures;

(c) Distribute to all authorized personnel of the LEA, including each school within the LEA and nonpublic special education schools at which students of the LEA have been placed, OSSE's test integrity and test security notification statement, informing them of the consequences of knowingly and willingly violating a law, regulation, policy, or school test security plan;

(d) Provide access to secure test materials exclusively to authorized personnel;

(e) Ensure LEA test sites implementing computer-based testing are technology-ready in accordance with the applicable school test security plans submitted to OSSE and test-specific technology requirements; and

(f) Ensure that procedures have been established for maintaining secure assessment technology platforms.

2304.6 Before performing a statewide assessment function, accessing secure test material, or assisting in the administration of a statewide assessment, all authorized personnel shall:

(a) Receive OSSE's test integrity and test security notification statement, informing them of the consequences of knowingly and willingly violating a law, regulation, policy, or school test security plan; and

(b) Participate in the required test integrity and security training, provided by OSSE, the LEA test integrity coordinator, or a school test monitor.

2304.7 Before the administration of a statewide assessment, an LEA shall ensure each school under its control distributes a notification letter to the parent(s) or guardian(s) of each of its students that details the statewide assessment(s) to be administered, including subjects and grade levels/courses assessed, the dates and times the assessments will be administered in the school, and information about the provision of accommodations specified in students' Individualized Education Program (IEP) (developed under the Individuals with Disabilities Education Act, effective April 13, 1970, 84 Stat. 191; 20 U.S.C. § 1400 *et seq*.), Section 504 plan

(developed under the Rehabilitation Act of 1973, effective September 26, 1973, 87 Stat. 355; 29 U.S.C. § 701 *et seq*.) and/or English learner plan.

2305 TESTING INTEGRITY AND SECURITY: TEST SECURITY PLANS

2305.1 An LEA shall ensure that each school creates, maintains, and submits a school test security plan to the LEA for the LEA's review prior to submission of the plan to OSSE for review and approval.

2305.2 An LEA shall submit to OSSE, in the form and manner set forth by OSSE, a separate test security plan for each school or campus within the LEA's control at least fifteen (15) business days before the administration of each statewide assessment administered in the LEA.

2305.3 A school test security plan shall include the following:

(a) Procedures for the secure maintenance, dissemination, collection, and storage of statewide assessment materials before, during, and after administering a statewide assessment, including:

(1) Keeping an inventory of all materials and identifying individuals with access to the materials;

(2) Accounting for and reporting to OSSE any materials that are lost or otherwise unaccounted for; and

(3) Accounting for and securing old or damaged materials;

(b) The name and contact information for the LEA's test integrity coordinator;

(c) The name and contact information for the test monitor(s) at the school or campus;

(d) The name and contact information for all authorized personnel at the school or campus;

(e) The area(s) at the school or campus designated for administering the statewide assessment;

(f) A list of actions prohibited by authorized personnel beyond the list of examples set forth in § 2312;

(g) Procedures pursuant to which students, authorized personnel, and other individuals may, and are encouraged to, report irregularities in testing administration or testing security; and

(h) Written procedures for investigating and remediating any complaint, allegation, or concern about a potential failure of testing integrity and security consistent with the procedures set forth in this chapter.

2305.4 OSSE shall review each school test security plan and, at least five (5) days before the school begins the first statewide assessment, either:

(a) Provide recommendations to amend specific provisions of the test security plan, as necessary and appropriate; or

(b) Approve the school test security plan.

2305.5 A school may not begin the administration of a statewide assessment if OSSE has not approved a school's test security plan for that assessment.

2305.6 An LEA shall not add additional assessments to an approved test security plan. Once the plan is approved, any additional test security plans for additional assessments must be created separately.

2305.7 OSSE shall maintain a copy of each school's test security plan on file and make the plan available to a member of the public upon request, in accordance with federal and District laws and regulations.

2306 TESTING INTEGRITY AND SECURITY: *DURING* THE ADMINISTRATION OF STATEWIDE ASSESSMENTS

2306.1 An LEA shall administer statewide assessments, including monitoring each school under the LEA's control, as prescribed in applicable law, regulations, policies, plans, and test administration manuals and in a manner that upholds the integrity of testing and accuracy of the data by preventing dishonest and fraudulent behavior and promoting a fair and equitable testing environment.

2306.2 A school shall administer statewide assessments as prescribed in applicable law, regulations, policies, plans, and test administration manuals and in a manner that upholds the integrity of testing and accuracy of the data by preventing dishonest and fraudulent behavior and promoting a fair and equitable testing environment.

2306.3 An LEA shall ensure that each school under the LEA's control and authorized personnel at each such school and the LEA follow the process for resolving technical difficulties outlined in test administration manuals or any relevant policy or procedural guidance and report technical difficulties that impact test administration to the authorized personnel identified in the relevant school's test security plan and, as needed, to each statewide assessment's vendor support personnel.

2306.4 (a) An LEA's testing environments shall comply with the provisions set forth in this chapter and policies issued pursuant to § 2304.

(b) The testing environment includes the following conditions, to the extent a student can see, hear, or access them during testing:

(1) Classrooms and other areas in which testing occurs;

(2) Hallways, stairwells, and bathrooms;

(3) Surfaces, including permanent or temporary fixtures

(4) Equipment;

(5) Furniture;

(6) Posters, signs, wall art, blackboards, whiteboards, projections, and electronic message boards, and the writing and content thereon;

(7) Lighting; and

(8) Music, sounds, and announcements.

(c) Any information regarding the content being assessed or test-taking strategies (including word walls and multiplication tables) is prohibited in the testing environment and shall be removed or covered before the first day of the statewide assessment administration and shall remain removed or covered for the duration of the statewide assessment administration.

(d) The testing environment shall be configured so that no student may hear or see another student's responses.

2306.5 In the exceptional circumstance in which an individual student cannot take the statewide assessment at the student's designated school (e.g., due to a restraining order), the LEA shall submit to OSSE, for OSSE's approval, a proposed alternate location where the student will take the statewide assessment. The alternate location must provide a testing environment that is consistent with the requirements of this chapter. OSSE may require a site visit, demonstration, and/or memorandum of agreement as conditions for approval of the alternate location.

2306.6 A school shall ensure that student seating arrangements in the testing area, regardless of the number of students testing in one session, allow students who are engaged in active testing to test independently without distraction or violation of test security.

2306.7 Test administrators shall adhere to the following when reading the script in the test administrator manual to students:

(a) Test administrators shall first read the complete script aloud, word for word, from beginning to end;

(b) Test administrators may thereafter repeat directions in the script, for emphasis or clarity, as many times as the test administrator deems appropriate; and

(c) Test administrators shall then ask the students if they have any questions. If students ask for portions of the script to be re-read or clarified, the test administrator may do so, but the rereading or clarification must be provided to the whole testing group.

2306.8 During the administration of a statewide assessment, a test administrator shall only announce aloud the time updates specified in the assessment-specific test administrator manual but may provide written time updates at any additional time intervals.

2306.9 Test administrators and proctors may not at any time engage in activity that would prevent proper student supervision while secure test materials are being distributed, while students are testing, while secure test materials are being collected, or at any other time when secure test materials remain distributed with students. Such prohibited activity includes grading papers and reading a book, newspaper, or magazine.

2306.10 An accommodation shall not be provided to a student unless it is explicitly identified in:

(a) A student's IEP;

(b) A student's plan developed under Section 504 of the Rehabilitation Act of 1973 (Section 504 plan); or

(c) A student's approved accommodation plan for an English learner as required in the Elementary and Secondary Education Act.

2306.11 The use of unapproved electronics by students, test administrators, or proctors is prohibited during the administration of a statewide assessment, unless the use is identified as an accommodation for a student as set forth in § 2306.10.

2306.12 During the administration of a paper-based test, no individual may have a cell phone in the testing environment at any point during testing.

2306.13 During the administration of a computer-based test, LEA test integrity coordinators, school test monitors, and school technology coordinators may have and use cell phones for the sole purpose of coordinating technical support if it is necessary for a student to complete a test.

2306.14 Authorized personnel shall follow the process for resolving technical issues, including computer-based and online difficulties, outlined in the appropriate test administrator manual and any relevant policy or procedural guidance.

2306.15 No authorized personnel or other individual may take an action to support a student to stay on task or focused during an assessment unless the action is authorized in policies issued by OSSE pursuant to § 2304.1 or is an approved accommodation per the student's IEP or Section 504 plan. The support must be provided in a way that does not impact the content of a student's answers.

2306.16 (a) No support material may be provided or made available to a student during an assessment unless the support material is specifically authorized in the testing manual for the assessment or through an established process specified by OSSE, such as an approved accommodation per the student's IEP.

(b) If support material is permitted by the manual or through an established process specified by OSSE:

(1) The support material shall be located in a pre-determined location in the testing room as specified in the school test security plan; and

(2) School test monitors or test administrators shall ensure that the support materials are appropriate for testing as specified in the manual or by OSSE prior to testing.

2307 TESTING INTEGRITY AND SECURITY: EXCEPTIONS OR SPECIAL CIRCUMSTANCES *DURING* ADMINISTRATION OF STATEWIDE ASSESSMENTS

2307.1 This section describes allowable exceptions to the test integrity and test security requirements during administration of statewide assessments outlined in § 2306 and special circumstances that may impact the administration of statewide assessments for a student.

2307.2 In addition to the exceptions and special circumstances set forth in this section, OSSE may issue additional policy and procedural guidance, as necessary and appropriate, to address exceptions and special circumstances as they arise during the administration of statewide assessments.

2307.3 A school may provide administrative considerations to any student if the school implements the administrative considerations in the manner and form set forth in OSSE's guidance documents. For the purposes of this subsection, administrative considerations are decisions made about a student's testing environment such as frequent breaks, preferred seating, small group testing, and individual testing and are not accessed through an assessment administration platform.

2307.4 A student who is absent from a testing session that the student was scheduled to attend may make up the test(s) during the testing window on the specific days and times identified in the test security plan of the student's school.

2307.5 A student without an extended time accommodation may not receive extra time to complete a test, outside of the testing time limits, for a behavioral issue that impacts testing.

2307.6 A student shall not be allowed to return to a testing session which the student has impermissibly exited, as defined in the applicable test security policies for each statewide assessment, except in exceptional circumstances as individually documented by the school and approved in writing by OSSE. Approval from OSSE must be obtained prior to the student resuming a session that has been exited.

2307.7 A school may apply to OSSE to exempt a student from testing, using the OSSE-provided Medical Exemption Request Form, if the student has a medical emergency, accident, trauma, or illness (mental or physical) that has been determined by a licensed physician to preclude the student from taking all or part of a statewide assessment. A medical exemption request resulting from an ongoing medical condition shall be submitted to OSSE prior to the first day of the statewide assessment administration at the student's school. A medical exemption request resulting from an emergency or trauma occurring during the assessment administration window shall be submitted to OSSE no later than ten (10) business days after the last day of the statewide assessment window.

2307.8 If there is an emergency requiring evacuation or lockdown of the test environment during a testing session:

(a) The school shall follow the LEA/school-wide emergency protocol; and

(b) Authorized personnel shall secure the assessment materials after student safety has been assured.

2307.9 The test monitor or designee shall complete an incident report and submit the report to the LEA test integrity coordinator(s) and OSSE.

2307.10 A homebound or hospital-tutored student enrolled in a public school in the District of Columbia must participate in statewide assessments. If circumstances make it infeasible to test the student at the school, the school test monitor must work with

the LEA test integrity coordinator(s) to determine how the student will participate in the statewide assessment and notify OSSE in the school test security plan. In all circumstances, the student's statewide assessments must be administered by a trained test administrator.

2307.11 A home-schooled student may participate voluntarily in the statewide assessment. A parent or legal guardian who wants their student to participate in the statewide assessment shall notify District of Columbia Public Schools (DCPS) to facilitate test registration and inclusion in testing plans in accordance with DCPS' policy for statewide assessment registration.

2307.12 (a) All public school students enrolled in a grade or course with a required statewide assessment receiving temporary instruction at a program or alternative school other than the school at which they are regularly enrolled (at an "alternative setting") shall participate in the statewide assessments.

(b) A student in an alternative setting may take an assessment at the school in which the student is currently enrolled or at an alternate testing site approved by the school's LEA test integrity coordinator and OSSE. In all circumstances, the student's statewide assessments must be administered by a trained test administrator.

2307.13 (a) Each LEA must ensure that all students enrolled in a grade or course with a required statewide assessment at their LEA and schools subject to their control participate in statewide assessments, including students in nonpublic settings.

(b) Each nonpublic school or program shall adhere to the Testing Integrity Act of 2013 and shall:

(1) Ensure that every District of Columbia student enrolled in its school or program is appropriately included in the statewide assessment system or alternate assessment approved by OSSE;

(2) Ensure that statewide assessments for each District of Columbia student are administered according to federal and state law, regulations, and state policy regarding testing;

(3) Comply with all federal and state laws, regulations, and policies regarding testing and testing integrity;

(4) Comply with all LEA and school-level requirements outlined in this chapter;

(5) Create and maintain a school test security plan for their school site as specified in § 2305;

(6) Work with each student's LEA of enrollment to ensure that the nonpublic school test security plan is integrated, reviewed, and approved by the LEA test integrity coordinator(s) at all District of Columbia students' LEAs of enrollment;

(7) Maintain documentation showing that District of Columbia students completed the statewide assessment;

(8) Provide any requested statewide assessment documentation to a student's LEA of enrollment and/or OSSE upon request; and

(9) If there is a test security, irregularity, or data integrity issue, contact OSSE and the LEA test integrity coordinator(s) at the student's LEA of enrollment; and

(c) In an exceptional circumstance in which an individual student receiving education services in a nonpublic school setting cannot be tested at their school, OSSE shall approve an alternate location where statewide assessment administration will be conducted. OSSE may require a site visit, demonstration, and/or memorandum of agreement as conditions for approval of the alternate location.

2307.14 The following students shall be tested in a one-on-one setting or in a small group with only students receiving the same accommodation:

(a) Students receiving accommodations that require student speaking (*e.g.*, student reads aloud);

(b) Students receiving a human reader accommodation; and

(c) Students receiving a human scribe accommodation.

2308 TESTING INTEGRITY AND SECURITY: *AFTER* THE ADMINISTRATION OF STATEWIDE ASSESSMENTS

2308.1 At the end of each administration of a statewide assessment, the school shall return or dispose of all secure and non-secure test materials following procedures outlined in the appropriate testing manuals, regulations, and policies, including the test security plan.

2308.2 Each LEA test integrity coordinator (including each assessment-specific test integrity coordinator of the LEA, if applicable) shall sign a Testing Integrity and Security Affidavit ("TIS Affidavit") within fifteen (15) business days after the conclusion of the administration of a statewide assessment within their LEA. The TIS Affidavit shall be in a form established by OSSE. As part of the TIS Affidavit,

each LEA test integrity coordinator shall attest, to the best of their knowledge and belief, and under penalty of law, whether the LEA and all schools under their control complied with all applicable laws, regulations, policies, and guidance, including each school's test security plan.

2308.3 Each school test monitor shall sign a TIS Affidavit after the conclusion of the administration of a statewide assessment in their school. As part of the TIS Affidavit, each school test monitor shall attest, to the best of their knowledge and belief, and under penalty of law, whether the school complied with all applicable laws, regulations, policies, and guidance, including the test security plan. The school shall submit the signed TIS Affidavit to the LEA test integrity coordinator(s) within ten (10) business days after the conclusion of the administration of each respective statewide assessment.

2308.4 After the conclusion of each administration of a statewide assessment, LEAs shall ensure the following:

(a) Within ten (10) business days after the conclusion of each statewide assessment that is administered in the LEA, the LEA test integrity coordinator shall obtain signed TIS Affidavits from each of the LEA's school test monitors; and

(b) Within fifteen (15) business days after the conclusion of each statewide assessment that is administered in the LEA:

(1) The LEA test integrity coordinator (and each assessment-specific test integrity coordinator of the LEA, if applicable) shall sign the TIS Affidavit required by § 2308.2 on behalf of the LEA; and

(2) The LEA test integrity coordinator shall file with OSSE the TIS Affidavit from the LEA test integrity coordinator (including each assessment-specific test integrity coordinator of the LEA, if applicable) and each of the LEA's school test monitors.

2309 TESTING INTEGRITY AND SECURITY: RECORD KEEPING

2309.1 Each LEA shall maintain a record of the following items for the LEA and each school under its control for a minimum of four (4) years. Each record may be maintained as an electronic file:

(a) OSSE-approved test security plan(s);

(b) Identification of authorized personnel of the LEA and each school;

(c) Attendance sheets for LEA-led testing integrity and security training sessions;

(d) Executed LEA test integrity coordinator and school test monitor TIS Affidavits;

(e) Documentation of any testing irregularities;

(f) Documentation of any testing integrity and security investigations;

(g) Documentation of any damaged, missing, or misplaced test materials;

(h) Copies of any Plan to Improve School Test Security Policies and Procedures and any completed Test Security Fact Finding Inquiry documentation; and

(i) Documentation of the implementation of any OSSE sanctions.

2309.2 A school shall create and maintain a hard copy of a test security file for each administration of a statewide assessment. The test security file shall be maintained for a period of at least four (4) years, and shall include at a minimum:

(a) The school's test security plan;

(b) Documentation of completion of LEA- or school-led testing integrity and security training sessions for authorized personnel;

(c) A copy of all family notification letters;

(d) Test material chain of custody forms;

(e) Incident reports, if any;

(f) During testing notes, including minor deviations from the school test security plan; and

(g) Plans to improve school policies and procedures and fact-finding inquiries, if applicable.

2309.3 A school may also maintain secure electronic files in addition to the required hard copy and shall ensure that the files are accessible to OSSE upon request.

2310 TESTING INTEGRITY AND SECURITY: TRAINING AND TECHNICAL ASSISTANCE; MONITORING

2310.1 An LEA may request that OSSE provide technical assistance to an LEA or school regarding testing integrity and security procedures.

2310.2 An LEA shall monitor the administration of statewide assessments in its schools to ensure that applicable federal and local assessment law, regulations, policies, plans, and manuals are being followed.

2310.3 OSSE may provide technical assistance to a school or LEA at any time regarding testing integrity and security procedures, including assistance and expertise to respond to potentially critical incidents during the administration of a statewide assessment.

2310.4 In order to ensure the security and proper administration of the statewide assessment, OSSE may conduct announced and unannounced on-site and desktop monitoring visits at any school or LEA to observe the procedures followed during test administration.

2310.5 OSSE may enter testing rooms during test administration to observe students and test administrators to determine whether:

(a) Test materials are stored properly;

(b) Test administrators are administering tests appropriately; and

(c) The testing environment is secure.

2310.6 OSSE may audit statewide assessment administration procedures at randomly selected schools and at targeted schools to ensure adherence to all applicable laws, regulations, and policies.

2310.7 OSSE may use statistical and audit procedures to:

(a) Review and audit both test score data and individual test documents for potential anomalies; and

(b) Audit vendor-provided testing records to ensure appropriate test participation and administration procedures are followed.

2311 TESTING INTEGRITY AND SECURITY: REQUIRED REPORTING

2311.1 Authorized personnel of an LEA or school shall notify the school test monitor, the LEA test integrity coordinator and OSSE as soon as the LEA or school becomes aware of any alleged or suspected violation of the security or integrity of a statewide assessment. The notification to OSSE shall be provided by the LEA test integrity coordinator through OSSE's incident reporting system or process.

2311.2 Authorized personnel of an LEA or school shall, in a timely manner, report all testing irregularities to the school test monitor, LEA test integrity coordinator, or

OSSE, as appropriate and consistent with the standards, policies, and statewide requirements for testing integrity and security.

2311.3 Authorized personnel shall report technical issues that significantly impact test administration to the school test monitor, LEA test integrity coordinator, or OSSE as appropriate and consistent with the standards, policies, and statewide requirements for testing integrity and security, through OSSE's prescribed incident reporting process.

2311.4 Individuals other than LEA test integrity coordinators may report suspected testing irregularities directly to OSSE by phone or online via OSSE's Online Test Security Incident Reporting Form.

2311.5 (a) School staff who witness or believe that a test irregularity or violation occurred must report it as soon as possible but no later than twenty-four (24) hours after the alleged violation occurred.

(b) Potential irregularities or violations may be reported directly to the school test monitor or the LEA test integrity coordinator(s); to OSSE's Division of Data, Assessment, and Research (DAR); anonymously to the LEA test integrity coordinator(s); or anonymously online using OSSE's Online Test Security Incident Reporting Form. LEA test integrity coordinator(s) shall submit reports of any test security violations reported to a school test monitor or LEA test integrity coordinator to OSSE.

2312 TESTING INTEGRITY AND SECURITY: VIOLATIONS

2312.1 A violation is any incident or action, intentional or otherwise, that threatens the security or integrity of the administration of the statewide assessment or the results of the assessment, including the following, as defined in Section 2399:

(a) Breach;

(b) Cheating;

(c) Compromise;

(d) Irregularity;

(e) Misconduct; or

(f) Test piracy.

2312.2 Examples of specific violations include:

(a) The following list of prohibited actions as defined in D.C. Official Code § 38-771.03(a)(4):

(1) Photocopying, or in any way reproducing, or disclosing secure test materials or other materials related to statewide assessments;

(2) Reviewing, reading, or looking at secure test materials or student responses before, during, or after administering the statewide assessment, unless specifically permitted in the test administrator's manual;

(3) Assisting students in any way with answers to test questions using verbal or nonverbal cues before, during, or after administering the assessment;

(4) Altering student responses in any manner;

(5) Altering the test procedures stated in the formal instructions accompanying the statewide assessments;

(6) Allowing students to use notes, references, or other aids, unless the test administrator's manual specifically allows;

(7) Having in one's personal possession secure test materials except during the scheduled testing date;

(8) Allowing students to view or practice secure test materials before or after the scheduled testing time;

(9) Making or having in one's possession an answer key for a statewide assessment before the administration of that statewide assessment; except, that it shall not be prohibited to have an answer key for a statewide assessment that has already been administered and released by OSSE;

(10) Leaving secure test materials in a non-secure location or unattended by authorized personnel; and

(11) Using unapproved electronics during the administration of a statewide assessment;

(b) School- or LEA-level coordination or facilitation of prohibited actions as defined in D.C. Official Code § 38-771.03(a)(4); and

(c) Assisting in the violation of, soliciting another to violate or assist in the violation of, or failing to report a violation of test security and test integrity policies or procedures.

2312.3 The following actions by authorized personnel shall not be considered violations:

(a) Actions necessary to provide an accommodation to an eligible student as set forth in § 2306.12; or

(b) Actions pursuant to § 2306.16 that are limited to supporting students to stay on task and focused and do not impact the content of students' answers.

2313 TESTING INTEGRITY AND SECURITY: INVESTIGATIONS

2313.1 An LEA shall fully cooperate and participate in any OSSE investigation.

2313.2 Upon its own initiative, or upon receipt of information alleging a violation of any applicable law, regulation, or policy relating to testing integrity and security, OSSE may initiate an investigation to ensure that assessment results are valid and trustworthy and to determine whether a violation occurred.

2313.3 Investigations may be conducted directly by OSSE or by an entity or individual authorized by OSSE.

2313.4 OSSE may initiate an investigation before, during, or after the administration of a statewide assessment.

2313.5 An LEA shall ensure that all relevant authorized personnel of the LEA and its schools are made available to cooperate and participate in the investigation.

2313.6 OSSE may initiate an investigation if:

(a) OSSE identifies potential noncompliance; or

(b) OSSE receives a report or complaint alleging a violation of the laws, regulations, and policies relating to testing integrity and security.

2313.7 OSSE may initiate an investigation in other circumstances, including if:

(a) An incident is reported from a monitoring visit during testing administration;

(b) An LEA or school conducts its own investigation of a testing concern or potential violation instead of immediately reporting the concern or potential violation to OSSE;

(c) An abnormality or statistical anomaly is detected in the test response data of one or more groups of students in a school;

(d) Data forensics identify unusual year-to-year changes in test scores;

(e) Inappropriate assessment practices are identified at a school or LEA;

(f) Information derived from social media indicates a potential violation;

(g) OSSE receives an incident report, support ticket, or anonymous report indicating that a violation may have occurred;

(h) OSSE identifies a potential violation through a review of test administration practices;

(i) A media report indicates a violation;

(j) Monitoring reports prepared by OSSE or a designee of OSSE indicate that a violation may have occurred; or

(k) A school or LEA is identified through random selection.

2314 TESTING INTEGRITY AND SECURITY: INVESTIGATION PROCESS

2314.1 If OSSE determines an investigation is appropriate, OSSE shall notify the LEA in writing that OSSE is initiating an investigation. The notification shall:

(a) State the circumstance(s) that triggered the investigation;

(b) Identify the following information, as applicable to the investigation:

(1) The school(s) to be investigated and the assessment(s) under investigation;

(2) The grade level(s) and subject(s) of the assessment(s) under investigation;

(3) Relevant details regarding the administration of the assessment(s) under investigation; and

(4) The impacted student(s), proctor(s), and test administrator(s).

2314.2 An investigation initiated by OSSE includes the following two (2) phases:

(a) An inquiry conducted by the LEA, in the form and manner set forth by OSSE or OSSE's designee. The LEA inquiry shall include the following steps:

(1) The LEA shall collect any documents requested by OSSE, and if any of the requested documents are not provided, the LEA shall provide a written explanation why the documents were not provided; and

(2) The LEA shall conduct interviews with the following individuals, as applicable, and submit completed interview documentation to OSSE:

(A) School test coordinator;

(B) Special populations (accommodations) coordinator;

(C) Technology coordinator;

(D) Student(s);

(E) Proctor(s); and

(F) Test administrator(s); and

(b) An OSSE review, which shall include the following:

(1) A comprehensive examination of the documents, data, information, and evidence provided through the LEA inquiry;

(2) The collection and review of additional relevant documents, and the conduct of additional interviews, as appropriate;

(3) A review of any OSSE records that may be relevant to the investigation; and

(4) A determination of whether a violation occurred.

2314.3 If there is an allegation of a violation that involved school- or LEA-level coordination or participation, the investigation shall not include an LEA inquiry phase, unless otherwise approved by OSSE. If an LEA inquiry is not conducted, OSSE, or an OSSE designee, shall collect the relevant documents and conduct the relevant interviews.

2314.4 During the LEA inquiry phase of the investigation, the LEA shall:

(a) Designate two (2) LEA employees as the LEA factfinders. Neither of the LEA factfinders shall have served a direct role in the oversight of testing integrity and security at the school or LEA, provided that, if the LEA cannot identify two (2) eligible employees, the LEA shall notify OSSE, and OSSE may appoint factfinders as deemed appropriate;

(b) Submit the names, titles, and contact information of the LEA factfinders to OSSE within two (2) business days of OSSE providing notice to the LEA that OSSE is initiating an investigation;

(c) Ensure the LEA factfinders complete any training required by OSSE to conduct the LEA inquiry; and

(d) Conduct the LEA inquiry in the form and manner set forth by OSSE.

2314.5 Upon reviewing documents and information submitted by an LEA, OSSE may request additional documents, information, or interviews at any time during the LEA inquiry.

2314.6 An LEA shall provide requested information and complete the LEA inquiry in accordance with timelines determined and communicated by OSSE.

2315 TESTING INTEGRITY AND SECURITY: SANCTIONS AND CONSEQUENCES FOR VIOLATIONS

2315.1 An individual person, school, or LEA shall be subject to the penalties and sanctions set forth in this section if, based upon the investigation, OSSE determines that the individual, school, or LEA violated a provision outlined in this chapter or otherwise acted in a way that threatened the security or integrity of a statewide assessment administered pursuant to § 2312.

2315.2 If OSSE determines that a violation occurred, OSSE shall determine an appropriate sanction or consequence based on the following factors:

(a) The seriousness of the violation;

(b) The extent of the violation;

(c) The role the individual played in the violation;

(d) The role the school's or LEA's leadership played in the violation, if applicable;

(e) How and when the violation was reported to OSSE;

(f) The action taken by the school or LEA after the violation was reported to OSSE;

(g) The LEA's history of non-compliance; and

(h) Consistency of the sanction or consequence with past OSSE-imposed sanctions or consequences.

2315.3 The following sanctions may be imposed by OSSE against an LEA or school that OSSE has determined committed a violation of the Testing Integrity Act of 2013, this chapter, or a test security plan:

(a) The payment of any expenses incurred by OSSE as a result of the violation, including the expenses of investigating the violation and the expenses associated with developing, in whole or in part, a new assessment;

(b) An administrative fine of not more than ten thousand dollars ($10,000) for each violation;

(c) The invalidation of test scores; and

(d) Consequences pursuant to Section 2315.5, as determined appropriate by OSSE.

2315.4 The following sanctions may be imposed by OSSE against an individual who knowingly and willfully violates, assists in the violation of, solicits another to violate or assist in the violation of, or fails to report a violation of test security and test integrity policies or procedures:

(a) Denial, suspension, revocation, cancellation, or restrictions of the issuance or renewal of a teaching or administrative credential or teaching certificate issued by OSSE, or both;

(b) Payment of expenses incurred by the school, LEA, or OSSE as a result of the violation, including the expenses of investigating the violation and the expenses associated with developing, in whole or in part, a new assessment;

(c) An administrative fine, not to exceed one thousand dollars ($1,000) for each violation; and

(d) Other sanctions, pursuant to Section 2315, as determined appropriate by OSSE.

2315.5 If OSSE finds that a violation occurred and determines that the sanctions outlined in Sections 2315.3 and 2115.4 are not appropriate or not adequate, OSSE may

impose the following consequences as appropriate to the nature and circumstances of the violation(s):

(a) Invalidation of student(s) test results;

(b) Stopping testing;

(c) Voiding test score(s);

(d) Requiring additional training; and

(e) Requiring other corrective actions as determined appropriate by OSSE.

2315.6 Even if OSSE does not determine that a violation occurred, OSSE may impose a corrective action plan and require a school or LEA to demonstrate compliance with a corrective action plan to address any irregularities or concerns found during an investigation. The corrective action plan may include specific strategies, processes, or procedures, that the school or LEA must take to help ensure valid and secure administration of statewide assessments by the school or LEA.

2315.7 In addition to any sanctions, consequences, and corrective action plans imposed by OSSE, an LEA or school may impose its own sanctions, consequences, corrective action plans, and disciplinary actions, including termination of LEA or school employee(s).

2315.8 (a) After OSSE completes an investigation, it shall provide to each individual, school, and LEA that was under investigation a written notice of OSSE's findings and conclusions and shall provide an opportunity for review and comment to each such individual, school, and LEA.

(b) If OSSE determines that no violation occurred, the notice shall:

(1) State that OSSE's investigation determined that a violation did not occur; and

(2) Offer technical assistance or a corrective action plan, if appropriate, to avoid the appearance of potential violations in the future.

(c) If OSSE determines that an individual, school, or LEA committed a violation, the notice shall:

(1) State the violation;

(2) Describe OSSE's findings and conclusions underlying the determination that a violation occurred; and

(3) Notify the school or LEA that it has ten (10) calendar days from the date the written notification is issued to request an administrative review of OSSE's findings, conclusions, and determination.

(d) If OSSE determines that an individual committed a violation, OSSE shall also provide notice to the relevant school and LEA of the violation.

2316 TESTING INTEGRITY AND SECURITY: RECONSIDERATION OF A FINDING OF NON-SANCTIONABLE VIOLATION

2316.1 An individual, LEA, or school may request that OSSE reconsider a determination that a non-sanctionable violation occurred within thirty (30) calendar days after OSSE provides notice of its determination pursuant to Section 2315.

2316.2 A request for reconsideration shall be submitted to OSSE in writing, in a form and manner set forth by OSSE, and shall, at minimum, include the following:

(a) A specific and detailed basis or bases for contesting OSSE's findings, conclusions, or determination;

(b) The specific relief requested; and

(c) Two (2) copies of all documentary evidence supporting the individual's, LEA's, or school's positions.

2316.3 If the request for reconsideration is based in whole or in part on new or additional evidence not previously provided to OSSE, the written request shall demonstrate that the new or additional evidence is relevant and material, and explain why the new or additional evidence was not reasonably available and provided to OSSE before OSSE issued its notice of determination.

2316.4 After receiving a request for reconsideration, the State Superintendent, or an OSSE employee designated by the State Superintendent or the State Superintendent's delegee, shall review the request. An OSSE employee designated to review the request shall not have had any direct involvement or participated in the investigation or the determination of a violation.

2316.5 The State Superintendent or designated OSSE employee (the "deciding official") shall deny a request for reconsideration if, based on the preponderance of the evidence, the deciding official finds:

(a) No material departure from the procedures outlined in this chapter occurred during the investigation that substantively impacted the findings, conclusions, or determinations;

(b) No member of the investigation team had a conflict of interest or ethical breach during the investigation that substantively affected the integrity of the investigation;

(c) The findings, conclusions, and determinations of OSSE are substantially supported by the information and facts determined through the investigation; and

(d) Either:

(1) The new or additional evidence provided by the individual, school, or LEA, if any, is not relevant and material; or

(2) The new or additional evidence was reasonably available to the individual, school, or LEA, before OSSE issued its notice of determination.

2316.6 The deciding official shall remand the matter to OSSE to conduct a new or updated investigation or take other appropriate action if, based on the preponderance of the evidence, the deciding official finds:

(a) A significant or material departure from the procedures outlined in this chapter occurred during the investigation that substantively impacted the findings, conclusions, or determinations;

(b) New or additional evidence was discovered that previously was not reasonably available to the LEA and that is relevant and material to a finding of a violation; or

(c) A member of the investigation team had a conflict of interest or there was another ethical breach during the investigation that substantively affected the integrity of the investigation.

2316.7 The deciding official's decision granting, denying, or remanding the request for reconsideration shall be in writing.

Section 2399, DEFINITIONS, is amended to read as follows:

2399 DEFINITIONS

2399.1 When used in this chapter, the following terms and phrases shall have the meanings ascribed:

Accommodation – an adjustment to the testing conditions, test format, or test administration to provide equitable access during assessments for students with disabilities and students who are English learners.

Authorized personnel – an individual who has access to statewide assessment materials or is directly involved in the administration of a statewide assessment.

Breach – an event, intentional or unintentional, that results in the inappropriate exposure of secure test materials or answers that could potentially impact the accuracy of the test results.

Cheating – educator, student, or other individual's misconduct or impropriety that includes intentional misbehavior or an unethical action meant to influence test results (e.g., overtly or covertly providing correct answers on tests; copying an answer from another test sheet; erasing and changing students' answers; filling in answers left blank by students; falsifying student identification information; imposing exclusionary discipline for the purpose of excluding a student with poor academic performance from completing an assessment; cueing students to incorrect answers; distributing formula cheat sheets; providing unauthorized extra time to complete an assessment).

Compromise – intentional or unintentional action that may impact the security of test materials or integrity of results. An example is leaving secure test materials unattended, even if they are not accessed by unauthorized individuals.

Invalidation – the act of omitting test results and student responses from the testing, reporting, and accountability systems for a given testing event for which the student may not retest.

Irregularity – an unexpected event that may impact the validity of one or more student tests (e.g., misadministration of accommodations, student inadvertently logs into an assessment with another student's credentials) or significantly disrupts the testing environment (e.g., fire alarm, power or internet outage).

Misconduct – misbehavior during testing, such as inappropriate proctoring or other violations of standard testing protocol.

OSSE – the Office of the State Superintendent of Education.

Proctor – an individual designated by an LEA or school who assists in assessment administration under the constant and consistent direct supervision of a test administrator.

Public charter school – a public school in the District of Columbia that is chartered by an eligible chartering authority.

Public school – a school within the District of Columbia Public Schools system or a public charter school.

Secure test materials – as defined in D.C. Official Code § 38-2602(b)(20)(O)(iii-I), secure test materials are test materials that might contain or provide access to assessment content, such as information about test questions or answers, including test questions, passages, or performance tasks, answer documents, and used scratch paper.

State Superintendent – the State Superintendent of Education for the District of Columbia.

Statewide – Districtwide.

Statewide assessment – Districtwide assessment as defined in D.C. Official Code § 38-771.01(2).

Test administrator – a school-based staff member designated by the LEA who qualifies as authorized personnel and who is responsible for administering a statewide assessment to students.

Test administrator manual – an assessment-specific and vendor-developed manual published and shared with LEAs and schools by OSSE that provides required instructions applicable to test administrators necessary for the administration of a statewide assessment, as well as the required procedures and protocols for test security and administration.

Test monitor – a person who qualifies as authorized personnel and is responsible for testing integrity and security at a school during the administration of a statewide assessment.

Test materials – secure and non-secure documents used in or for the administration of a statewide assessment.

Test piracy – stealing of test forms, items, prompts, or other secure test materials, often for the purpose of selling the materials to others.

Testing window – the particular dates scheduled for an LEA or school to administer a statewide assessment. The testing window for each statewide assessment is specified by OSSE.

Unapproved electronics – a technological device not authorized by OSSE that is used by a student, test administrator, or proctor to take or administer a statewide assessment.

DEPARTMENT OF LICENSING AND CONSUMER PROTECTION

NOTICE OF FINAL RULEMAKING

The Director of the Department of Licensing and Consumer Protection ("DLCP"), pursuant to the authority set forth in D.C. Official Code § 47-2853.10(a)(11) and (12), Mayor's Order 2000-70, dated May 2, 2000, and Mayor's Order 2022-149, dated September 29, 2022, hereby gives notice her adoption of the following amendments to Chapter 15 (Professional Engineers and Land Surveyors) of Title 17 (Business, Occupations, and Professionals) of the District of Columbia Municipal Regulations ("DCMR") in not less than thirty (30) days after the date of publication of this notice in the *District of Columbia Register.*

On August 14, 2024, the National Council of Examiners for Engineers and Surveyors (NCEES) in the United States (U.S.) signed a Mutual Recognition Agreement (MRA) with the Engineering Council in the United Kingdom (UK). See https://ncees.org/wp-content/uploads/2024/04/Completed-MRA-8.13.2024.pdf. The U.S.-UK MRA provides a streamlined pathway, without compromising professional standards, to: (i) a UK-Chartered Engineer title for a professional engineer licensed by a participating U.S. licensing authority that has adopted the MRA and (ii) a professional engineer license for a UK-chartered engineer issued by a participating U.S. licensing authority. Presently fifteen (15) states have signed onto the U.S.-UK MRA, including Delaware and Maryland, and several others have committed to doing so, including Virginia.

Interested in enhancing professional mobility and the pathways to professional licensure, the D.C. Board of Professional Engineering (Board) unanimously voted on November 20, 2025, to adopt the U.S.-UK MRA. The Board's action was formalized on February 18, 2026, when Board Chairman Michael Jelen and DLCP Director Tiffany Crowe signed onto the U.S.-UK MRA at a signing ceremony held at the British Embassy. Notwithstanding the signing of the agreement, amendments to the regulations are necessary to allow the Board to approve applications from UK-chartered professional engineers.

On June 26, 2026, the Mutual Recognition Agreement Notice of Proposed Rulemaking was published in the *District of Columbia Register* for thirty (30)-day notice and comment. *See* 73 DCMR 008939 (June 26, 2026). The rulemaking proposed updating 17 DCMR § 1504 regarding applications for licensure as a professional engineer and a professional land surveyor from foreign applicants and persons with degrees from foreign schools. Additionally, it proposed amending 17 DCMR § 1504.4 to add that the Board would use a NCEES licensure record meeting the requirements of a MRA between NCEES and a foreign jurisdiction (NCEES MRA) to assess applicants who are applying through a NCEES MRA. The rulemaking also sought to amend 17 DCMR § 1504.5 by adding a streamlined pathway to licensure for applicants who are applying through a NCEES MRA. Lastly, the rulemaking sought to amend the definitions section to add a definition of "NCEES" and make technical amendments to incorporate the new definition.

The comment period ended on July 27, 2026. The Director did not receive any comments during the comment period. Thus, it is ripe for moving forward as a final rulemaking. No changes were made to the rulemaking since it was published as proposed.

The Director adopted this final rulemaking on September 23, 2026. The final rules shall take effect upon publication of this notice in the *District of Columbia Register*.

Chapter 15, PROFESSIONAL ENGINEERS AND LAND SURVEYORS, of Title 17, BUSINESS, OCCUPATIONS, AND PROFESSIONALS, of the DCMR is amended as follows:

Section 1503, APPLICATIONS, is amended as follows:

Subsection 1503.3 is amended to read as follows:

1503.3 For applicants for licensure by reciprocity or endorsement pursuant to D.C. Official Code § 47-2853.12(b), the Board shall accept licensure records which have been compiled, verified, and submitted by NCEES. Copies of documents contained in the NCEES licensure record shall be accepted in lieu of original or certified documents which would otherwise be required. Applicants remain responsible for providing any additional required documentation or information.

Section 1504, APPLICATIONS FROM FOREIGN APPLICANTS AND PERSONS WITH DEGREES FROM FOREIGN SCHOOLS, is amended as follows:

Subsections 1504.4 and 1504.5 are amended to read as follows:

1504.4 The Board shall evaluate foreign degrees in consultation with NCEES. The following shall serve as the Board's guide for assessment:

(a) For applicants who are not applying through a Mutual Recognition Agreement (MRA) between NCEES and a foreign jurisdiction (NCEES MRA): a transcript evaluation submitted pursuant to § 1508.7; and

(b) For applicants who are applying through a NCEES MRA: a NCEES licensure record meeting the requirements of the applicable NCEES MRA.

1504.5 An applicant possessing a current Professional Engineer license or Professional Land Surveyor license issued by an appropriate licensing authority of a foreign jurisdiction may obtain a license in the District of Columbia if the applicant provides either of the following to the satisfaction of the Board:

(a) For applicants who are not applying through a NCEES MRA, evidence that the applicant otherwise qualifies for licensure under this chapter, has passed an examination acceptable to the Board, and has completed education and training requirements for licensure in the foreign jurisdiction that were substantially equivalent at the time they were received by the applicant to the education and experience requirements of this chapter; or

(b) For applicants who are applying through a NCEES MRA, a NCEES licensure record meeting the requirements of the applicable NCEES MRA.

A new Subsection 1504.6 is added to read as follows:

1504.6 The U.S.UK MRA is incorporated by reference into this rulemaking and is publicly available at https://ncees.org/wp-content/uploads/2024/04/Completed-MRA-8.13.2024.pdf.

Section 1511, EXAMINATIONS, is amended as follows:

Subsection 1511.2 is amended by striking the lead-in language and inserting the following lead-in language in its place:

1511.2 The following engineering examinations prepared and furnished by NCEES meet the requirements of the District of Columbia for licensure as a Professional Engineer:

Section 1512, CLASSIFICATIONS AND DISCIPLINES OF ENGINEERING AND LAND SURVEYING, is amended as follows:

Subsection 1512.1(d) is amended to read as follows:

(d) Professional Engineers may be licensed in a discipline not listed in (c) above if an engineering examination for that discipline has been prepared and furnished by NCEES, and the applicant meets the requirements of the District of Columbia for licensure as an engineer.

Section 1599, DEFINITIONS, is amended as follows:

Subsection 1599.1 is amended as follows:

The following new definition of "NCEES" is added in alphabetical order to read as follows:

NCEES - the National Council of Examiners for Engineering and Surveying.

DISTRICT OF COLUMBIA WATER AND SEWER AUTHORITY

NOTICE OF FINAL RULEMAKING

The Board of Directors (Board) of the District of Columbia Water and Sewer Authority (DC Water), pursuant to the authority set forth in Sections 203(3) and (11) and 216 of the Water and Sewer Authority Establishment and Department of Public Works Reorganization Act of 1996, effective April 18, 1996 (D.C. Law 11-111, §§ 203(3), (11), and 216; D.C. Official Code §§ 34-2202.03(3) and (11) and § 34-2202.16), and Section 6(a) of the District of Columbia Administrative Procedure Act, approved October 21, 1968 (82 Stat. 1206; D.C. Official Code § 2-505(a)), hereby gives notice of the adoption of amendments to Section 112 (Fees) of Chapter 1 (Water Supply) and Sections 4100 (Rates for Water Service) and 4101 (Rates and Charges for Sewer Service) of Chapter 41 (Retail Water and Sewer Rates and Charges) of Title 21 (Water and Sanitation) of the District of Columbia Municipal Regulations (DCMR).

At its regularly scheduled meeting on September 3, 2026, the Board adopted Resolution #26-62 to adjust the fees, rates, and charges for Fiscal Year 2027 and 2028 for the Payment-in-Lieu-of-Taxes (PILOT) Fee, Right-of-Way (ROW) Fee, Retail Rates for Metered Water Services, Retail Rates for Sewer Services, Clean Rivers Impervious Area Charge (CRIAC), Retail Rates for Groundwater Sewer Services, and High Flow Filter Backwash Sewer Rate, effective October 1, 2026 and October 1, 2027, as noted herein.

Pursuant to Board Resolution #26-22, dated March 5, 2026, DC Water's Notice of Proposed Rulemaking (NOPR) was adopted by the Board and published in the *District of Columbia Register* at 73 DCR 004508 on March 20, 2026 to receive comments on the NOPR. Further, a Notice of Public Hearing was also published in the *District of Columbia Register* on March 20, 2026 at 73 DCR 004506 to receive public comments at a Public Hearing on May 14, 2026.

Pursuant to Board Resolution 26-28, dated May 7, 2026, DC Water published a Notice of Extension of Public Comment Period on May 22, 2026 in the *District of Columbia Register* at 73 DCR 007912 and Notice of Public Hearing on same day in the *District of Columbia Register* at 73 DCR 007812 to change the date of the Public Hearing to June 23, 2026 and extend the public comment period to June 29, 2026 for the NOPR published on March 20, 2026.

On May 28, 2026, DC Water held a Town Hall Meeting to informed customers of the proposed FY 2027 and FY 2028 proposed rates, fees and fee adjustments. On June 23, 2026, the Board held a virtual Public Hearing to receive testimony and comments on the NOPR to adjust the fees, rates, and charges for Fiscal Year 2027 and 2028. Oral testimony was presented during the Public Hearing and written comments were received during the public comment period, which ended June 29, 2026.

On July 28, 2026, the DC Retail Water and Sewer Rates Committee met to consider comments offered during the public comment period and the Public Hearing, and the General Manager's recommended amendments to the rulemaking. The General Manager discussed the testimony and comments received from the Office of the People's Counsel and members of the public and DC Water's response to those comments, which were published on DC Water's website on July 14,

2026 at https://www.dcwater.com/content/ratemaking-process. Based on the comments received, the General Manager recommended publishing the final rulemaking as published in the NOPR with one exception to delete the proposed Public Inconvenience Fee in 21 DCMR 112.8. At that meeting, the DC Retail Water and Sewer Rates Committee recommended the Board adopt amendments to 21 DCMR Sections 112 (Fees), 4100 (Rates for Water Service), and 4101 (Rates and Charges for Sewer Service) to adjust the fees, rates, and charges for Fiscal Year 2027 and Fiscal Year 2028 as recommended by the General Manager.

On September 3, 2026, the Board, through Resolution #26-62, after consideration and discussion of the report from the DC Retail Water and Sewer Rates Committee and recommendations from the General Manager, voted to adopt the amendments to 21 DCMR Sections 112 (Fees), 4100 (Rates for Water Service), and 4101 (Rates and Charges for Sewer Service) to adjust the fees, rates, and charges for Fiscal Year 2027 and 2028.

No substantive revisions were made to the regulations as proposed in the NOPR except to delete the proposed Public Inconvenience Fee in 21 DCMR 112.8.

These rules were adopted as final on September 3, 2026 by resolution and will become effective on October 2, 2026, upon publication of this notice in the *District of Columbia Register*.

Chapter 1, WATER SUPPLY, of Title 21 DCMR, WATER AND SANITATION, is amended as follows:

Subsection 112.8 of Section 112, FEES, is amended to read as follows:

112.8 The District of Columbia Right-of-Way Occupancy (ROW) fee pass through charge and the Payment-in-Lieu of Taxes (PILOT) Fee shall be as follows:

(a) District of Columbia Right-of-Way Fee, assessed to recover the cost of fees charged by the District of Columbia to DC Water for use of District of Columbia public space and rights of way, for each one hundred cubic feet (1 Ccf) of water use shall be:

	Effective October 2, 2026		**Effective October 1, 2027**	
Customer	Per Ccf of water use	Per 1,000 Gals. of water use	Per Ccf of water use	Per 1,000 Gals. of water use
All Customers	$0.20	$0.27	$0.20	$0.27

(b) Payment-in-Lieu of Taxes (PILOT) Fee to the District of Columbia Office of the Chief Financial Officer (OCFO), assessed to cover the amount which DC Water pays each fiscal year to the District of Columbia, consistent with DC Water's enabling statute for public goods and services received from the District of Columbia, for each one hundred cubic feet (1 Ccf) of water use shall be:

Customer	Effective October 2, 2026		Effective October 1, 2027	
	Per Ccf of water use	Per 1,000 Gals. of water use	Per Ccf of water use	Per 1,000 Gals. of water use
All Customers	$0.62	$0.83	$0.63	$0.84

Chapter 41, RETAIL WATER AND SEWER RATES AND CHARGES, of Title 21 DCMR, WATER AND SANITATION, is amended as follows:

Subsection 4100.3 of Section 4100, RATES FOR WATER SERVICE, is amended to read as follows:

4100.3 The retail rates for metered water service for each one hundred cubic feet (1 Ccf) of water use shall be as follows:

Customer	Effective October 2, 2026		Effective October 1, 2027	
	Per Ccf of water use	Per 1,000 Gals. of water use	Per Ccf of water use	Per 1,000 Gals. of water use
Residential - 0 to 4 Ccf	$6.49	$8.68	$7.11	$9.51
Residential - Greater than 4 Ccf	$8.40	$11.23	$9.40	$12.57
Multi-Family	$7.21	$9.64	$7.98	$10.67
Non-Residential	$8.66	$11.58	$9.71	$12.98

Section 4101, RATES AND CHARGES FOR SEWER SERVICE, is amended as follows:

Paragraph 4101.1(a) is amended to read as follows:

4101.1 (a) The retail rates for sanitary sewer service for each one hundred cubic feet (1 Ccf) of water use shall be as follows:

Customer	Effective October 2, 2026		Effective October 1, 2027	
	Per Ccf of water use	Per 1,000 Gals. of water use	Per Ccf of water use	Per 1,000 Gals. of water use
All Customers	$12.91	$17.26	$13.39	$17.90

Subsection 4101.2 is amended to read as follows:

4101.2 The retail rates for sanitary sewer service for the discharge of groundwater, cooling water, and non-potable water sources shall be as follows:

(a) The retail groundwater sewer charge for an unimproved real property, property under construction, or under groundwater remediation shall be:

	Effective October 2, 2026		Effective October 1, 2027	
Customer	Per Ccf of water use	Per 1,000 Gals. of water use	Per Ccf of water use	Per 1,000 Gals. of water use
All Customers	$3.90	$5.21	$3.90	$5.21

(b) The retail cooling water sewer charge shall be the retail sanitary sewer service rate as provided in Section 4101.1(a) for cooling water discharged into the District's wastewater sewer system.

(c) The retail non-potable water source sewer charge shall be the retail sanitary sewer service rate as provided in Section 4101.1(a) for non-potable water discharged into the District's wastewater sewer system.

Subsection 4101.3 is amended to read as follows:

4101.3 The annual Clean Rivers Impervious Area Charge (CRIAC) per Equivalent Residential Unit (ERU) shall be as follows:

	Effective October 2, 2026		Effective October 1, 2027	
Customer	Annual CRIAC per ERU	Monthly CRIAC per ERU	Annual CRIAC per ERU	Monthly CRIAC per ERU
All Customers	$306.00	$25.50	$326.64	$27.22

Subsection 4101.8 is amended to read as follows:

4101.8 High Flow Filter Backwash sewer rate and conditions shall be as follows:

(a) Charged the following sewer service rate:

	Effective October 2, 2026		Effective October 1, 2027	
Customer	Per Ccf of water use	Per 1,000 Gals. of water use	Per Ccf of water use	Per 1,000 Gals. of water use
All Customers	$3.54	$4.73	$3.54	$4.73

(b) Subject to the following conditions:

(1) Discharge must exceed an annual average of one (1) million gallons per day (MGD), but not more than an annual average of ten (10) MGD;

(2) Discharge must be interruptible and only occur during periods of dry weather flow, as determined by DC Water; and

(3) Discharge is subject to a wastewater discharge permit.

GOVERNMENT OF THE DISTRICT OF COLUMBIA

ADMINISTRATIVE ISSUANCE SYSTEM

Mayor's Order 2026-103
September 30, 2026

SUBJECT: Reappointments and Appointments — Developmental Disabilities State Planning Council

ORIGINATING AGENCY: Office of the Mayor

By virtue of the authority vested in me as Mayor of the District of Columbia by section 422(2) of the District of Columbia Home Rule Act, approved December 24, 1973, 87 Stat. 790, Pub. L. 93-198, D.C. Official Code § 1-204.22(2), and in accordance with Mayor's Order 2009-165, dated September 25, 2009, as amended by Mayor's Order 2018-039, dated April 10, 2018, and Mayor's Order 2021-137, dated November 3, 2021, is hereby **ORDERED** that:

1. **JANE BROWN** is reappointed as the representative from a District-designated protection and advocacy organization member of the Developmental Disabilities State Planning Council (the "Council"), for a term to end January 1, 2029.

2. **GENESIS MCDONALD** is reappointed as a District resident with developmental disabilities member of the Council, for a term to end January 1, 2029.

3. **ANDRES ALEJANDRO CRUCET-CHOI** is reappointed as a District resident who is a parent/guardian/immediate relative of a person with developmental disabilities who cannot advocate for themselves member of the Council, for a term to end March 18, 2029.

4. The following individuals are appointed as community members with a developmental disability or representative of a District resident with a developmental disability members of the Council, for the remainder of unexpired terms to end January 1, 2027.

   a. **HASSET HABTEWOLD**, replacing Derrick Sims; and
   b. **GERALD LONG**, replacing Laraven Gaymon.

5. **ANGELA CASTILLO** is appointed as the representative of the District's designated University Center for Excellence in Developmental Disabilities member of the Council, replacing Tawara Goode, for the remainder of an unexpired term to end January 1, 2028.

6. **TASHA STEWART** is appointed as a representative from a local non-governmental organization concerned with services for District residents with developmental disabilities member of the Council, replacing Anna Dunn for the remainder of an unexpired term to end January 1, 2028.

7. **ROBIN SHAFFERT** is appointed as a District resident who is a parent or guardian of persons with developmental disabilities who cannot advocate for themselves member of the Council, replacing Sandy Roskes, for the remainder of an unexpired term to end March 18, 2028.

8. **EFFECTIVE DATE:** This Order shall be effective *nunc pro tunc* to June 30, 2026.

MURIEL BOWSER
MAYOR

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

ALCOHOLIC BEVERAGE AND CANNABIS ADMINISTRATION
ALCOHOLIC BEVERAGE AND CANNABIS BOARD

NOTICE OF PUBLIC HEARINGS
CALENDAR

WEDNESDAY, OCTOBER 7, 2026
899 NORTH CAPITOL STREET NE, SUITE 4200 A-B
WASHINGTON, DC 20002

Donovan W. Anderson, Chairperson
Members: Silas Grant, Jr., Teri Janine Quinn, Ryan Jones,
David Meadows and James Turner

I. MORNING SESSION

Protest Hearing (Status) **10:30 AM**

Case # 26-PRO-00031
899 Beverages, LLC t/a Hyatt House Washington Convention Center/Realm
899 O Street NW
License #128557
Retailer CH
ANC 2G
Substantial Change

Show Cause Hearing (Status) **10:30 AM**

Case # 26-CIT-00007
Josiahs, LLC t/a Eden's Kitchen
2910 Bladensburg Road NE
License #118203
Retailer CR
ANC 5C
Failed to File Quarterly Statement

Board's Calendar
October 7, 2026

Show Cause Hearing (Status) **10:30 AM**

Case # 26-CMP-00057
Millenium Partners Group, LLC t/a Café Bonaparte/Lutecee
1522 Wisconsin Ave NW
License #71007
Retailer CR
ANC 2E
Offered Carry-out and Delivery of Alcoholic Beverages without an Endorsement, Offered Carry-out of Alcoholic Beverages without Food

Show Cause Hearing (Status) **10:30 AM**

Case # 25-CMP-00081
THE MECKENZIE GROUP, LLC t/a Ocean Lounge
1220 H Street NE
License #114106
Retailer CT
ANC 6A
Substantial Change in Operation Without Board Approval

Show Cause Hearing (Status) **10:30 AM**

Case # 25-CIT-00705
The Chosen Chef Catering & Events, LLC t/a The Chosen Chef Catering & Events
2800 10th Street NE
License #125422
Retailer Caterer
ANC 5B
Failed to File Quarterly Statement

Board's Calendar
October 7, 2026

Show Cause Hearing (Status) **10:30 AM**

Case # 25-CIT-00425
Peace Ventures World Wide, LLC t/a Bammy's
301 Water Street SE
License #128057
Retailer CT
ANC 6/8F
No ABC Manager on Duty

Show Cause Hearing **10:30 AM**

Case # 26-CMP-00035
Life 1, LLC t/a Cloud One Restaurant & Lounge
1919 9th Street NW
License #111411
Retailer CR
ANC 1B
Failed to Maintain Video Footage of a Violent Crime for 30 days, Interfered with an ABCA and MPD investigation.

Show Cause Hearing **10:30 AM**

Case # 26-CMP-00022
Mate, LLC t/a Susheria
3101 K Street NW
License #72014
Retailer CR
ANC 2E
Failed to File Quarterly Statement

Board's Calendar
October 7, 2026

II. ADMINISTRATIVE AGENDA

During this portion of the meeting, the Board will review and vote on matters indicated on its previously published agendas. The Board will vote and decide these matters based on agency materials and the filings of parties without oral presentations or appearance by the parties.

III. BOARD RECESS – 12:00 PM

IV. AFTERNOON SESSION

Show Cause Hearing **1:30 PM**

Case # 25-CMP-00102
Americanlina, LLC t/a Marx Café American Bar
3203 Mount Pleasant Street NW
License #122472
Retailer CR
ANC 1D
Substantial Change (Sidewalk Cafe)

This meeting will be conducted virtually and livestreamed on ABCA's YouTube channel at: https://www.youtube.com/@ABCA_DC.
ABCA's offices are located at 899 North Capitol Street NE, Suite 4200 A-B, Washington DC 20002.

****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.***

DEPARTMENT OF BUILDINGS

NOTICE OF CLASS CHANGE DETERMINATION

Office of Strategic Code Enforcement

RE:

Address:	**Square/Suffix:**	**Lot**
56 Quincy Place NE	3521	0068

Dear Sir or Madam:

The Department of Buildings (DOB) has received your Vacant Building Response Form (VBRF) requesting that the property be determined as Class 1 –Residential. Based on the supporting documents provided in support of your request DOB has deemed your property: **OCCUPIED.**

The property will be removed from the vacant property list for **tax year 2020 2nd Half**. DOB will immediately notify the Office of Tax and Revenue (OTR) to reclassify the subject property as Occupied (Class1/Class2).

If you have questions regarding this decision, please feel free to reach out to me directly.

Sincerely,

Mekdelawit Taddese
Deputy Strategic Enforcement Administrator
Office of Strategic Code Enforcement
(202) 701.5399
Mekdelawi.taddese@dc.gov

DEPARTMENT OF BUILDINGS

NOTICE OF CLASS CHANGE DETERMINATION

Office of Strategic Code Enforcement

Address:	**Square:**	**Lot:**
56 Quincy Place NE	3521	0068

The Department of Buildings (DOB) has applied the following classification change for TY 2022 1st Half.

Based on the review of our records the property status has been updated to reflect a Class 3– Vacant status. DOB will immediately notify the Office of Tax and Revenue (OTR) to reclassify the subject property.

If you have questions regarding this decision, please feel free to reach out to me directly.

Sincerely,

Mekdelawit Taddese
Deputy Strategic Enforcement Administrator
Office of Strategic Code Enforcement
(202) 701.5399
Mekdelawi.taddese@dc.gov

DEPARTMENT OF BUILDINGS

NOTICE OF CLASS CHANGE DETERMINATION

Office of Strategic Code Enforcement

RE:

Address:	**Square/Suffix:**	**Lot**
1639 West Virginia Avenue NE	4054	0053

Dear Sir or Madam:

The Department of Buildings (DOB) has received your Vacant Building Response Form (VBRF) requesting that the property be determined as Class 1 –Residential. Based on the supporting documents provided in support of your request DOB has deemed your property: **OCCUPIED.**

The property will be removed from the vacant property list for **tax year 2022 1st half**. DOB will immediately notify the Office of Tax and Revenue (OTR) to reclassify the subject property as Occupied (Class1/Class2).

If you have questions regarding this decision, please feel free to reach out to me directly.

Sincerely,

Mekdelawit Taddese
Deputy Strategic Enforcement Administrator
Office of Strategic Code Enforcement
(202) 701.5399
Mekdelawi.taddese@dc.gov

DEPARTMENT OF BUILDINGS

NOTICE OF SUBSTANTIAL ECONOMIC or PERSONAL HARDSHIP DETERMINATION

Office of Strategic Code Enforcement

RE:

Address	Square	Lot
224 Gallatin St. NW	3325	0060

Dear Customer:

The Department of Buildings (DOB) has reviewed and **approved** your request for this exemption:

- Substantial Economic or Personal Hardship, for **tax year** 2025 2nd Half Only.

DOB will notify the Office of Tax and Revenue (OTR) that the Class 3 property has an approved exemption for the approved tax period above. Please note that the exemption is no longer valid at the end of the approved tax period. You can review the update within three (3) to five (5) business days from the date of this letter by visiting the OTR website at mytax.dc.gov. Annually, you are required by law to register vacant or blighted property and pay the registration fee by visiting the Citizen Access Portal or seek an exemption for the current tax year.

DOB reserves the right to revoke this exemption if the building is not maintained in accordance with the Vacant Building Maintenance Standards (§42-3131.12), the permit utilized has been revoked, a Stop Work Order (SWO) has been issued, and/or if active construction/renovation activities are not found to be occurring at the time of any inspection conducted on the property. This action will be conducted in accordance with §42-3131.08 –*Notice of denial or revocation of registration.*

To learn more about the Vacant and Blighted Buildings registration process or inspection requirements, please visit dob.dc.gov/vacantbuildings. If you have questions regarding this decision, please feel free to reach out to me directly.

Sincerely,

Mekdelawit Taddese, Deputy Strategic Enforcement Administrator
Office of Strategic Code Enforcement
(202) 701.5399-Mekdelawi.taddese@dc.gov

DEPARTMENT OF BUILDINGS

NOTICE OF SUBSTANTIAL ECONOMIC or PERSONAL HARDSHIP DETERMINATION

Office of Strategic Code Enforcement

RE:

Address	**Square**	**Lot**
224 Gallatin St. NW	3325	0060

Dear Customer:

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- Substantial Economic or Personal Hardship, for **tax year** 2026 1st Half Only

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Office of Strategic Code Enforcement
(202) 701.5399 Mekdelawi.taddese@dc.gov

DEPARTMENT OF BUILDINGS

NOTICE OF SUBSTANTIAL ECONOMIC or PERSONAL HARDSHIP DETERMINATION

Office of Strategic Code Enforcement

RE:

Address	**Square**	**Lot**
631 Princeton Pl. NW	3034	0227

Dear Customer:

The Department of Buildings (DOB) has reviewed and **approved** your request for this exemption:

- Substantial Economic or Personal Hardship, for **tax year** 2025 2nd Half Only

DOB will notify the Office of Tax and Revenue (OTR) that the Class 3 property has an approved exemption for the approved tax period above. Please note that the exemption is no longer valid at the end of the approved tax period. You can review the update within three (3) to five (5) business days from the date of this letter by visiting the OTR website at mytax.dc.gov. Annually, you are required by law to register vacant or blighted property and pay the registration fee by visiting the Citizen Access Portal or seek an exemption for the current tax year.

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Sincerely,

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Office of Strategic Code Enforcement
(202) 701.5399 Mekdelawi.taddese@dc.gov

DEPARTMENT OF BUILDINGS

NOTICE OF SUBSTANTIAL ECONOMIC or PERSONAL HARDSHIP DETERMINATION

Office of Strategic Code Enforcement

RE:

Address	**Square**	**Lot**
631 Princeton Pl. NW	3034	0227

Dear Customer:

The Department of Buildings (DOB) has reviewed and **approved** your request for this exemption:

- Substantial Economic or Personal Hardship, for **tax year** 2026 1st Half Only

DOB will notify the Office of Tax and Revenue (OTR) that the Class 3 property has an approved exemption for the approved tax period above. Please note that the exemption is no longer valid at the end of the approved tax period. You can review the update within three (3) to five (5) business days from the date of this letter by visiting the OTR website at mytax.dc.gov. Annually, you are required by law to register vacant or blighted property and pay the registration fee by visiting the Citizen Access Portal or seek an exemption for the current tax year.

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Sincerely,

Mekdelawit Taddese, Deputy Strategic Enforcement Administrator
Office of Strategic Code Enforcement
(202) 701.5399 Mekdelawi.taddese@dc.gov

DEPARTMENT OF BUILDINGS

NOTICE OF SUBSTANTIAL ECONOMIC or PERSONAL HARDSHIP DETERMINATION

Office of Strategic Code Enforcement

RE:

Address	**Square**	**Lot**
1108 Euclid St. NW	2865	0111

Dear Customer:

The Department of Buildings (DOB) has reviewed and **approved** your request for this exemption:

- Substantial Economic or Personal Hardship. for **tax year** 2026 2nd Half Only

DOB will notify the Office of Tax and Revenue (OTR) that the Class 3property has an approved exemption for the approved tax period above. Please note that the exemption is no longer valid at the end of the approved tax period. You can review the update within three (3) to five (5) business days from the date of this letter by visiting the OTR website at mytax.dc.gov. Annually, you are required by law to register vacant or blighted property and pay the registration fee by visiting the Citizen Access Portal or seek an exemption for the current tax year.

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Sincerely,

Mekdelawit Taddese, Deputy Strategic Enforcement Administrator
Office of Strategic Code Enforcement
(202) 701.5399 Mekdelawi.taddese@dc.gov

DEPARTMENT OF BUILDINGS

NOTICE OF SUBSTANTIAL ECONOMIC or PERSONAL HARDSHIP DETERMINATION

Office of Strategic Code Enforcement

RE:

Address	Square	Lot
2235 10th St. NW	0357	0091

Dear Customer:

The Department of Buildings (DOB) has reviewed and **approved** your request for this exemption:

- Substantial Economic or Personal Hardship, for **tax year** 2026 Full Tax Year

DOB will notify the Office of Tax and Revenue (OTR) that the Class 3 property has an approved exemption for the approved tax period above. Please note that the exemption is no longer valid at the end of the approved tax period. You can review the update within three (3) to five (5) business days from the date of this letter by visiting the OTR website at mytax.dc.gov. Annually, you are required by law to register vacant or blighted property and pay the registration fee by visiting the Citizen Access Portal or seek an exemption for the current tax year.

DOB reserves the right to revoke this exemption if the building is not maintained in accordance with the Vacant Building Maintenance Standards (§42-3131.12), the permit utilized has been revoked, a Stop Work Order (SWO) has been issued, and/or if active construction/renovation activities are not found to be occurring at the time of any inspection conducted on the property. This action will be conducted in accordance with §42-3131.08 –*Notice of denial or revocation of registration.*

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Sincerely,

Mekdelawit Taddese, Deputy Strategic Enforcement Administrator
Office of Strategic Code Enforcement
(202) 701.5399 Mekdelawi.taddese@dc.gov

CEDAR TREE ACADEMY PUBLIC CHARTER SCHOOL

REQUEST FOR PROPOSALS

COMPREHENSIVE SPECIAL EDUCATION RELATED SERVICES

Cedar Tree Academy (CTA) is seeking qualified vendors to provide Comprehensive Special Education Related 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 Friday, November 6, 2026, no later than 4:00PM.

OFFICE OF THE STATE SUPERINTENDENT OF EDUCATION

NOTICE OF FUNDING AVAILABILITY

FISCAL YEAR 2027 NATIONAL SCHOOL LUNCH PROGRAM

EQUIPMENT ASSISTANCE GRANT

Request for Application (RFA) Release Date: October 9, 2026, 3:00 p.m.

The Full-Year Continuing Appropriations and Extensions Act, 2025 (Public Law 119-4), and the Continuing Appropriations, Agriculture, Legislative Branch, Military Construction and Veterans Affairs, extensions Act, 2026 (Public Law 119-37) authorizes funding through the Office of the State Superintendent of Education (OSSE) - Division of Health and Wellness, is soliciting grant applications from School Food Authorities (SFAs) participating in the National School Lunch Program (NSLP). The goal is to provide subgrants to purchase equipment to serve healthier meals, improve food safety, and support the establishment, maintenance, and expansion of the School Breakfast Program (SBP).

Eligibility and Selection Criteria: These funds will be available through a competitive grant process to District of Columbia NSLP participating public schools, public charter schools and private/non-public schools.

Applications will be scored on the following selection criteria: project vision and implementation, project justification, sustainability, benefit to students with disabilities, and budget justification.

These funds will make a significant investment by allowing the purchase of capital equipment used to serve healthier meals, meet the nutritional standards with emphasis on more fresh fruits and vegetables in school meals, improve food safety and expand accessibility to food services.

In order to make the most effective use of these grant funds, equipment requests must address at least one of the following focus areas:

- Improve food safety and sanitation of food served in the NSLP and/or Breakfast Program.
- Improve food quality and ensure consistent preparation results and improve the nutrition and quality of meals.
- Improve operational efficiency by reducing preparation time, increase productivity and workflow for food distribution and food storage.

Length of the Award: The total award period for this grant will be two years, ending on Sept. 30, 2028, contingent upon availability of funds. Each budget period is one year, with the first budget period ending Sept. 30, 2027. The applicant will be required to complete a continuation application each fiscal year. Receipt of funding for each continuation year is contingent upon:

- Availability of funds;
- Recipient's implementation and/or operation of the program as submitted in the application;

- Recipient's demonstration that substantial progress has been made toward meeting the objectives set forth in the approved application, based on ongoing monitoring and review of the recipient's reports;
- Compliance with District and federal laws, regulations and guidance; and
- Appropriate expenditure of funds throughout the grant award period.

Available Funding for Award: The total funding available for this award period is approximately $69,829.00. The estimated number of awards ranges from 8 to 10 with the minimum award amount being $1,000 and the maximum award amount being $10,000.

Application Process: OSSE will use an external review panel to review and score each application for this RFA. The review panel will be composed of external neutral, qualified, professional individuals selected for their expertise, knowledge or related experiences. Each application will be scored against a rubric and applications will have multiple reviewers to ensure accurate scoring. Upon completion of its review, the panel(s) shall make recommendations for awards based on the scoring rubric(s). The State Superintendent or her designee will make all final award decisions.

Applications must be submitted by November 24, 2026 (3 p.m.). OSSE anticipates issuing awards by January 29, 2027.

Pre-Application Question Period: To ensure an equal opportunity for all applicants, OSSE requests that applicants submit questions regarding the RFA electronically to Kimberly Thompson by 12 p.m. on November 10, 2026. To ensure a fair process, questions submitted after Noevmeber 10, 2026 will not receive responses. Responses to questions will be published by November 18, 2026.

- Applicants are strongly encouraged to participate in the following webinar information session. A recording of the information session will be available on the OSSE website.
    - Pre-application webinar: October 16, 2026 10:00-11:00 am.
    - Register here.

For additional information regarding this grant competition, please contact::

Kimberly Thompson
Grant Manager
Office of the State Superintendent of Education
1050 First Street, NE, 6th Floor
Washington, D.C. 20002
Email: Kimberlya.Thompson@dc.gov

The RFA will be available on OSSE's website.The RFA will also be available on the ServeDC's Grants Clearinghouse website. All applications must be submitted through the Enterprise Grants Management System (EGMS) at grants.osse.dc.gov.

D.C. STATE BOARD OF EDUCATION

NOTICE OF PUBLIC MEETING

Student Experience and Engagement Committee Meeting

The D.C. State Board of Education's Student Experience and Engagement Committee Meeting will hold a meeting on the following date:

- Wednesday, October 14, 2026 at 5:30 – 6:30 p.m.

If there are any meeting materials, they will be posted on the State Board's meeting DropBox at: https://www.dropbox.com/scl/fo/ej5bisqnjfppfpxu5jnnc/AKyrcPjdj4phkZHZb4G-OzU?rlkey=4qa058wjv6d04p9qxkz8nue2a&st=hv4uc0i2&dl=0

The meeting will be conducted remotely via Zoom, and members of the public are invited to join the meeting webinar and observe at: https://dc-gov.zoom.us/j/87626672313.

Below is the agenda for the committee's meeting.

AGENDA:

I. Student Advisory Committee Engagements on Bullying and Wellness Resources
II. Update on School Transfer Letter
III. New Business

Please note: This agenda is subject to change.

These meetings are 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.

DEPARTMENT OF ENERGY AND ENVIRONMENT

GREEN BUILDING ADVISORY COUNCIL

NOTICE OF PUBLIC MEETING

The Green Building Advisory Council meeting will be held on Wednesday, October 7, 2026 from 2:00 p.m. to 4:00 p.m. The meeting will be held virtually via WebEx.

Below is the draft agenda for this meeting. The link for the WebEx meeting will be included in the final agenda posted to the Green Building Advisory Council's webpage 48 hours in advance of the meeting at: https://doee.dc.gov/node/674392

For additional information, please contact: Jenn Hatch, Green Building Advisory Council Chair, at (202) 527-1779 or jenn.hatch@dc.gov.

Draft Meeting Agenda

1. Announcements
2. Presentations and discussion
3. Roundtable updates
4. Adjourn

FRIENDSHIP PUBLIC CHARTER SCHOOL

REQUEST FOR PROPOSALS

VARIOUS SERVICES

Auxiliary Parking to support the new Central Office location

Classroom and Office Furniture

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

- **Auxiliary Parking** to support the new Central Office location for Friendship Public Charter School.
- **Classroom and School Office Furniture** for various classroom needs and renewal and expansion projects.

The competitive RFP can be found on FPCS website at: http://www.friendshipschools.org/procurement. Proposals are due no later than **4:00 P.M., EST, Friday October 16, 2026**. Questions and Proposals should be submitted on-line at: Procurementinquiry@friendshipschools.org. All bids not addressing all areas as outlined in the RFP will not be considered. No proposals will be accepted after the deadline.

INGENUITY PREP PUBLIC CHARTER SCHOOL

REQUEST FOR PROPOSALS

Owner's Representative & Capital Project Management Services

Ingenuity Prep is seeking a qualified firm to provide Owner's Representative and Capital Project Management services for a multi-phase facility improvement effort, including near-term facade needs and longer-term building modernization.

Qualified firms should demonstrate credible experience leading complex renovation projects in occupied buildings, strong owner-side leadership, appropriate technical expertise, and creative problem-solving.

The full RFP, including scope, evaluation criteria, and timeline, is available by request to bids@ingenuityprep.org.

All proposals must be submitted in PDF format and emailed to bids@ingenuityprep.org no later than 4:00pm, October 16, 2026.

DEPARTMENT OF LICENSING AND CONSUMER PROTECTION

District of Columbia Board of Barber and Cosmetology

NOTICE OF PUBLIC MEETING

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 its upcoming meeting on Monday, October 5, 2026, 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 – 10:00 a.m.
2. Attendance
3. Comments from the public
4. Motion - 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). We will resume the public portion of the meeting at the conclusion of the executive session. Please stand by for our return if you are participating online.
5. Approval of the minutes – September 14, 2026
6. Correspondence
7. Board committees
8. Old business
9. New business
10. Recommendations/Actions
11. Adjourn
12. Next scheduled board meeting – November 2, 2026, at 10:00 a.m. via Zoom.

Meeting Login Information:
https://dc-gov.zoom.us/j/86906602053?pwd=GZEaq81hKzO0H1Udi6EBoLX4p4iPWq.1
Webinar ID: 869 0660 2053; **Passcode:** 10052026

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.

DEPARTMENT OF LICENSING AND CONSUMER PROTECTION

NOTICE OF PUBLIC MEETING

District of Columbia Board of Funeral Directors

The District of Columbia Board of Funeral Directors ("Board") hereby gives notice of its regular 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 its upcoming meeting on Thursday, October 1, 2026, at 1:00 p.m.

The Board holds its meetings on the first Thursday of every month at 1:00 p.m. The meetings are open to members of the public virtually through Zoom. For additional information, please contact Ms. Allison Wade, Board Administrator, at (202) 369-0135 or allison.wade@dc.gov.

DRAFT MEETING AGENDA

1. Call to Order – 1:00 p.m.
2. Attendance
3. Comments from the Public
4. Approval of September 3, 2026, meeting minutes
5. Legislative Updates
6. Old Business
7. New Business/ Special Reports
   Motion – Executive Session (Closed to the Public) to consult with an attorney pursuant to D.C. Official Code § 2-575(b)(4)(A); D.C. Official Code § 2-575(b)(9) to discuss complaints/legal matters, applications, and legal counsel reports.
8. Applications
9. Complaints
10. Additional updates/discussion
11. Recommendations
12. Adjourn – Next Scheduled Meeting – November 5, 2026, at 1:00 p.m. via Zoom

Meeting Login Information:
https://dc-gov.zoom.us/j/88220238648

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 open.govoffice@dc.gov.

GOVERNMENT OF THE DISTRICT OF COLUMBIA

OFFICE OF PLANNING

NOTICE OF FUNDING AVAILABILITY (NOFA)

Columbia Heights and Mount Pleasant Public Realm Improvement Grant

The DC Office of Planning (OP) is soliciting grant applications from qualified organizations to implement public realm improvements that advance the *Columbia Heights & Mount Pleasant Vision Framework for Public Realm Design*. The *Vision Framework* identifies opportunities to strengthen comfort, identity, activation, and community use across key public spaces in both neighborhoods.

Through this grant, OP seeks proposals that translate the Vision Framework's goals into tangible, visible improvements and community-serving activations. Eligible projects may include public art, seating, shade structures, lighting, wayfinding, greening, playable or interactive installations, and community events that activate public space and support community life in Columbia Heights and Mount Pleasant.

OP encourages applicants to propose creative, feasible, and context-sensitive approaches grounded in the *Vision Framework* and informed by coordination with District agencies and engagement with community stakeholders.

Eligibility Criteria: To be eligible for funding, organizations must demonstrate experience in at least one of the following areas:

- Completing public space installations, such as public artworks, seating, shade structures, playable or interactive art, lighting, and wayfinding, including coordinating with District agencies and obtaining required public space permits and approvals.

- Producing and promoting community events in public space, including obtaining required event permits and coordinating vendors, equipment rentals, site logistics, and event operations.

In addition, organizations must demonstrate both of the following:

- Capacity to track and report the impacts of public space activations, such as pedestrian activity, event attendance, and support for local businesses.

- Capacity to manage grant funds and deliver the proposed project, including appropriate financial controls, sufficient staffing, and the ability to meet District reporting requirements.

Organizations must also:

- Be licensed as a business or nonprofit in good standing with the District of Columbia's Department of Licensing and Consumer Protection;

- Have a location in the District of Columbia through which it provides services; and
- Provide "Clean Hands" certificate to verify good financial standing with the Government of the District of Columbia and meet certain insurance requirements.

Release Date of RFA: October 30, 2026

Deadline for Submission: November 30, 2026

Availability of RFA: The Request for Applications will be posted on the Mayor's Office of Community Affairs' Community Grant Program website, the DC Register, and OP's website

Amount of Awards: OP has up to $200,000 for this effort and anticipates making no more than two awards.

Neither this NOFA nor the forthcoming Request for Applications commits OP to make an award.

Length of Awards: Grant awards will be available from the date of issuance through September 30, 2027.

Submission Instructions: Applications must be submitted through the portal identified in the Request for Applications. Late or incomplete applications will not be accepted.

Grant Inquiries: Questions regarding this funding opportunity should be submitted to OP.CHMtP.RealmGrants@dc.gov. Additional grant information and responses to frequently asked questions will be posted on the *Columbia Heights & Mount Pleasant Vision Framework for Public Realm Design* webpage.

OP Contacts:

Alan Lord
Phone: 202-442-7629
Email: alan.lord2@dc.gov

Le An
Phone: 202-442-7617
Email: le.an@dc.gov

899 North Capitol Street NE, Suite 7100 | Washington, DC 20002 | (202)-442-7600
planning.dc.gov

Notice: This decision may be formally revised within thirty days of issuance before it is published in the District of Columbia Register. Parties should promptly notify this office of any errors so that they may be corrected before publishing the decision. This notice is not intended to provide an opportunity for a substantive challenge to the decision.

GOVERNMENT OF THE DISTRICT OF COLUMBIA
PUBLIC EMPLOYEE RELATIONS BOARD

In the Matter of:	
District of Columbia Fire and Emergency Medical Services Department	
Petitioner	PERB Case No. 24-UC-01
and	Opinion No. 1962
International Association of Fire Fighters, Local 36	
Respondent	

DECISION AND ORDER

I. Background

On July 8, 2026, the District of Columbia Fire and Emergency Medical Services Department (FEMS) filed an amended[1] petition for unit clarification (Petition), requesting that the Board clarify that a specific FEMS Lieutenant/Paramedic is within the bargaining unit represented by the International Association of Fire Fighters, Local 36 (IAFF).

On June 22, 2026, IAFF filed an answer (Answer) to the Petition. The Answer requests that PERB deny the Petition based on the doctrine of *res judicata*, as both the Board and the Superior Court of the District of Columbia (D.C. Superior Court) have previously established that the contested individual is not a sworn FEMS employee and, therefore, is ineligible for inclusion in the bargaining unit.[2]

For the reasons stated herein, the Petition is denied.

[1] The initial petition was filed on March 4, 2024. The amended petition was submitted, at PERB's direction, to update FEMS' claims based on intervening factual developments.
[2] Answer at 12 (citing *Fire and Emergency Medical Services Department v. Public Employee Relations Board*, Case No. 2025-CAB-345; *FEMS v. IAFF, Local 36*, 72 D.C. Reg. 463, Slip Op. No. 1893, PERB Case No. 24-A-16 (2025)).

II. Background

FEMS staff fall into two categories—civilian, unsworn single-role employees who are trained emergency medical services (EMS) providers and sworn dual-role employees who are trained as both EMS providers and firefighters.[3] These categories have traditionally been split into two bargaining units such that only the sworn dual-role employees are members of IAFF.[4] The IAFF bargaining unit is defined as: "all sworn employees of the D.C. Fire and Emergency Medical Services Department through the Rank of Captain."[5]

While membership in the IAFF bargaining unit has historically been reserved for dual-role employees, a memorandum of agreement in effect from June 17, 2009, through February 14, 2020 (2009 MOA) granted single-role EMS providers the opportunity to apply for distinct sworn positions, and those who were selected became sworn members of the IAFF bargaining unit.[6] However, another memorandum of agreement (2020 MOA) was issued in April 2020, which removed the opportunity for employees without firefighter training (single-role employees) to become sworn employees.[7]

Despite the 2009 MOA no longer being in effect, in October 2022, FEMS promoted a civilian single-role EMS provider to a sworn role within the IAFF bargaining unit.[8] The following month, the Union filed a grievance concerning the applicability of the 2009 MOA to that employee, given the existence of the 2020 MOA.[9] FEMS denied the grievance, asserting inarbitrability based on management rights.[10] On March 4, 2024, FEMS initiated the instant case, requesting that the Board clarify that the employee in question is within the IAFF bargaining unit.

Meanwhile, IAFF's grievance went to arbitration in May 2024. During the pendency of arbitration, PERB held this unit clarification case in abeyance. The Arbitrator issued an award on August 1, 2024, finding that the matter was arbitrable, holding that FEMS violated the 2020 MOA when it promoted the employee in question, and ordering the Agency to remove her from the sworn position.[11] On August 22, 2024, FEMS filed an arbitration review request with PERB, asserting that the Arbitrator exceeded her jurisdiction and the Award was contrary to law and public policy. PERB denied the request on December 19, 2024.

On January 21, 2025, FEMS appealed PERB's denial of the arbitration review request to the D.C. Superior Court, which denied the appeal on January 27, 2026.[12] The related arbitration review request proceedings having concluded, PERB lifted the abeyance in this case on February

[3] Petition at 5.
[4] Petition at 2.
[5] Petition at 2.
[6] 2009 MOA at 1.
[7] 2020 MOA at 1.
[8] Answer at 6-7.
[9] Answer, Exhibit 3 at 4.
[10] Answer, Exhibit 3 at 4.
[11] Answer, Exhibit 3 at 20.
[12] *Fire and Emergency Medical Services Department v. Public Employee Relations Board*, Case No. 2025-CAB-345.

25, 2026.[13] On June 8, 2026, at PERB's direction, FEMS refiled its Petition to reflect procedural developments. IAFF filed its Answer on June 22, 2026.

III. Discussion

The Board has established that the doctrine of *res judicata* or claim preclusion prevents relitigation of the same claim between the same parties.[14] The District of Columbia Court of Appeals has explained that a final arbitration award is *res judicata* in a subsequent action involving the same parties and facts, adding that an arbitration award is final if it shows an intention to resolve the issues submitted and has been confirmed by the D.C. Superior Court.[15]

Here, the Petition raises claims which are duplicative of those already resolved through arbitration and confirmed by the D.C. Superior Court. The court upheld the Board's decision not to overturn the Award—an Award which ordered FEMS to remove the employee in question from her sworn position, thereby precluding her from inclusion in the bargaining unit. Thus, the Petition is barred by the doctrine of *res judicata*.

IV. Conclusion

The Petition is hereby Dismissed.

ORDER

IT IS HEREBY ORDERED THAT:

1. The Petition for Unit Clarification is denied; and

2. Pursuant to Board Rule 559.1, this Decision and Order is final upon issuance.

BY ORDER OF THE PUBLIC EMPLOYEE RELATIONS BOARD

By vote of Board Chairperson Peter Winkler and Members Lee Clark, Mary Anne Gibbons, Renee Bowser, and Douglas Warshof.

July 16, 2026

Washington, D.C.

[13] On June 2, 2026, the employee who is the subject of this case filed a motion to intervene. The denial of the Petition renders that motion moot.
[14] *Peterson v. WTU, Local 6*, 64 D.C. Reg. 74, Slip Op. No. 1596 at 7, PERB Case No. 12-S-01 (2017).
[15] *Id*. at 8 (citing *Shore v. Groom Law Group*, 877 A.2d 86, 95-96 (D.C. 2005)).

APPEAL RIGHTS

A final decision by the Board may be appealed to the District of Columbia Superior Court pursuant to D.C. Official Code §§ 1-605.2(12) and 1-617.13(c), which provides 30 days after a decision is issued to file an appeal.

GOVERNMENT OF THE DISTRICT OF COLUMBIA
PUBLIC EMPLOYEE RELATIONS BOARD

District of Columbia Public Schools, Petitioner v. Washington Teachers' Union Local #6, AFT, AFL-CIO, Respondent	PERB Case No. 26-A-07 Opinion No. 1963

DECISION AND ORDER

I. Statement of the Case

On May 21, 2026, District of Columbia Public Schools (DCPS) filed an arbitration review request (Request), seeking review of an arbitration award (Award) dated May 1, 2026, pursuant to the Comprehensive Merit Personnel Act (CMPA).[1] The Award found that DCPS breached Article 19.3 of the parties' collective bargaining agreement (CBA) by imposing IMPACT score consequences on teachers and providers related to timeliness after DCPS had rescinded centrally calculating timeliness metrics during the 2023-2024 and 2024-2025 school years.[2] The Award ordered DCPS to rescind the related point deductions.[3]

DCPS requests that the Board set aside the portion of the Award finding a violation of Article 19.3 based on alleged deductions of IMPACT timeliness points and set aside the associated order for DCPS to rescind those deductions.[4] They request that the Board affirm the remainder of the Award, asserting it is unaffected by that portion.[5] DCPS alleges that the Arbitrator exceeded his jurisdiction and that the Award is contrary to law and public policy on its face.[6]

The Washington Teachers' Union, Local 6 (WTU) filed an opposition (Opposition) to DCPS's Request on June 17, 2026, arguing that DCPS's challenge to the Award fails because DCPS never argued at arbitration that the Arbitrator was prohibited from remedying IMPACT

[1] D.C. Official Code § 1-605.02(6).
[2] Request at 2.
[3] Request at 1.
[4] Request at 7.
[5] Request at 7.
[6] Request at 1.

process violations by awarding make-whole relief.[7] WTU further argues that the remedy issued in the Award is an appropriate remedy aimed at correcting the adverse consequences of a procedurally defective performance evaluation.[8]

Upon consideration of the Arbitrator's conclusions, applicable law, and the record presented by the parties, the Board finds that the Arbitrator did not exceed his jurisdiction in this matter and the Award is not contrary to law or public policy. Therefore, the Board denies the Request.

II. Arbitration Award

A. Background

DCPS requires teachers to use a particular computer program to track the services provided to students with an Individualized Education Plan (IEP) or related services. [9] At the beginning of the 2023-2024 school year, DCPS implemented the current computer program called PowerSchool. [10]

One aspect of teacher evaluation by DCPS is the timeliness of student documentation.[11] DCPS uses the IMPACT evaluation system to evaluate teachers and follows its yearly-issued guidebooks for classification regarding employee's performance expectations.[12] For Special Education teachers and providers, timeliness of completing certain tasks such as tasks related to IEP meetings, eligibility determinations, and completion of assessments are a vital component of their performance evaluation.[13] For the 2023-2024 and 2024-2025 school years, the guidebooks reflected that 10% of the teacher's IMPACT evaluation would be based on timeliness.[14] Teachers who meet timeliness requirements receive higher scores which could entitle them to bonuses, whereas those who do not meet timeliness requirements may receive lower scores and could be subject to disciplinary action.[15] The IMPACT system allows evaluated employees to appeal findings regarding timeliness to the Division of Specialized Instruction (DSI), and the evaluation judgments are not subject to the negotiated grievance and arbitration procedures.[16]
Teachers must complete their documentation and enter it into PowerSchool by certain deadlines, which often require a short turnaround.[17] Soon after implementation, teachers began immediately experiencing problems with PowerSchool, reporting considerable and persistent technical issues such as system freezes and lockouts that caused significant delays in completion of documents.[18]

[7] Opposition at 2.
[8] Opposition at 2.
[9] Award at 6-7.
[10] Award at 7.
[11] Opposition at 4.
[12] Award at 10.
[13] Award at 10.
[14] Award at 11.
[15] Award at 11.
[16] Award at 11.
[17] Award at 6.
[18] Award at 7-8.

Moreover, PowerSchool denied teachers access to student files and prohibited the transfer of IEP information, which caused teachers to spend additional time starting each IEP anew when entering documentation.[19] DCPS witnesses testified during the arbitration proceeding that the Office of the State Superintendent of Education (OSSE) was unable to provide the relevant data necessary to assess teacher timeliness during the 2023-2024 school year, and so the employees were notified that timeliness would not be used as a metric in their IMPACT rating for that year.[20] The teachers were not notified of this until May 2024, which was at the end of the evaluation period, and the weight of the uncounted timeliness component was distributed to other components in accord with the IMPACT guidebook.[21] The same thing occurred for the 2024-2025 school year: the teachers were notified that timeliness would be included as a factor in evaluations, but because of the lack of relevant data necessary to evaluate timeliness, it was removed as a factor for that year.[22]

On October 18, 2024, WTU filed a Step 2 grievance alleging DCPS violated the CBA by failing to provide adequate PowerSchool technology for teachers and related service providers to adequately complete their duties.[23] DCPS denied the grievance on October 22, 2024, after which WTU demanded arbitration.[24]

The matter went to arbitration on February 12, 2026, and the Arbitrator issued the Award on May 1, 2026.[25]

B. Arbitrator's Findings

Relevant to the instant case, the Arbitrator considered the following issues:

1. If arbitrable, did the Employer violate the Agreement by failing to provide teachers with functional technology necessary to timely complete required documentation?

2. If arbitrable, did the Employer violate the Agreement by failing to provide Teachers and RSPs with sufficient time for recordkeeping to thereby fulfill curriculum requirements?

3. If arbitrable, did the Employer violate the Agreement by and/or by unilaterally and with short notice changing IMPACT evaluation factors to eliminate assessment and credit for meeting timeliness requirements, assess or threaten discipline and/or by assessing IMPACT points for timeliness in School Years where timeliness had been eliminated as an evaluation factor?

[19] Award at 9.
[20] Award at 12.
[21] Award at 12.
[22] Award at 12.
[23] Request at 2.
[24] Request at 2.
[25] Request at 2.

4. If so in any case, what shall be the remedy?[26]

The Arbitrator determined that the issues presented were arbitrable.[27] The Arbitrator then turned to Article 19.3 of the parties' CBA, which states:

> The Chancellor agrees to provide one-half day of recordkeeping at the end of each of the first three advisories for all WTU bargaining unit Teachers. The Chancellor agrees to provide one-half day of recordkeeping for the fourth advisory on or before the last day of school for Teachers. DCPS shall provide sufficient time for Teacher recordkeeping during the workday, including use of the 30-minute morning block when necessary.

WTU presented evidence at arbitration which showed that the issues with PowerSchool caused teachers and providers significant delays in accessing files and in completing their recordkeeping obligations.[28] WTU provided evidence that DCPS was aware of the issues with PowerSchool but did not fix the problems.[29] WTU pointed to direct steps DCPS refused to take to fix the issues, such as making requests to OSSE.[30] WTU further pointed to DCPS's failure to relax deadlines and provide teachers with resources to fulfill their curriculum requirements.[31] In addition, WTU argued that some teachers suffered harm due to the change in evaluation metrics in violation of the CBA.[32]

DCPS argued that OSSE controlled the PowerSchool platform and that DCPS did not have the authority to address the lockout issue.[33] DCPS argued that they did not have the ability to fix the program due to it being mandated by OSSE, and that DCPS did not have a contractual responsibility regarding the PowerSchool functions.[34] DCPS further argued that the platform was available and that it was operational and accessible while experiencing problems only temporarily and intermittently.[35] DCPS contended that WTU provided no evidence to show that any teacher received a lower IMPACT score based on this change of metric or based on any other PowerSchool issues.[36]

The Arbitrator found that DCPS had a responsibility to provide the teachers and providers with sufficient time to complete their work without penalty.[37] The Arbitrator found that the system

[26] Award at 2-3.
[27] Award at 34, 37.
[28] Award at 32.
[29] Award at 15 and 19.
[30] Award at 15.
[31] Award at 16.
[32] Award at 17.
[33] Award at 32-33.
[34] Award at 19.
[35] Award at 19.
[36] Award at 20.
[37] Award at 32-33.

was heavily flawed and created delays and frustrations for users, causing teachers to work additional hours to complete their entries and reports.[38] Additionally, the Arbitrator found that DCPS was or should have been aware of this problem as well as the insufficiency of the allotted recordkeeping days in which to complete PowerSchool work.[39]The Arbitrator found that DCPS had violated Article 19.3 of the parties' CBA based on alleged deductions of IMPACT timeliness points.[40] The Arbitrator acknowledged that evaluation judgments were not subject to CBA and crafted a remedy to address the consequences of the improper procedure.[41] The Arbitrator ordered DCPS to rescind the consequences of related point deductions affecting teacher's and provider's and to make teachers and providers financially whole.[42]

On May 21, 2026, DCPS filed the instant Request with PERB.

III. Discussion

Under D.C. Official Code § 1-605.02(6) of the CMPA, the Board may "consider appeals from arbitration awards pursuant to a grievance procedure; provided, however, that such awards may be modified or set aside or remanded, in whole or in part only if the Arbitrator was without, or exceeded, his or her jurisdiction; the award on its face is contrary to law and public policy; or was procured by fraud, collusion, or other similar and unlawful means…." Here, DCPS bears the burden of demonstrating that the Arbitrator exceeded his jurisdiction in the issuance of the Award and that the Award itself violates established law or compels an explicit violation of "well defined public policy grounded in law and or legal precedent."[43] DCPS has the burden to specify "applicable law and public policy that mandates that the Arbitrator arrive at a different result."[44]

A. The Arbitrator did not exceed his jurisdiction

DCPS argues that the Arbitrator exceeded his jurisdiction by ordering a recission of IMPACT point deductions. DCPS asserts that Article 15.3 of the parties' CBA restricts arbitration of IMPACT disputes and excludes challenges to evaluation judgments.[45] It notes that process-compliance disputes are arbitrable, but evaluation-judgment disputes are not.[46] DCPS contends that since the Award orders that the IMPACT point deductions be rescinded, it directly alters the evaluation judgments in violation of Article 15.3.[47]

[38] Award at 9.
[39] Award at 32.
[40] Award at 31-33.
[41] Award at 36.
[42] Award at 36-37.
[43] *FEMS v. AFGE, Local 3721*, 51 D.C. Reg. 4158, Slip Op. No. 728, PERB Case No. 02-A-08 (2004).
[44] *MPD v. FOP/MPD Labor Comm.*, 47 D.C. Reg. 717, Slip Op. No. 633 at 2, PERB Case No. 00-A-04 (2000).
[45] Request at 3.
[46] Request at 3.
[47] Request at 4.

WTU argues that DCPS waived the argument that the Arbitrator was prohibited from issuing a remedy for DCPS's procedural violations by failing to raise it before the Arbitrator and therefore cannot present it in the instant appeal.[48]

The Board has held that to determine whether an arbitrator exceeded their jurisdiction, the Board must look to whether the award draws its essence from the CBA.[49]

Here, the Arbitrator makes findings regarding DCPS's procedural violations, not its evaluation judgments. The Award requires only that DCPS determine what the affected teachers' and provider's scores would have been had DCPS not deducted IMPACT timeliness points in violation of the CBA. The Arbitrator fashioned a remedy to address the consequences of the improper procedure and directed the parties to address errors through the IMPACT appeal process, and to make the teachers and providers whole for their lost time.[50] The Board finds that the Award draws its essence from the CBA as the CBA grants the arbitrator authority to determine whether DCPS violated any aspect of the evaluation process. Therefore, Arbitrator did not exceed his jurisdiction.

B. The Award is not contrary to law

DCPS argues that the Award violates the law because it crosses the line from process enforcement into score modification, which is prohibited under Board caselaw, as well as precedent from the District of Columbia Court of Appeals.[51] The Agency reasons that the Award orders the recission of point deductions and that this alters teacher and provider evaluations.[52] WTU argues that the Award does not order DCPS to change any teacher or provider's final evaluation scores but instead to determine what the score would have been and to provide the remedy of making the affected teachers and providers financially whole.

The Board has held that an arbitrator has authority to interpret a CBA and determine whether an agency has complied with it.[53] Here, the Arbitrator interpreted the CBA and determined that DCPS violated Article 19.3 by imposing IMPACT score consequences on teachers and providers related to timeliness after DCPS had rescinded centrally calculating timeliness metrics during the 2023-2024 and 2024-2025 school years.[54] The Board finds here that the Arbitrator appropriately interpreted the CBA and found that DCPS violated a specific section. To remedy the situation, the Arbitrator ordered that DCPS rescind the point deductions, which is an evaluation process-based solution that does not alter evaluation judgments or violate Article 15.3. Thus, DCPS has not demonstrated that the Award is contrary to law.

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[48] Opposition at 8.
[49] *Metro. Police Dep't v. Fraternal Ord. of Police/Metro. Police Dep't Lab. Comm*., PERB Case No. 21-A-04, Slip Op. No. 1780, (2021).
[50] Award at 36-37.
[51] Request at 5-6 (citing *Washington Teachers' Union, Local 6 v. D.C. Pub. Schs.*, 207 A.3d 1143, 1153 (D.C. 2019); *DCPS v. WTU, Local 6*, 72 D.C. Reg. 490, Slip Op. No. 1896 at 8, PERB Case No. 24-A-12 (2025)).
[52] Request at 6.
[53] *MPD v. FOP/MPD Labor Comm.*, 43 D.C. Reg. 5601, Slip Op. No. 460, PERB Case No. 96-A-03 (1996).
[54] Request at 2.

C. The Award is not contrary to public policy

Section 1-605.02(6) of the D.C. Official Code authorizes the Board to set aside an arbitration award if the award "on its face is contrary to law and public policy." The D.C. Court of Appeals has commented that "an award that is contrary to a specific law *ipso facto* may be said to be contrary to the public policy that the law embodies."[55] However, "courts' authority to invoke the public policy exception is not limited solely to instances where the arbitration itself violates positive law."[56] Nonetheless, the public policy exception is an "extremely narrow" exception to the rule that reviewing bodies must defer to an arbitrator's interpretation of a contract.[57] For the Board to overturn an award as on its face contrary to public policy, the "public policy alleged to be contravened must be well-defined and dominant, and is to be ascertained by reference to the laws and legal precedents and not from general considerations of supposed public interests."[58] "[T]he exception is designed to be narrow so as to limit potentially intrusive judicial review of arbitration awards under the guise of 'public policy.'"[59]

DCPS argues that the Award is contrary to public policy because it contradicts safeguards to DCPS's authority on final evaluation judgments.[60] WTU argues that the Award is not contrary to public policy, as it orders DCPS to provide a remedy to teachers and providers who experienced the negative consequences of DCPS's procedural CBA violations—not to change any final evaluation scores.[61] DCPS's argument that the Award contradicts safeguards to the Agency's authority on final evaluation judgments is misguided and unpersuasive, as the Award addresses the evaluation process rather than final evaluation judgments, which is permissible under Article 15.3 of the CBA and additionally does not take away the Agency's authority on final evaluation judgments Thus, DCPS has not demonstrated that the Award is contrary to public policy.

IV. Conclusion

The Arbitration Review Request is denied.

ORDER

[55] *MPD v. PERB*, No. 19-CV-1115, Mem. Op. & J. at 10-11 (D.C. Sept. 15, 2022) (citing *Fraternal Order of Police/Dept. of Corr. Labor Comm. v. Dist. of Columbia Pub. Employee Relations Bd.*, 973 A.2d 174 at 179 (D.C. 2009)).
[56] *Id*. at 18 (citing *E. Associated Coal Corp. v. UMW*, Dist. 17, 531 U.S. 57, 63 (2000)).
[57] *MPD v. FOP/MPD Labor Comm.*, 66 D.C. Reg. 6056, Slip Op. No. 1702 at 4, PERB Case No. 18-A-17 (2019) (citing *Am. Postal Workers Union v. USPS*, 789 F.2d 1, 8 (D.C. Cir. 1986), *accord MPD v. FOP/MPD Labor Comm. ex rel. Pair*, 61 D.C. Reg. 11609, Slip Op. No. 1487 at 8, PERB Case No. 09-A-05 (2014); *MPD v. FOP/MPD Labor Comm. ex rel. Johnson*, 59 D.C. Reg. 3959, Slip Op. No. 925 at 11-12, PERB Case No. 08-A-01 (2012)).
[58] *MPD v. PERB*, No. 19-CV-1115, Mem. Op. & J. at 10-11 (D.C. Sept. 15, 2022) (quoting MPD v. PERB, 901 A.2d 784, 789 (D.C. 2006)).
[59] *MPD v. FOP/MPD Labor Comm.*, 66 D.C. Reg. 6056, Slip Op. No. 1702 at 4, PERB Case No. 18-A-17 (2019).
[60] Request at 7.
[61] Opposition at 12.

IT IS HEREBY ORDERED THAT:

1. The Arbitration Review Request is denied; and

2. Pursuant to Board Rule 559.1, this Decision and Order is final upon issuance.

BY ORDER OF THE PUBLIC EMPLOYEE RELATIONS BOARD

By vote of Board Chairperson Peter Winkler and Members Lee Clark, Mary Anne Gibbons, Renee Bowser, and Douglas Warshof.

July 16, 2026

Washington, D.C.

APPEAL RIGHTS

Pursuant to Board Rule 559.2, a party may file a motion for reconsideration, requesting the Board reconsider its decision. Additionally, a final decision by the Board may be appealed to the District of Columbia Superior Court pursuant to D.C. Official Code §§ 1-605.2(12) and 1-617.13(c), which provides 30 days after a decision file an appeal.

STATESMEN COLLEGE PREPARATORY ACADEMY FOR BOYS PUBLIC CHARTER SCHOOL

NOTICE OF INTENT TO ENTER SOLE-SOURCE CONTRACT

Statesmen College Preparatory Academy for Boys Public Charter School ("Statesmen") intends to enter into a sole source contract with Dr. Shauna Knox and The Emancipation Group ("The Emancipation Group") for the 2026-2027 school year. The decision to conduct a sole source agreement is due to Dr. Knox and The Emancipation Group's specialized expertise in the codification of Statesmen's AI program, the implementation of the Emancipation Game, and the design and execution of data and observational work examining the triangulation between students, staff, and computer-based systems. Statesmen plans to use their services during the 2026-2027 school year to support these initiatives.

We anticipate the price of the contract will be $26,000. The sole source contract will be awarded on Monday, October 5th, 2026 by 5:00pm. If you have any questions, please contact Amanda Bloom (Chief of Staff and Development) before the award date using the information below:

Amanda Bloom
Chief of Staff and Development
amandabloom@statesmenboys.org

DISTRICT OF COLUMBIA
OFFICE OF THE TENANT ADVOCATE

DISTRICT OF COLUMBIA TENANT BILL OF RIGHTS
ERRATA NOTICE

The Office of the Tenant Advocate (OTA) published the District of Columbia Tenant Bill of Rights in D.C. Register, Volume 73, Issue No. 39, September 25, 2026, inadvertently with an incorrect form number of FORM OTA 2026.09.17. The Tenant Bill of Rights is republished in D.C. Register, Volume 73, No. 40, on October 2, 2026, with the correct form number of FORM OTA 2026.09.25.

DISTRICT OF COLUMBIA
OFFICE OF THE TENANT ADVOCATE

NOTICE OF DISTRICT OF COLUMBIA TENANT BILL OF RIGHTS

The Tenant Bill of Rights Amendment Act of 2014, effective December 17, 2014 (D.C. Law 20-147; 62 DCR 1248 (January 30, 2015); D.C. Official Code §§ 42-3531.07(8) & 42-3502.22(b)(1)) requires the D.C. Office of Tenant Advocate (OTA) to publish a "D.C. Tenant Bill of Rights" (TBR) to be updated periodically and noticed in the *D.C. Register*. This publication represents the first official revision of the TBR and replaces the previous official version (which was published on April 3, 2015, and became a required housing provider disclosure on July 3, 2015). Starting ninety (90) days following the publication date of this issue of the *D.C. Register*, the Act requires any housing provider in the District to provide a copy of the TBR as revised to: (1) a prospective tenant upon the submission of an application to lease a residential rental unit; and (2) any current tenant upon request once per year. (D.C. Official Code §§ 42–3502.22(b)(1)(L); 42–3502.22 (b)(1A); & 42–3502.22(b)(2).) The TBR is also available on the agency's website at www.ota.dc.gov and in hard-copy form at the OTA offices, located at 899 North Capitol Street, N.E., Suite 6200, Washington, DC 20002.

Two prior agency initiatives to revise and update the TBR were overtaken by major events impacting content: first, the Covid-19 pandemic, during which the Council substantially changed key tenant rights on an emergency and temporary basis; and second, over the course of much of 2025, Council consideration of proposals to overhaul tenant rights on a permanent basis, significantly impacting at least two major areas of relevant law. Following the enactment of Law 26-80, the "Rebalancing Expectations for Neighbors, Tenants, and Landlords (RENTAL) Amendment Act of 2025," effective December 31, 2025, the agency substantially reconvened the 2025 stakeholder review teams – one for tenant advocates and the other for housing provider advocates. The participants provided comments through two rounds of revisions resulting in the agency's selective incorporation of recommendations coming from both review teams.

This revision of the TBR includes a link to a new web page – currently live – for an online TBR addendum and other relevant materials, including the OTA's "Tenant Resource Guide." Upon publication later this year, the new TBR addendum itself – elaborating on certain key rights summarized in the TBR and others not included in the TBR – will be added to that web page.

DISTRICT OF COLUMBIA OFFICE OF THE TENANT ADVOCATE

District of Columbia Tenant Bill of Rights

The Tenant Bill of Rights Amendment Act of 2014[1] requires the D.C. Office of the Tenant Advocate to publish a "D.C. Tenant Bill of Rights" (TBR) to be updated periodically and published in the D.C. Register. This document provides an overview of the basic rights of residential tenancy in the District. It is not exhaustive and does not constitute legal advice. Except for rent control and the right of purchase, the rights below generally apply to every tenant in the District.[2] ***See ota.dc.gov/publication/tbr-addendum for a TBR addendum including further information about your tenant rights and other resources.***

1. ***DISCLOSURE OF INFORMATION*:** When you apply to lease a rental unit, the landlord must disclose: **(a)** the rent; **(b)** whether the unit is rent-controlled; **(c)** how often the rent may be increased; **(d)** housing code violations that are less than a year old or remain unabated; **(e)** the amount of any application fee; **(f)** the amount, interest rate, and means of return for any security deposit; **(g)** any pending condo or co-op conversion; **(h)** ownership and business license information; **(i)** either a 3-year history of mold contamination in the unit and common areas, or proof of proper remediation; **(j)** a D.C. Board of Elections voter registration packet; and **(k)** a copy of this D.C. Tenant Bill of Rights document. **For a rent-controlled unit**, the landlord must also disclose: **(l)** any surcharges on the rent and the date they expire; **(m)** any pending petition that could affect the rent; and **(n)** a pamphlet published by the Rent Administrator explaining rent control's restrictions on rent increases. The landlord must make this information accessible to you for your review throughout your tenancy. Once per year during your tenancy, upon your request, the landlord must provide you a copy of (1) the above information; and (2) the amount of, and the basis for, each rent increase for the prior 3 years. At the start of your tenancy, the landlord must also provide you with copies of certain District housing regulations, including those for landlord and tenant relations. (D.C. Official Code §§ 42-3502.22 & .13(d); 14 D.C. Municipal Regulations (DCMR) §§ 101, 106 & 300-399).

2. ***LEAD HAZARD DISCLOSURE*:** The landlord must provide you with a lead pipe disclosure form and information about whether the unit may have a lead water service line. For properties built prior to 1978, the landlord must provide a prospective tenant household with a form issued by the Department of Energy and the Environment about their rights under D.C. lead laws. The landlord must also provide a current lead-safe "clearance report" to **(a)** a prospective tenant household that includes a child less than 6 years of age or a pregnant woman; **(b)** upon request a current tenant household that gains such a person; and **(c)** upon request, any tenant household regularly visited by such a person. The landlord must disclose to a tenant household what the landlord reasonably should know about the presence in the unit of a lead-based paint hazard or of lead-based paint. Lead-based paint is presumed to be present in properties built prior to 1978 unless there is an inspection report showing otherwise. (D.C. Official Code §§ 8–231.04; 42-3271).

3. ***LEASE*:** A written lease is generally *not* required to establish a tenancy. If there is a written lease, the landlord must provide you with a copy and all addenda. Certain lease clauses are prohibited, including waiver of landlord liability for failing to properly maintain the property. **The landlord may not change a material term of your lease without your agreement.** After the initial lease term expires, you generally have the right to continue your tenancy month-to-month indefinitely on the

[1] Effective December 17, 2014 (D.C. Law 20-147; D.C. Official Code §§ 42-3531.07(8) & 42-3502.22(b)(1)).

[2] For additional rights that apply D.C. Housing Authority (DCHA) public housing tenants, visit https://www.dchousing.org/wordpress/wp-content/uploads/2022/05/Public-Housing-Bill-of-Rights.pdf.

same material terms, except for lawful rent increases.[3] (14 DCMR §§ 101, 106 & 300-399; D.C. Official Code § 42-3505.01(a)(1)).

4. ***SECURITY DEPOSIT*:** The amount of the security deposit may not exceed the initial monthly rent amount, and must be held in an interest-bearing account. Within **45 days** after you vacate the unit, the landlord must either return your security deposit **with interest** (for tenancies of 12+ months) or provide you with written notice of any unpaid amounts due to the landlord. Within **30 days** following the initial notice, **(a)** you may attempt to resolve any dispute with the landlord regarding these amounts; and **(b)** the landlord must return the balance of the security deposit. The costs of repairing damage caused by the tenant or a guest are legitimate costs; the costs of repairing ordinary wear and tear are not. (14 DCMR §§ 308-311; D.C. Official Code § 42–3502.17).

5. ***RECEIPTS FOR RENTAL PAYMENTS*:** The landlord must give you a receipt (including for an electronic payment), unless a payment you make to the landlord is by personal check **and** fully satisfies the amount owed. The receipt must state the amount, purpose, and date of the payment, as well as the amount of any money that remains due. (14 DCMR § 306).

6. ***RENT INCREASES*:** Any tenant is entitled to a minimum of **60 days'** written notice of any rent increase, **regardless of the unit's rent control status**. For units properly registered as **exempt** from rent control, generally only the lease terms may limit rent increases. If a unit is not properly registered as exempt then the unit is subject to rent control. For **rent-controlled** units, the landlord can only raise the rent if: **(a)** the owner and property manager are properly licensed and registered; **(b)** the unit and common areas substantially comply with the housing code; and **(c)** the rent has not been increased within the last 12 months. For tenants in rent-controlled units who have registered their elderly/disability status with the Rent Administrator, the maximum rent increase is the lowest of the Consumer Price Index (CPI), the Social Security Cost of Living Adjustment, or 5%. For all other tenants in rent-controlled units, the cap is the lesser of the CPI + 2%, or 10%. There are **five bases** upon which a landlord may file a petition for a rent increase larger than these standard caps.[4] Registered elderly/disability tenants may be exempt from housing provider petition surcharges – but only if their incomes fall under a certain level. Under rent control, you may challenge a rent increase implemented within the prior 3 years. (D.C. Official Code §§ 42–3509.04(b); 42–3502.08; 42–3502.24; 42–3502.06(e)).

7. ***BUILDING CONDITIONS AND QUIET ENJOYMENT*:** Your lease includes an implied ***"warranty of habitability."*** The maintenance of your unit in compliance with the housing regulations is a shared responsibility between you and the landlord, while common areas are primarily the landlord's responsibility. This includes keeping the premises safe, secure, and free of rodents and pests; keeping the structure and facilities of the building in good repair; and ensuring adequate heat, lighting, and ventilation. You have the right to request an **inspection** of your unit by the Department of Buildings and to receive a copy of any **notice of violation** issued to the landlord. If the landlord causes or permits a condition or circumstance that amounts to a constructive eviction, this may be a breach of the **"*covenant of quiet enjoyment*"**.[5] The landlord may access your unit at any time for an emergency purpose. Otherwise, the landlord must provide you with reasonable notice (48 hours unless the lease states otherwise or tenant otherwise agrees) of entry for a reasonable purpose and at a reasonable time, as the law defines each. (12G DCMR § 305.1; 14 DCMR §§ 106; 301; 802; & 400-999; D.C. Official Code § 42-3505.51).

[3] Exceptions include some subsidized or otherwise District-supported housing. See the TBR addendum for more information.
[4] See the TBR addendum for an explanation of the four kinds of Housing Provider Petitions and Voluntary Agreements.
[5] See *Caesar v. Westchester Corp.*, 280 A.3d 176, 188-189 (D.C. 2022).

8. ***PRESENCE OF MOLD*:** Upon written notice from you that mold or suspected mold exists in your unit or a common area, the landlord must **inspect** the premises within **7 days** and **remediate** within **30 days**. Mold assessment and remediation must be performed in compliance with District regulations. (D.C. Official Code § 8-241.04).

9. ***RETALIATION*:** The landlord may not retaliate against you for exercising any right of tenancy. Retaliation may include any of the following if done unlawfully: seeking to recover possession of your unit, increasing the rent, decreasing services, increasing your obligations, violating your privacy, harassing you, or refusing to honor your lease. Similarly, the landlord may not unreasonably interfere with your comfort, safety or enjoyment of a rental unit, or retaliate against you, to try to force you out of your unit. (D.C. Official Code § 42-3402.10; § 42-3505.02).

10. ***FAIR HOUSING*:** The landlord may not engage in discriminatory acts based upon your actual or perceived: race, color, religion, national origin, sex, age, marital status, genetic information, personal appearance, sexual orientation, gender identity or expression, familial status, family responsibilities, disability, matriculation, political affiliation, source of income, sealed eviction record, status as a victim of an intra-family offense, place of residence or business, or homeless status. Discriminatory acts include refusing to rent; renting on unfavorable terms, conditions, or privileges; creating a hostile living environment; and refusing to make reasonable accommodations to give a person with a disability an equal opportunity to use and enjoy the premises. (D.C. Official Code § 2-1401.01 *et seq*.).

11. ***RIGHT TO ORGANIZE*:** The landlord may not interfere with the right of tenants to organize a tenant association, convene meetings, distribute literature, post information on any common area bulletin board, or provide building access to an outside tenant organizer if accompanied by a tenant. (D.C. Official Code § 42-3505.06).

12. ***TENANT RIGHT TO PURCHASE:*** Under the Tenant Opportunity to Purchase Act, or "TOPA," tenants may have a statutory right to purchase their rental property if the landlord intends to sell the property, demolish the property, or stop using the property for housing. Under TOPA, the rules vary depending on the property size. **For single-family dwellings**, all tenants are entitled to a notice of the landlord's intention to sell the property, but only elderly tenants and tenants with a disability who have written leases and who moved in by April 15, 2018 continue to have a right to purchase. **For 2-4 unit buildings**, only tenants who live in buildings owned in majority by a D.C. corporation and that were constructed more than 15 years ago have a right to purchase, but all other tenants are entitled to a notice of the landlord's intention to sell the property. **For 5+ unit buildings**, tenants generally have a right to purchase and must receive an Offer of Sale. However, the right to purchase is subject to numerous **exemptions**, including **(a)** any accommodation constructed within the last 15 years; **(b)** the entry and exit of Low-Income Housing Tax Credit and other equity investors subject to certain conditions; and **(c)** transfers of interest among existing owners.[6] If one of the exemptions applies, tenants in a 5+ unit building may be entitled to a Notice of Transfer alerting the tenant to changes in the ownership. (D.C. Official Code §§ 42-3404.02; 42-3404.02b; 42-3404.09; 42-3404.10).

13. ***CONVERSION TO CO-OP OR CONDO*:** The landlord may not convert the rental accommodation to a cooperative or condominium unless a majority of the tenants votes for the conversion in a tenant election certified by the District's Conversion and Sale Administrator. (D.C. Official Code §§ 42-3402.02; 42-3402.03).

[6] There are numerous other TOPA exemptions. See D.C. Official Code § 42–3404.02b(b). Also see the Tenant Bill of Rights Addendum for more information.

14. ***RELOCATION ASSISTANCE*:** If you are displaced pursuant to a valid Notice to Vacate for the purpose of alterations or renovations, substantial rehabilitation, demolition, or the discontinuance of the housing use of the property, you have the right to receive relocation assistance from your landlord. (D.C. Official Code § 42-3507.01 *et seq*.).

15. ***EVICTION*:** The landlord may evict you *only* for one of eleven specific statutory reasons. The landlord may *not* evict you just because your lease term expires, or due to a sale or foreclosure. The landlord may *not* use "self-help" methods to evict you, such as cutting off your utilities or changing the locks. **Rather, any eviction must be pursuant to a court order following the expiration of a written Notice to Vacate (NTV), and must be scheduled and supervised by the U.S. Marshals Service.** A written NTV must include the basis for the eviction and, for a lease violation, the action(s) you must take to correct that violation. For nonpayment of rent evictions, you can avoid eviction by paying the landlord all that you owe before the scheduled eviction date. In all cases, you have an opportunity to challenge the landlord's claims in court. The landlord **(a)** may not file an action in court to evict you for nonpayment of rent in an amount less than $600 and **(b)** may not evict you for unpaid late fees. Absent extenuating circumstances, an eviction filing without a valid business license or Rent Stabilization registration or claim of exemption is legally deficient. (D.C. Official Code §§ 42-3505.01; 42-3505.01a; 16-1501).

16. ***EVICTION RECORD SEALING*:** D.C. Superior Court **must** seal court records relating to an eviction proceeding against you **(a) 30 days** after a final decision where the landlord does not win a judgment for possession; or **(b) three years** after a final decision where the landlord wins a judgment for possession. The court also may seal eviction records under certain other circumstances. (D.C. Official Code § 42-3505.09).

DC GOVERNMENT RESOURCES		
Tenant Rights and Remedies Office of the Tenant Advocate 899 North Capitol Street, NE Suite 6200 Washington, DC 20002 **Phone:** (202) 719-6560 **Fax**: (202) 719-6586 **Website:** ota.dc.gov	***Rent Control, TOPA, and Conversion*** Department of Housing and Community Development 1909 Martin Luther King Avenue, SE Washington, DC 20020 **Phone:** (202) 442-7200 **Fax:** (202) 645-6727 **Website:** dhcd.dc.gov	***Lead and Asbestos*** Department of Energy and the Environment 1200 First Street, NE Washington, DC 20002 **Phone:** (202) 535-2600 **Fax:** (202) 535-2881 **Website:** doee.dc.gov
Unit/Building Inspections Department of Buildings 1100 4th Street, SW Washington, DC 20024 **Phone:** (202) 671-3500 **Website:** dob.dc.gov	***Discrimination Complaints & Inquiries*** Office of Human Rights 441 4th St NW, Suite 570N Washington, DC 20001 **Phone:** (202) 727-4559 **Fax:** (202) 727-9589 **Website:** ohr.dc.gov	***Services for Older Adults*** Department of Aging and Community Living 500 K Street, NE Washington, DC 20002 **Phone:** (202) 724-5626 **Fax:** (202) 724-2008 **Website:** dacl.dc.gov

I/We, _____, confirm that I/We have received a Tenant Bill of Rights Form on (insert date): _____.

DISTRICT OF COLUMBIA WATER AND SEWER AUTHORITY

BOARD OF DIRECTORS

NOTICE OF PUBLIC MEETING

Environmental Quality and Operations Committee

The Board of Directors of the District of Columbia Water and Sewer Authority (DC Water) Environmental Quality and Operations Committee will hold a meeting via Microsoft Teams on Thursday, October 15, 2026, at 9:30 a.m. This meeting will not be held in the Board Room (2nd floor) at 1385 Canal Street, S.E. The Interim Chief Executive Officer and General Manager invites the public to attend the meeting via Microsoft Teams. Below is the draft agenda for this meeting. Please see the final agenda to DC Water's website at www.dcwater.com, which will include remote access information for this meeting.

For additional information, please contact Debra Mathis, Acting, Board Secretary at (202) 787-2331or Debra.Mathis@dcwater.com.

DRAFT AGENDA

1. Call to Order	Committee Chairperson
2. Roll Call	Acting Board Secretary
3. AWTP Status Updates - BPAWTP Performance	Vice-President, Wastewater Ops
4. Project Status Updates	Vice-President of Engineering & Technical Services
5. Water Quality Monitoring	Vice-President, Water Ops
6. Action Items - Joint Use - Non-Joint Use	 Chief Operating Officer and EVP Vice President of Procurement
7. Emerging Items/Other Business	Committee Chairperson
8. Executive Session	Committee Chairperson
9. Adjournment	Committee Chairperson

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.

DISTRICT OF COLUMBIA WATER AND SEWER AUTHORITY

BOARD OF DIRECTORS

NOTICE OF PUBLIC MEETING

Governance Committee

The Board of Directors of the District of Columbia Water and Sewer Authority (DC Water) Governance Committee will hold a meeting via Microsoft Teams on Wednesday, October 14, 2026, at 9:30 a.m. This meeting will **not** be held in the Board Room (2nd floor) at 1385 Canal Street, S.E. The Interim Chief Executive Officer and General Manager invites the public to attend the meeting via Microsoft Teams. Below is the draft agenda for this meeting. Please see the final agenda posted to DC Water's website at www.dcwater.com, which will include remote access information for this meeting.

For additional information, please contact Debra Mathis, Acting Board Secretary at (202) 787-2331or Debra.Mathis@dcwater.com.

DRAFT AGENDA

1. Call to Order	Committee Chairperson
2. Emerging Issues	Committee Chairperson
3. Agenda for Upcoming Committee Meeting	Committee Chairperson
4. Executive Session	Committee Chairperson
5. Adjournment	Committee Chairperson

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.

GOVERNMENT OF THE DISTRICT OF COLUMBIA
BOARD OF ZONING ADJUSTMENT

BZA Application No. 21419
PMG Mid Atlantic, LLC
4101 Alabama Avenue, SE (Square 5369N, Lots 13 and 22)

HEARING DATE: July 15, 2026
DECISION DATE: September 2, 2026

SUMMARY ORDER

RELIEF REQUESTED. The application requests the following relief in order to expand an existing gasoline service station (with retail store and repair garage on Lot 22) to incorporate a new vehicle towing and storage use on Lot 13 in the MU-3A zone:

- Special Exception under the gasoline service station requirements of Subtitle U § 511.1(f), pursuant to Subtitle X § 901.2

The zoning relief requested in this case was self-certified. (Exhibit 16.)

PARTIES. The parties to this case were the Applicant and Advisory Neighborhood Commission ("**ANC**") 7B, the "affected ANC" pursuant to Subtitle Y §§ 101.8 and 403.5(b) of the Zoning Regulations (Title 11 of the DCMR, Zoning Regulations of 2016, to which all references are made unless otherwise specified).

NOTICE OF THE APPLICATION AND PUBLIC HEARING. The Board of Zoning Adjustment (the "**Board**") referred the application to the appropriate agencies and provided proper and timely notice of the public hearing in accordance with Subtitle Y § 402.1.

ANC REPORT. The ANC did not submit an official report to the record for this application.

The Board received individual letters and heard testimony from ANC 7B Commissioners Angela Sydnor, Jimmie Williams, and Travis Swanson in opposition to the application. (Exhibits 33A, 33B, 33C.)

OFFICE OF PLANNING ("OP") REPORT. OP submitted a report recommending approval of the application. (Exhibit 26.) OP's report noted support for DDOT's recommended conditions regarding removal of non-compliant paving and relocation of the Lot 13 access gate.

DISTRICT DEPARTMENT OF TRANSPORTATION ("DDOT") REPORT. DDOT submitted a report indicating that it had no objection to the application because it concluded that the relief would not

result in any adverse impacts to the District's transportation network. (Exhibit 22.) DDOT's recommendation included two conditions including the removal of excess paving along Alabama Avenue SE and relocate the access for Lot 13 to an internal entry instead of public space. The Applicant submitted a revised site plan complying with these conditions. (Exhibit 40B.)

PERSONS IN OPPOSITION. The Board received a petition with signatures of individuals opposed to the application. (Exhibit 33.)

CONCLUSIONS

Pursuant to Subtitle Y § 604.3, the order of the Board may be in summary form where granting an application when there was no party in opposition. As a summary order, it does not constitute binding legal precedent on the Board and shall not be considered by the Board in evaluating future applications.

Based upon the record before the Board, and having given great weight to the appropriate reports and recommendations filed in this case, the Board concludes that the Applicant has met the burden of proof that the requested special exception relief can be granted because:

- It is in harmony with the general purpose and intent of the Zoning Regulations and Map;
- It will not tend to affect adversely the use of neighboring property; and
- Pursuant to Subtitle X § 901.2(c), the relief satisfies the specified conditions for special exception relief.

DECISION

Based on the case record and the testimony at the hearing, the Board concludes that the applicant has satisfied the burden of proof for the requested relief:

- Special Exception under Subtitle U § 511.1(f), pursuant to Subtitle X § 901.2, to allow a gasoline service station use on Lot 13.

Accordingly, it is **ORDERED** that the application is **GRANTED** consistent with the plans shown in Exhibits 40A and 40B of the record, as required under Subtitle Y §§ 604.9 and 604.10, subject to the following **CONDITIONS**:

1. Term. Approval of the special exception shall be for a term of four (4) years beginning on the date this order became final.

2. Vehicles parked on the property shall be limited to two axel vehicles except for buses, semi-trucks, and trailers.

3. No vehicles shall be parked in the rear buffer zone located at the southern portion of Lot 13 as shown in Exhibits 40A and 40B.

4. The Applicant shall install and maintain trees in the rear buffer zone as shown in Exhibits 40A and 40B.

5. The Applicant shall install and maintain landscaping, including at least four trees in the northern portion of Lot 13 , unless the Applicant installs and maintains landscaping, as shown in Exhibits 40A and 40B, after obtaining approval for plantings in public space.

VOTE: **4-0-1** (Paul Goldstein, Michelle Pourciau, Melissa Lindsjo, and Gwen M. Wright to APPROVE; Jackson Wells not present, 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: September 15, 2026

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, AN APPLICATION FOR A BUILDING PERMIT FOR THE ERECTION OR ALTERATION APPROVED IS FILED WITH THE DEPARTMENT OF BUILDINGS FOR THE PURPOSE OF SECURING A BUILDING PERMIT, OR A REQUEST FOR A TIME EXTENSION PURSUANT TO SUBTITLE Y § 705 IS FILED PRIOR TO THE EXPIRATION OF THE TWO-YEAR PERIOD AND THE REQUEST IS GRANTED. PURSUANT TO SUBTITLE Y § 703.10, 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.

GOVERNMENT OF THE DISTRICT OF COLUMBIA
BOARD OF ZONING ADJUSTMENT

BZA Application No. 21452
Sarah and Carl O'Briant
3817 Jenifer Street, NW (Square 1855, Lot 38)

HEARING DATE: September 9, 2026[1]
DECISION DATE: September 9, 2026

SUMMARY ORDER

RELIEF REQUESTED. The application requests the following relief in order to construct a one-story addition to an existing accessory building (garage) connecting it to the existing detached two-story plus cellar principal dwelling unit in the R-1B zone:

- Special Exception from the rear yard requirements of Subtitle D § 207.1, pursuant to Subtitle D § 5201 and Subtitle X § 901.2 (*20 feet minimum required; 5.9 feet existing and proposed*)
- Special Exception from the side yard requirements of Subtitle D § 208.2, pursuant to Subtitle D § 5201 and Subtitle X § 901.2 (*8 feet minimum required; 2.7 feet (west side) existing and proposed*)

The zoning relief requested in this case was self-certified. (Exhibit 10.)

PARTIES. The parties to this case were the Applicant and Advisory Neighborhood Commission ("**ANC**") 3/4G, the "affected ANC" pursuant to Subtitle Y §§ 101.8 and 403.5(b) of the Zoning Regulations (Title 11 of the DCMR, Zoning Regulations of 2016, to which all references are made unless otherwise specified).

At the public hearing, the Board granted Party Status in Support to Michael Hall and Jane Taylor.[2]

NOTICE OF THE APPLICATION AND PUBLIC HEARING. The Board of Zoning Adjustment (the "**Board**") referred the application to the appropriate agencies and provided proper and timely notice of the public hearing in accordance with Subtitle Y § 402.1.

[1] The application was removed from the July 1, 2026 Expedited Review calendar and scheduled for a public hearing per Subtitle Y § 401.7.

[2] The party status request was originally filed in opposition to the application. Following the submission of updated plans from the Applicant, the requesters changed their request to party status in support. (Exhibit 40.)

ANC REPORT. The ANC's report indicated that at a regularly scheduled, properly noticed public meeting on May 27, 2026, at which a quorum was present, the ANC voted to support the application. (Exhibit 25.) The ANC report raised no issues or concerns.

ANC Vice Chair Commissioner Elizabeth Nagy submitted a letter to the record in response to neighbor concerns. (Exhibit 30.) Commissioner Nagy also testified at the public hearing.

OFFICE OF PLANNING ("OP") REPORT. OP submitted a report recommending approval of the application. (Exhibit 29.)

DISTRICT DEPARTMENT OF TRANSPORTATION ("DDOT") REPORT. DDOT submitted a report indicating that it had no objection to the application because it concluded that the relief would not result in any adverse impacts to the District's transportation network. (Exhibit 28.)

PERSONS IN SUPPORT. The Board received eight letters of support from neighbors in support of the application. (Exhibit 18.)

PERSONS IN OPPOSITION. The Board received seven letters from neighbors in opposition to the application. (Exhibits 22-24, 31, 32, 35, 37.)

CONCLUSIONS

Pursuant to Subtitle Y § 604.3, the order of the Board may be in summary form where granting an application when there was no party in opposition. As a summary order, it does not constitute binding legal precedent on the Board and shall not be considered by the Board in evaluating future applications.

Based upon the record before the Board, and having given great weight to the appropriate reports and recommendations filed in this case, the Board concludes that the Applicant has met the burden of proof that the requested special exception relief can be granted because:

- It is in harmony with the general purpose and intent of the Zoning Regulations and Map;
- It will not tend to affect adversely the use of neighboring property; and
- Pursuant to Subtitle X § 901.2(c), the relief satisfies the specified conditions for special exception relief.

DECISION

Based on the case record and the testimony at the hearing, the Board concludes that the applicant has satisfied the burden of proof for the requested relief:

- Special Exception from the rear yard requirements of Subtitle D § 207.1, pursuant to Subtitle D § 5201 and Subtitle X § 901.2 (*20 feet minimum required; 5.9 feet existing and proposed*)

- Special Exception from the side yard requirements of Subtitle D § 208.2, pursuant to Subtitle D § 5201 and Subtitle X § 901.2 (*8 feet minimum required; 2.7 feet (west side) existing and proposed*)

Accordingly, it is **ORDERED** that the application is **GRANTED** consistent with the plans shown in Exhibit 39A of the record, as required under Subtitle Y §§ 604.9 and 604.10.

VOTE: **4-0-1** (Michelle Pourciau, Robyn Jackson Wells, Paul Goldstein, and Anthony J. Hood to APPROVE; Melissa Lindsjo not present, 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: September 15, 2026

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, AN APPLICATION FOR A BUILDING PERMIT FOR THE ERECTION OR ALTERATION APPROVED IS FILED WITH THE DEPARTMENT OF BUILDINGS FOR THE PURPOSE OF SECURING A BUILDING PERMIT, OR A REQUEST FOR A TIME EXTENSION PURSUANT TO SUBTITLE Y § 705 IS FILED PRIOR TO THE EXPIRATION OF THE TWO-YEAR PERIOD AND THE REQUEST IS GRANTED. PURSUANT TO SUBTITLE Y § 703.10, 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.

IN ACCORDANCE WITH THE D.C. HUMAN RIGHTS ACT OF 1977, AS AMENDED, D.C. OFFICIAL CODE § 2-1401.01 *ET SEQ.* (ACT), THE DISTRICT OF COLUMBIA DOES NOT DISCRIMINATE ON THE BASIS OF ACTUAL OR PERCEIVED: RACE, COLOR,

RELIGION, NATIONAL ORIGIN, SEX, AGE, MARITAL STATUS, PERSONAL APPEARANCE, SEXUAL ORIENTATION, GENDER IDENTITY OR EXPRESSION, FAMILIAL STATUS, FAMILY RESPONSIBILITIES, MATRICULATION, POLITICAL AFFILIATION, GENETIC INFORMATION, DISABILITY, SOURCE OF INCOME, OR PLACE OF RESIDENCE OR BUSINESS. SEXUAL HARASSMENT IS A FORM OF SEX DISCRIMINATION WHICH IS PROHIBITED BY THE ACT. IN ADDITION, HARASSMENT BASED ON ANY OF THE ABOVE PROTECTED CATEGORIES IS PROHIBITED BY THE ACT. DISCRIMINATION IN VIOLATION OF THE ACT WILL NOT BE TOLERATED. VIOLATORS WILL BE SUBJECT TO DISCIPLINARY ACTION.

GOVERNMENT OF THE DISTRICT OF COLUMBIA
BOARD OF ZONING ADJUSTMENT

Application No. 21462 of Thomas Jefferson Real Estate LLC and Emerald Wings LLC, pursuant to 11 DCMR Subtitle X, Chapter 9, for a special exception under Subtitle H §§ 6007.1(e)(2) and 6009.1(c) to allow a new eating and drinking establishment use (fast food establishment) on the first floor of an existing six-story building (dwelling units above ground-floor retail space) in the NMU-7B/GA Zone at 3831 Georgia Avenue, N.W. (Square 3028, Lot 59).

HEARING DATE: July 22, 2026
DECISION DATE: July 29, 2026

DECISION AND ORDER

This self-certified application was filed on March 18, 2026 on behalf of Thomas Jefferson Real Estate LLC, the owner of the property that is the subject of the application, and Emerald Wings LLC, the tenant of a ground-floor space of a building at the property (together, the "Applicant"). Following a public hearing, the Board voted to grant 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 public hearing, by letters dated April 30, 2026, to the Applicant, the Office of Planning ("OP"), the District Department of Transportation ("DDOT"), the Department of Buildings, Advisory Neighborhood Commission ("ANC") 4C, the ANC in which the subject property is located, and Single Member District 4C03, the Office of Advisory Neighborhood Commissions, the Councilmember for Ward 4 as well as the Chairman 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 posted at the subject property and was published in the District of Columbia Register on May 15, 2026 (73 DCR 007338) as well as on the calendar on the Office of Zoning website.

Parties. Pursuant to Subtitle Y § 403.5, the Applicant and ANC 4C were automatically parties in this proceeding. The Board received no request for party status.

Applicant's case. The Applicant presented evidence and testimony in support of the request for a special exception to allow a fast-food establishment on the ground floor of an existing building.

OP report. By memorandum dated July 10, 2026, the Office of Planning recommended approval of the application. (Exhibit 20.)

DDOT report. By memorandum dated July 9, 2026, the District Department of Transportation indicated no objection to approval of the application. (Exhibit 19.)

ANC report. At a public meeting on August 7, 2026, with a quorum present, ANC 4C adopted a resolution recommending that the Board deny the application. (Exhibit 21.)

Persons in opposition. The Board received letters and heard testimony from persons in opposition to the application, including some residents and owners of businesses near the subject property. The persons in opposition generally stated concerns about the operation of the planned fast-food establishment and objected that the Applicant's proposal would cause adverse impacts including with respect to litter, late hours of operation, odors, noise, traffic, parking, light pollution from signage, rodents, the proximity of similar businesses, and a loss of neighborhood character.

FINDINGS OF FACT

1. The property that is the subject of this application is a corner lot located at the southeast corner of the intersection of Georgia Avenue and Randolph Street N.W., with the address 3831 Georgia Avenue, N.W. (Square 3028, Lot 59).

2. The subject property is generally rectangular, with approximately 34.4 feet of frontage on Georgia Avenue and 107.9 feet of frontage on Randolph Street. The lot area is approximately 3,117 square feet.

3. The subject property abuts a public alley, 15 feet wide, along its east (rear) lot line.

4. The subject property is improved with a six-story building completed in April 2023.[1] The building is 70 feet in height and results in a lot occupancy of 80 percent.

5. The existing building extends to the front (west) and side (north and south) lot lines of the subject property. The rear yard is 22.5 feet deep.

6. The existing building is configured as 20 apartments on the five floors above the ground level. The ground floor contains a space, 1,488 square feet in area, reserved for commercial use.

[1] The Board granted a variance from the vehicle parking requirements under § 2101.1 of the 1958 Zoning Regulations to allow a new six-story building, with 20 dwelling units above ground-floor retail space, at the subject property, which was then zoned GA/C-3-A (Commercial District C-3, major business and employment center, medium bulk, and Georgia Avenue overlay district). The zoning requirement for vehicle parking was then 10 spaces (according to the applicant, the parking requirement under the 2016 Zoning Regulations would be three spaces). The approved variance required the provision of two vehicle parking spaces at the rear of the building accessible from the abutting public alley. The variance was granted subject to conditions of approval requiring the applicant *inter alia* to implement a transportation management plan. See Application No. 19038 (Murillo Malnati Group, LLC; September 13, 2016).

7. The Applicant proposed to use the ground floor space as a fast-food establishment, without a drive-through or any expansion of the existing building. The application proposed exterior modifications of the building including the installation of ventilation equipment and signage. (Exhibit 18A.)

8. The fast-food establishment will not provide any indoor or outdoor seating. Food will be packaged for takeaway, rather than served on trays for on-site consumption. The establishment will not provide sales of alcohol. (Exhibits 18A, 20, 38; Transcript of July 22, 2026 at 172.)

9. According to the Applicant, most orders (approximately 75 percent) will be placed on-line, either for carry-out or delivery by a third-party food delivery service, and 25 percent of customers were expected to place orders at the fast-food establishment for carry-out. (Exhibits 18A, 36.)

10. The fast-food establishment will be accessible to customers solely via an existing entrance to the building on Georgia Avenue. No customer entrances will be provided on the side or at the rear of the building. (Exhibits 18A, 18C.)

11. The Applicant anticipated that each shift at the fast-food establishment will require approximately four to eight employees. The total number of employees will be approximately 15 to 20. (Exhibit 18A.)

12. The fast-food establishment will utilize a trash storage room located at the southeast corner of the building, which is also utilized by residents of the building. The trash room is accessible for the collection of trash from the abutting public alley. (Exhibit 18C.)

13. The Applicant will install a grease interceptor, grease trap, or other system to collect used cooking oil within the interior of the ground-floor commercial space. The Applicant will utilize a licensed third-party recycling company for collection of the used cooking oil. (Exhibits 18A, 33.)

14. The Applicant will install a cooking ventilation system routed along the exterior of the existing building. Exhaust outlets will be located above the roofline and directed away from nearby residences. (Exhibit 18C.)

15. The Applicant will utilize a pest control service that will provide monthly extermination services including treatments for insects, spiders, and rodents performed by a licensed exterminator. (Exhibit 33.)

16. The Applicant will provide at least one trash receptacle in the customer waiting/pick-up area of the fast-food establishment and will install signage outside the building to discourage littering.

17. The Applicant will install security cameras outside the front of the premises and inside at the rear of the premises. (Exhibit 33.)

18. The subject property is located less than a quarter-mile north of the Georgia Avenue-Petworth Metrorail Station. Several Metrobus routes provide service along Georgia Avenue.[2]

19. The subject property provides racks for bicycle parking in two locations at the front and rear of the existing building.

20. Properties to the east of the subject property, fronting on Randolph Street and separated by the public alley from the Applicant's property, are located in a Residential Flat zone, RF-1. The area zoned RF-1 contains primarily two-story attached residential buildings.

21. The subject property and nearby properties fronting on Georgia Avenue are located in a Georgia Avenue Neighborhood Mixed-Use (NMU) zone, NMU-7B/GA.

22. The property abutting the subject property to the south contains an apartment house. The property to the west, across Georgia Avenue, contains a mixed-use building that was approved as a planned unit development.[3]

23. Other nearby properties contain a fast-food establishment with a drive-through, a six-story apartment house, and smaller retail and office buildings. The surrounding area is characterized as "a mixed-use commercial corridor, typified by a combination of residential, commercial, and mixed-use buildings of varying heights, scales, and architectural styles." (Exhibit 20.)

24. The Mixed-Use (MU) zones provide for mixed-use developments that permit a broad range of commercial, institutional, and multiple dwelling residential development at varying densities. (Subtitle G § 101.1.) The MU zones are designed to provide facilities for housing, shopping, and business needs, including residential, office, service, and employment centers. (Subtitle G § 101.2.)

25. The Mixed-Use (MU) zones are intended to:

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[2] The Zoning Regulations recognize Georgia Avenue, between 7th Street, N.W. (Archives Metrorail Station) and Eastern Avenue N.W., as a Metrobus corridor "served by high-frequency routes located entirely or partially within the District of Columbia" (see Subtitle C 702.1).

[3] See Zoning Commission Order No. 11-09 in Z.C. Case No. 11-09 (Duball Petworth, LLC; November 11, 2011) (Commission approved a consolidated planned unit development and related map amendment to GA/C-3-A for Lots 808 and 809 in Square 2905, 3830 Georgia Avenue, N.W., a site with a lot area of approximately 68,118 square feet). The approved PUD included a new grocery store (approximately 63,125 square feet), a residential component comprising 198 to 242 dwelling units in approximately 211,540 square feet of gross floor area, and two below-grade levels of vehicle parking spaces, comprising 84 spaces for the grocery store as well as parking spaces for the residential component at a ratio of approximately 0.6 spaces per dwelling unit. The Commission adopted conditions of approval that included implementation of specified transportation demand management measures.

(a) provide for the orderly development and use of land and structures in the MU zones, characterized by a mixture of land uses;

(b) provide for a varied mix of residential, employment, retail, service, and other related uses at appropriate densities and scale throughout the city;

(c) reflect a variety of building types, including, but not limited to, shop-front buildings which may include a vertical mixture of residential and non-residential uses, buildings made up entirely of residential uses, and buildings made up entirely of non-residential uses;

(d) encourage safe and efficient conditions for pedestrian and motor vehicle movement;

(e) ensure that infill development is compatible with the prevailing development pattern within the zone and surrounding areas;

(f) preserve and enhance existing commercial nodes and surroundings by providing an appropriate scale of development and range of shopping and service opportunities; and

(g) ensure that buildings and developments around fixed rail stations, transit hubs, and streetcar lines are oriented to support active use of public transportation and safety of public spaces.

(Subtitle G § 101.3.)

26. The MU-4 zone is intended (a) to permit low- to moderate-density mixed-use development, (b) to provide facilities for shopping and business needs, housing, and mixed uses for large segments of the District of Columbia outside of the central core, and (c) to be located in low- and moderate-density residential areas with access to main roadways or rapid transit stops, and include office employment centers, shopping centers, and moderate bulk mixed-use centers. (Subtitle G § 101.9.)

27. The MU-7 zones are intended (a) to permit moderate to medium density mixed-use development and (b) be located on arterial streets, in uptown and regional centers, and at rapid transit stops. (Subtitle G § 101.12.)

28. The Neighborhood Mixed-Use (NMU) zones are designed to provide for stable mixed-use areas permitting a range of commercial and multiple dwelling unit residential development in defined neighborhood commercial areas. (Subtitle H § 101.1.)

29. In addition to the purpose statements of the MU zones, the purposes of the Neighborhood Mixed-Use zones are to:
    (a) provide for a varied mix of residential, employment, retail, service, and other related uses in the area;

(b) encourage safe and efficient conditions for pedestrian and motor vehicle movement;

(c) preserve and enhance neighborhood shopping areas, by providing the scale of development and range of uses that are appropriate for neighborhood shopping and services;

(d) encourage a general compatibility in scale between new and older buildings;

(e) encourage retention and establishment of a variety of retail, entertainment, and personal service establishments, predominantly in a continuous pattern at ground level, to meet the needs of the surrounding area's residents, workers, and visitors;

(f) encourage a scale of development, a mixture of building uses, and other attributes, such as safe and efficient conditions for pedestrian and vehicular movement;

(g) identify designated roadways within NMU zones with limitations on driveways and curb cuts; and

(h) identify designated use areas within NMU zones within which use restriction shall apply to the ground floor.

(Subtitle H § 101.2.)

30. The purposes of the Georgia Avenue Neighborhood Mixed-Use zones (NMU-4/GA and NMU-7B/GA) are the same as those of the MU-4 and MU-7 zones (set forth in Subtitle G § 101) and of the Neighborhood Mixed-Use zones (stated in Subtitle H § 101) as well as to:

(a) implement the objectives of the Georgia Avenue - Petworth Metro Station Area and Corridor Plan, approved by the Council of the District of Columbia, effective July 20, 2006 (Res. 16-686);

(b) implement the goals of the Great Streets Framework Plan for 7th Street - Georgia Avenue, published by the District Department of Transportation and dated 2006;

(c) encourage additional residential uses along the Georgia Avenue corridor;

(d) encourage improved commercial uses;

(e) provide uniform building design standards;

(f) set guidelines for development review through planned unit development (PUD) and special exception proceedings; and

(g) encourage vertically mixed-uses (ground floor commercial and residential above) within a quarter mile of the Georgia Avenue - Petworth Metrorail Station along Georgia Avenue, from Park Road to Shepherd Street.

(Subtitle H § 800.1.)

31. The NMU-7B/GA zone is intended to permit mixed-use development at a medium density with a focus on employment, including additional residential uses above commercial uses. (Subtitle H § 800.3.)

CONCLUSIONS OF LAW AND OPINION

The Applicant requested a special exception under Subtitle H §§ 6007.1(e)(2) and 6009.1(c) to allow a new eating and drinking establishment use (fast food establishment) on the first floor of an existing six-story building in the NMU-7B/GA zone at 3831 Georgia Avenue, N.W. (Square 3028, Lot 59).[4] 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 also* Subtitle X § 901.2.)

Based on the findings of fact, and having given great weight to the recommendation of the Office of Planning and to the issues and concerns stated by ANC 4C, the Board determined that the proposed special exception use, operated consistent with the conditions of approval adopted in this order, met the requirements for approval of the application. The conditions include a term of approval of seven years to provide sufficient time for the Applicant to operate the planned fast-food establishment use, consistent with the conditions adopted in this order, and to address and

[4] The Zoning Regulations state use category that include "eating and drinking establishments" for uses involving the "sale of food, alcoholic drinks, or refreshments prepared on the premises and sold to customers for consumption on or off the premises." Examples of an eating and drinking establishment include a "prepared food shop, restaurant, fast food restaurant, or fast food drive through" (which are all terms defined in the Zoning Regulations) and may also include "bar, café, cafeteria, cocktail lounge, coffee shop, delicatessen, an ice cream parlor or nightclub." The eating and drinking establishment use category "does not include uses which more typically would fall within the sexually oriented business establishment use category." (Subtitle B § 200.2(i).)

The Zoning Regulations define a fast food restaurant as "A business, other than a prepared food shop, where food is prepared and served very quickly; and where the food is typically made of preheated or precooked ingredients, served to the customer in a packaged form for carry-out/take-away, although it may be eaten on site." Characteristics of a fast food establishment may include: (a) foods that are prepared by production-line techniques; (b) foods that are standardized foodstuffs shipped to a franchised establishment from central locations; (c) an establishment that includes trash receptacles located in the dining area for self-bussing of tables; (d) seating for customers; and (e) food served on disposable tableware. An establishment meeting the definition of a fast food restaurant will not be deemed to constitute any other use permitted under the Zoning Regulations, except that a restaurant, grocery store, movie theater, or other use providing carry out sales that is clearly subordinate to its principal use will not be deemed a fast-food establishment. (Subtitle B § 100.2.)

mitigate any potential adverse impacts associated with the use. The Board determined that a seven-year term of approval was appropriate in accordance with Subtitle X § 901.5 as sufficient time to inform a subsequent evaluation of the actual impact of the use on neighboring properties. The Board was not persuaded by the Applicant that a term of 10 years was appropriate in light of the Applicant's lease provisions or by ANC 4C that a shorter term of three to five years would be sufficient for an assessment of the actual impact of the use or consistent with the reasonable impacts on and expectations of the Applicant in setting a term of approval.

The Board is authorized under Subtitle H § 6009.1 to permit certain uses if approved as a special exception, subject to specific requirements.[5] The eligible uses in the NMU-7B/GA zone include an "eating and drinking establishment use that is a fast food establishment" subject to the requirements of Subtitle H § 6007.1(e). (Subtitle H § 6009.1(c).) Pursuant to Subtitle H § 6007.1(e), the Board is authorized to allow certain uses if approved by a special exception, subject to specific requirements. The eligible uses include eating and drinking establishment uses, including a fast food establishment consistent with the requirements stated in Subtitle H § 6007.1(e)(2). The requirements relevant in this proceeding are that (i) no part of the lot on which the use is located shall be within 25 feet of any Residential House (R), Residential Apartment (RA), or Residential Flat (RF) zone unless separated from those residential zones by a street or alley (Subtitle H § 6007.1(e)(2)(B)), (ii) if any lot line of the applicant's lot abuts an alley containing a zone boundary line for a residential zone, a continuous brick wall at least six feet high and 12 inches thick must be constructed and maintained on the lot along the length of that lot line, except in the case of a building that extends for the full width of its lot (Subtitle H § 6007.1(e)(2)(C)), (iii) any refuse dumpsters must be housed in a three-sided brick enclosure equal in height to the dumpster or six feet high, whichever is greater, with the entrance to the enclosure including an opaque gate that does not face an R, RA, or RF zone (Subtitle H § 6007.1(e)(2)(D)), (iv) the fast food establishment use must not include a drive-through (Subtitle H § 6007.1(e)(2)(E)), (v) the fast food establishment must not provide a customer entrance in the side or rear of a building that faces a street or alley containing a zone boundary line for a residential zone (Subtitle H § 6007.1(e)(2)(F)), and (vi) the fast food establishment use must be designed and operated so as not to become objectionable to neighboring properties because of noise, sounds, odors, lights, hours of operation, or other conditions (Subtitle H § 6007.1(e)(2)(G)).

The Board determined that the application satisfied the requirements stated in Subtitle H §§ 6007.1(e)(2)(B)-(F) for approval of a special exception to allow a fast-food establishment use in accordance with Subtitle H § 6009.1(c).[6] The Applicant's planned fast-food establishment use will be operated on the ground floor of an existing building on a lot that is located within 25 feet of a Residential Flat zone. However, the subject property is separated from the nearby RF-1 zone by a public alley. That alley, which abuts the rear lot line of the Applicant's lot, contains a zone boundary line separating the RF-1 zone to the east from the NMU-7B/GA zone where the subject property is located. The Applicant's building lacks side yards and thus extends for the full width

[5] The subject property is located in the NMU-7B/GA zone, which is included in Use Group C (see Subtitle H § 6000.8). The uses permitted by special exception in NMU Use Group C are stated in Subtitle H § 6009.1.

[6] The requirement stated in Subtitle H § 6007.1(e)(2)(A) – that the eating and drinking establishment use is not permitted in the MU-4/WP [Woodley Park] zone – is not relevant to this application.

of its lot, obviating the need for a brick wall maintained along the length of the rear lot line abutting the alley. The planned fast-food establishment will not utilize a dumpster, eliminating the need for an enclosure. The establishment will not provide a drive-through or any entrance for customers in the side or the rear of the existing building.

The Board concluded that the application satisfied the requirements stated in Subtitle H § 6007.1(e)(2)(G) for approval of the requested special exception based on its determination that the operation of the proposed fast-food establishment use, consistent with the conditions of approval adopted in this order, will not become objectionable to neighboring properties because of noise, sounds, odors, lights, hours of operation, or other conditions. The Applicant's planned fast-food establishment use will occur inside an existing building, without providing outdoor seating, thereby avoiding the creation of objectionable conditions relating to noise or sound. The Board noted that the Applicant agreed with ANC 4C that the planned fast-food establishment will conduct its operations and maintain its equipment so that sound originating from the premises will "not exceed 55 decibels inside any nearby residence when the doors of the premises and of the residence are closed." (Exhibits 33, 39.)

The Applicant will install and utilize a ventilation system designed to exhaust cooking odors effectively without creating adverse impacts on nearby residences. The fast-food establishment will utilize the building's internal trash room, which will minimize odors, discourage vermin and other pests, and avoid trash containers that might otherwise hinder vehicle traffic in the public alley. Other potential adverse impacts related to odors will be mitigated by conditions of approval that create requirements for the frequent collection of waste materials. Any exterior lighting installed in connection with the fast-food establishment will be directed away from the windows of nearby residential buildings, thereby avoiding the creation of potential adverse impacts related to lighting.

The Applicant proposed hours of operation based on factors including the expected clientele and the hours of operation of similar businesses in the area. The Board generally agreed, except with respect to late-night hours on weekdays, when a closing time of midnight (rather than 3:00 a.m. as proposed) will mitigate potential adverse impacts on nearby dwellings, including with respect to possible noise associated with patrons or food delivery services. The conditions of approval of the requested special exception also require the Applicant to implement measures to address and avoid the creation of potential adverse impacts related to rodents and other pests.

The Board determined that approval of the application would not result in adverse impacts related to deliveries to the subject property in connection with the fast-food establishment use. The persons in opposition raised objections based on their observations of current conditions on Georgia Avenue, especially the lack of a dedicated loading zone at the subject property as well as allegations of double-parking and congestion due to the proximity to a Metrorail station and bus traffic. The Board was not persuaded that approval of the application would create adverse impacts with respect to deliveries, noting that the subject property abuts an alley along its rear lot line, which provides an off-street area for deliveries to the site. Deliveries to the fast-food establishment are not likely to interfere with deliveries or other truck traffic associated with the 20 apartments

located in the upper stories of the building at the subject property because the building owner was obligated, as a condition of approval of the parking relief in approved in 2016, to implement a transportation management plan and to restrict loading activities associated with residents of the building.[7] The planned unit development located across Georgia Avenue was also approved with conditions requiring the implementation of specified transportation demand management measures for the project, which complied with applicable zoning requirements for loading for both the grocery store and residential components of the project.[8] Under the circumstances, the Board credited the testimony of DDOT that the Applicant's proposal might lead to "a minor increase in vehicle, transit, pedestrian, and bicycle trips on the localized transportation network" as well as "increased pick-up and drop-off activity and slightly reduced availability of on-street parking within the immediate area." (Exhibit 19.) The Board noted DDOT's suggestion that the Applicant "should coordinate with DDOT to mitigate the potential impact of delivery trips to the site" to avoid impacts on traffic on Georgia Avenue, where "DDOT is currently constructing bus-only lanes" (Exhibit 19) and that the Applicant described measures already underway with DDOT to address curbside management along the Georgia Avenue frontage (see Exhibit 32).

Review standards. For the reasons already discussed, the Board concluded that approval of the application will not tend to affect adversely the use of neighboring property in accordance with the Zoning Regulations and Zoning Maps, consistent with Subtitle X § 901.2(b). The Board also concluded that approval of the application will be in harmony with the general purpose and intent of the Zoning Regulations and Zoning Maps, in accordance with Subtitle X § 901.2(a). The Applicant's proposal is consistent with the intent of the Georgia Avenue Neighborhood Mixed-Use (NMU-7B/GA) zone to permit mixed-use development at a medium density with a focus on employment, including additional residential uses above commercial uses. Approval of the application is consistent with the purposes of the Georgia Avenue Neighborhood Mixed-Use zones, especially with respect to encouraging improved commercial uses as well as vertically mixed-uses (ground floor commercial and residential above) along Georgia Avenue within a quarter mile of the Georgia Avenue - Petworth Metrorail Station. The Applicant's proposal will further the intent of the Neighborhood Mixed-Use (NMU) zones to provide for stable mixed-use areas permitting a range of commercial and multiple dwelling unit residential development in defined neighborhood commercial areas, as well as the purposes of the NMU zones to provide for a varied mix of residential, employment, retail, service, and other related uses in the area; preserve and enhance neighborhood shopping areas by providing a scale of development and range of uses appropriate for neighborhood shopping and services; and encourage retention and establishment

[7] The conditions of approval adopted by the Board in the 2016 order included a provision requiring the Applicant to schedule no more than two moves in or out by residents on a single day and to schedule major loading and off-loading activities during off-peak parking periods on weekdays and weekends. See Application No. 19038 (Murillo Malnati Group, LLC; September 13, 2016).

[8] The PUD application did not seek flexibility from applicable loading requirements, which the Commission's order stated as one loading berth at 30 feet deep, one loading platform at 100 square feet, one loading platform at 200 square feet, and one service/delivery space at 20 feet deep for a grocery store with 20,000 to 100,000 square feet of gross floor area (§ 2201.1) and one loading berth at 55 feet deep, one loading platform at 200 square feet, and one service/delivery loading space at 20 feet deep for an apartment house or multiple dwelling with 50 or more dwelling units (§ 2201.1). See Zoning Commission Order No. 11-09 in Z.C. Case No. 11-09 (Duball Petworth, LLC; November 11, 2011).

of a variety of retail, entertainment, and personal service establishments, predominantly in a continuous pattern at ground level, to meet the needs of the surrounding area's residents, workers, and visitors.

Approval of the requested special exception is also consistent with the purposes of the Mixed-Use (MU) zones to provide for mixed-use developments that permit a broad range of commercial, institutional, and multiple dwelling residential development at varying densities, encompassing facilities for housing, shopping, and business needs, including residential, office, service, and employment centers. Approval of the application will further the intent of the MU zones to provide for the orderly use of land and structures, characterized by a mixture of land uses; to provide for a varied mix of residential, employment, retail, service, and other related uses at appropriate densities and scale; and to preserve and enhance existing commercial nodes and surroundings by providing an appropriate scale of development and range of shopping and service opportunities. Consistent with the intent of the MU-7 zone, approval of the requested special exception will permit moderate to medium density mixed-use development located on an arterial street.

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 agreed with OP's recommendation to approve the application.

The Board is also required to give "great weight" to the issues and concerns raised by an 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)).) The Board is directed to accord "great weight" only to the issues and concerns of the affected ANC that are legally relevant to the application at issue. *See Concerned Citizens of Brentwood v. District of Columbia Bd. of Zoning Adjustment*, 634 A.2d 1234, 1241 (D.C. 1993), *citing Bakers Local 118 v. District of Columbia Bd. of Zoning Adjustment*, 437 A.2d 176, 180 (D.C. 1981) (the "great weight" requirement extends only to "issues and concerns that are legally relevant").

In this case, ANC 4C adopted a resolution recommending denial of the application on the grounds that the proposed fast-food establishment use (i) "would not be sufficiently varied from other uses in the immediate area" (which the ANC alleged would be contrary to Subtitle G § 101.3(b) and Subtitle H § 101.2(a)), (ii) "would decrease pedestrian [and] traffic safety and traffic efficiency" (Subtitle G § 101.3(d), Subtitle H § 101.2(b)), (iii) "would threaten existing uses nearby" (Subtitle H §§ 101.2(c) and (e)), (iv) "would detract from the needs of … residents, due to an extraction of wealth" (Subtitle H § 101.2(e)), (v) "would not meet the needs of … workers" (Subtitle H § 101.2(e)), (vi) "would degrade the local shopping area (due to litter and chicken waste)" (Subtitle H § 101.2(c)), (vii) "would discourage residential uses along the Georgia Avenue corridor due to sensory disturbances, litter, and lack of local character" (Subtitle H §§ 800.1(c) and (g)), (viii) "would discourage additional commercial uses, by encouraging landlords to hold out for high-budget establishments … rather than make their spaces available to local establishments" (Subtitle H § 800.1(g)), and (ix) "would be objectionable to neighboring properties due to noise, lights, hours of operation, odors, and litter" (Subtitle H § 6007.1(e)(2)(G)." (Exhibit 21.) While reiterating its opposition to approval of the application, ANC 4C commented favorably on some

of the conditions of approval proposed by the Applicant. (Exhibit 39.) ANC 4C generally supported the Applicant's proposed conditions with respect to pest control, grease management and odor, trash storage, installation of anti-littering signage, and the provision of a trash receptacle for customers, lighting, and security cameras.

The Board adopted several conditions of approval based on comments provided by ANC 4C, including conditions requiring the Applicant to collect any litter associated with the fast-food establishment from the abutting sidewalks each day and to designate a liaison to serve as a community contact. However, the Board found no basis to adopt some of the conditions recommended by ANC 4C. The Board declined to require the owner of the building at the subject property to designate a separate liaison because the two roles would be unnecessarily redundant in addressing any issues relating to the operation of the fast-food establishment.[9] Other conditions proposed by ANC 4C did not identify a potential adverse impact related to the zoning relief requested that was within the Board's purview in deliberating on the application or provide an adequate basis for the Board to determine that the recommended conditions were reasonable and necessary to mitigate any potential adverse impact. These included conditions proposed by ANC 4C that would have addressed non-zoning matters governed by other statutes and regulations, such as the enforcement of traffic violations and minimum wage requirements for employees of the fast-food establishment.

Implicit in the Board's power to grant special exceptions is the authority to place reasonable conditions on that approval. Because the zoning regulations require that a use permitted by special exception must meet the requirements for approval of that special exception, the Board is authorized in approving an application to ensure, by imposing appropriate requirements on the applicant that "so far as reasonably possible, objectionable conditions such as those enumerated in the regulation will be avoided." *President and Directors of Georgetown College v. District of Columbia Bd. of Zoning Adjustment*, 837 A.2d 58, 69 (D.C. 2003) (citations omitted). However, any conditions of approval adopted by the Board should not involve the Board in the "details and mechanics" of an applicant's operations, in matters "in which a zoning body lacks any specialized competence" that are "far removed from the BZA's expertise and area of responsibility." *President and Directors of Georgetown College* at 77. Personal conditions of approval that impermissibly regulate the business conduct of the property owner, rather than the use of the property, are unlawful *per se*; conditions that regulate the use of property are permissible but must be based on reliable, probative, and substantial evidence in the record as a whole. *National Black Child Development Institute, Inc. v. District of Columbia Bd. of Zoning Adjustment*, 483 A.2d 687, 691-692 (D.C. 1984).

The Board did not determine that the issues and concerns stated by ANC 4C provided persuasive advice to support a conclusion that the application should be denied. The Board did not agree with

[9] See Subtitle A §§ 303.3-303.5 (if a building permit or certificate of occupancy is issued under the authority of a decision of the Board of Zoning Adjustment to approve a special exception, each condition to the approval of the special exception must be treated as a condition to the issuance of a building permit or certificate of occupancy; any person who controls or uses a building or part of a building must comply with any condition to the issuance of a building permit or certificate of occupancy for the building or part of the building).

ANC 4C that the proposed fast-food establishment use "would not be sufficiently varied from other uses in the immediate area." The provisions cited by ANC 4C, which convey information about aspects the MU and NMU zones, refer to an intent to provide a "varied mix of residential, employment, retail, service, and other related uses at appropriate densities and scale" throughout the relevant zones but do not preclude or require specific uses for specific sites within the zones.

Similarly, for the reasons already discussed, the Board was not persuaded by ANC 4C's unsubstantiated claims that approval of the requested special exception, subject to the conditions of approval adopted in this order, would create adverse impacts with respect to pedestrian and vehicle traffic, trash, or by threatening nearby uses and detracting from neighborhood character. Other concerns stated by ANC 4C were not germane to the zoning criteria for approval of the requested special exception and therefore were outside the scope of the Board's purview in this proceeding, including unspecified and unsubstantiated claims about the needs of residents and workers and about creating incentives for "high-budget establishments," as alleged by ANC 4C. The criteria for approval of the special exception are stated in Subtitle H §§ 6007.1(e)(2) and 6009.1(c), not in the purpose provisions cited by ANC 4C. The purpose provisions are relevant to the Board's assessment of an application, especially with respect to harmony with the zone plan, but in evaluating a request for a special exception, the Board is limited to a determination of whether the special exception meets the requirements of the particular regulation on which the application is based; the applicant has the burden of showing that the proposal complies with the regulation but once that showing has been made "the Board ordinarily must grant [the] application." *French v. District of Columbia Bd. of Zoning Adjustment*, 658 A.2d 1023, 1032-33 (D.C. 1995) (citations omitted); see also *National Cathedral Neighborhood Ass'n v. District of Columbia Bd. of Zoning Adjustment*, 753 A.2d 984 (D.C. 2000).

Based on the findings of fact and conclusions of law, the Board concluded that the Applicant has satisfied the burden of proof for a special exception under Subtitle H §§ 6007.1(e)(2) and 6009.1(c) to allow a new eating and drinking establishment use (fast food establishment) on the first floor of an existing six-story building (dwelling units above ground-floor retail space) in the NMU-7B/GA Zone at 3831 Georgia Avenue, N.W. (Square 3028, Lot 59). Accordingly, it is **ORDERED** that the application is **GRANTED** subject to the following **CONDITIONS**:

1. Term. Approval of the special exception shall be for a term of seven years, beginning on the date this order became final.

2. Hours of operation. The hours of operation of the fast-food establishment use shall not exceed 10:00 a.m. to 12:00 a.m. (midnight) Sunday through Thursday and 10:00 a.m. to 3:00 a.m. on Fridays and Saturdays.

3. Pest control. The Applicant shall utilize a professional pest control service providing, at a minimum, monthly extermination services including treatment for insects, spiders, and rodents, performed by a licensed exterminator.

4. The Applicant shall exercise care in its handling of garbage, waste, and refuse, and shall remove such materials from the building as frequently as necessary to prevent pests from entering the premises or surrounding areas. The Applicant shall promptly undertake appropriate measures necessary to address issues related to pests that are reasonably attributable to the fast-food establishment operation.

5. Grease management. The Applicant shall install and maintain a grease interceptor, grease trap, or equivalent system in accordance with applicable code requirements and shall ensure the regular collection and recycling of used cooking oil by a licensed third-party provider.

6. The Applicant shall have hoods and exhaust systems of the fast-food establishment inspected and serviced at least quarterly using commercially licensed providers.

7. Trash storage. The Applicant shall store all trash attendant to the fast-food establishment use within the building's existing internal trash room and shall not utilize any trash storage outside the building.

8. The Applicant shall ensure adequate trash storage capacity and odor control in connection with the use of the internal trash storage room. The Applicant shall maintain unobstructed access for trash collection from the public alley.

9. The Applicant shall arrange for trash collection at least four times per week, increasing the frequency of collection if necessary based on waste generation and operational experience.

10. Delivery management. When allowed by a delivery platform, the Applicant shall provide pickup instructions reminding delivery drivers to comply with all applicable traffic and parking laws and to avoid obstructing travel lanes, sidewalks, driveways, and neighboring properties.

11. Outdoor lighting. The Applicant shall ensure that any exterior lighting fixtures installed attendant to the fast-food establishment use shall be directed away from residential windows except as needed for the safe operation of the premises and consistent with applicable law.

12. Security cameras. The Applicant shall install security cameras to monitor the fast-food establishment operation, including at least one camera on the front exterior and one camera on the rear interior of the premises.

13. Litter collection. The Applicant shall collect any outdoor litter associated with the fast-food establishment from the adjacent sidewalks at least once per day.

14. Anti-littering signage. The Applicant shall install and maintain at least one anti-littering sign in the customer waiting/pick-up area of the fast-food establishment and at least one anti-littering sign outside the building, consistent with applicable sign regulations, to discourage littering in and around the property.

15. Community liaison. The Applicant shall designate a representative to serve as a liaison to address operational questions or concerns related to the fast-food establishment. The Applicant shall provide the liaison's name and contact information to ANC 4C. The Applicant shall ensure that the liaison attends a public meeting of ANC 4C at least quarterly for the first year of operation of the fast-food establishment and at least semi-annually thereafter.

VOTE: **3-1-1** (Michelle Pourciau, Paul Goldstein, and Robert E. Miller voting to APPROVE; Melissa Lindsjo opposed; one Board seat vacant)

BY ORDER OF THE D.C. BOARD OF ZONING ADJUSTMENT
A majority of the Board members approved the issuance of this order.

FINAL DATE OF ORDER: September 16, 2026

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.

GOVERNMENT OF THE DISTRICT OF COLUMBIA
BOARD OF ZONING ADJUSTMENT

BZA Application No. 21471
Station 4 Properties, LLC
4654 Hillside Road, SE (Square 5362, Lot 65)

HEARING DATE: September 9, 2026
DECISION DATE: September 9, 2026

SUMMARY ORDER

RELIEF REQUESTED. The application requests the following relief in order to construct a third dwelling unit and convert to an apartment house, a semi-detached two-story plus basement residential flat in the R-2 zone:

- Use variance from the matter-of-right uses of Subtitle U § 201, pursuant to Subtitle X § 1002.1(b)

The application was accompanied by a memorandum from the Zoning Administrator, certifying the required relief. (Exhibit 4 (cover) and Exhibit 20 (notes and computations).)

PARTIES. The parties to this case were the Applicant and Advisory Neighborhood Commission ("**ANC**") 7E, the "affected ANC" pursuant to Subtitle Y §§ 101.8 and 403.5(b) of the Zoning Regulations (Title 11 of the DCMR, Zoning Regulations of 2016, to which all references are made unless otherwise specified).

NOTICE OF THE APPLICATION AND PUBLIC HEARING. The Board of Zoning Adjustment (the "**Board**") referred the application to the appropriate agencies and provided proper and timely notice of the public hearing in accordance with Subtitle Y § 402.1.

ANC REPORT. The ANC submitted a letter indicating they were neither in support nor opposition of the Application. (Exhibit 29.)[1]

OFFICE OF PLANNING ("OP") REPORT. OP submitted a report recommending approval of the application. (Exhibit 28.)

DISTRICT DEPARTMENT OF TRANSPORTATION ("DDOT") REPORT. DDOT did not submit a report to the record.

[1] The ANC letter did not meet the requirements to be afforded "great weight" under Subtitle Y § 406.2. The Board nonetheless considered the ANC's position on the application.

PERSONS IN SUPPORT. The Board received two letters from nearby neighbors in support of the Application. (Exhibits 8 and 9.)

CONCLUSIONS

Pursuant to Subtitle Y § 604.3, the order of the Board may be in summary form where granting an application when there was no party in opposition. As a summary order, it does not constitute binding legal precedent on the Board and shall not be considered by the Board in evaluating future applications.

Based upon the record before the Board, and having given great weight to the appropriate reports and recommendations filed in this case, the Board concludes that the Applicant has met the burden of proof that the requested variance relief can be granted because:

- There exists an exceptional or extraordinary situation or condition related to the property;
- The exceptional condition creates a practical difficulty, in the case of an area variance, or an undue hardship, in the case of a use variance, in complying with the Zoning Regulations;
- The relief can be granted without substantial detriment to the public good; and
- The relief can be granted without substantially impairing the intent, purpose, and integrity of the zone plan as embodied in the Zoning Regulations and Map.

DECISION

Based on the case record and the testimony at the hearing, the Board concludes that the applicant has satisfied the burden of proof for the requested relief:

- Use variance from the matter-of-right uses of Subtitle U § 201, pursuant to Subtitle X § 1002.1(b)

Accordingly, it is **ORDERED** that the application is **GRANTED** consistent with the plans shown in Exhibits 2 and 26G (existing first level plan) of the record, as required under Subtitle Y §§ 604.9 and 604.10.

VOTE: **4-0-1** (Paul Goldstein, Michelle Pourciau, Robyn Jackson Wells, and Anthony J. Hood to APPROVE; Melissa Lindsjo not present, 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: September 15, 2026

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, AN APPLICATION FOR A BUILDING PERMIT FOR THE ERECTION OR ALTERATION APPROVED IS FILED WITH THE DEPARTMENT OF BUILDINGS FOR THE PURPOSE OF SECURING A BUILDING PERMIT, OR A REQUEST FOR A TIME EXTENSION PURSUANT TO SUBTITLE Y § 705 IS FILED PRIOR TO THE EXPIRATION OF THE TWO-YEAR PERIOD AND THE REQUEST IS GRANTED. PURSUANT TO SUBTITLE Y § 703.10, 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.

IN ACCORDANCE WITH THE D.C. HUMAN RIGHTS ACT OF 1977, AS AMENDED, D.C. OFFICIAL CODE § 2-1401.01 *ET SEQ.* (ACT), THE DISTRICT OF COLUMBIA DOES NOT DISCRIMINATE ON THE BASIS OF ACTUAL OR PERCEIVED: RACE, COLOR, RELIGION, NATIONAL ORIGIN, SEX, AGE, MARITAL STATUS, PERSONAL APPEARANCE, SEXUAL ORIENTATION, GENDER IDENTITY OR EXPRESSION, FAMILIAL STATUS, FAMILY RESPONSIBILITIES, MATRICULATION, POLITICAL AFFILIATION, GENETIC INFORMATION, DISABILITY, SOURCE OF INCOME, OR PLACE OF RESIDENCE OR BUSINESS. SEXUAL HARASSMENT IS A FORM OF SEX DISCRIMINATION WHICH IS PROHIBITED BY THE ACT. IN ADDITION, HARASSMENT BASED ON ANY OF THE ABOVE PROTECTED CATEGORIES IS PROHIBITED BY THE ACT. DISCRIMINATION IN VIOLATION OF THE ACT WILL NOT BE TOLERATED. VIOLATORS WILL BE SUBJECT TO DISCIPLINARY ACTION.

GOVERNMENT OF THE DISTRICT OF COLUMBIA
BOARD OF ZONING ADJUSTMENT

BZA Application No. 21480
Julia Oliver and Ian Hoffman
1808 Kilbourne Place, N.W. (Square 2599, Lot 66)

HEARING DATE: September 9, 2026
DECISION DATE: September 9, 2026

SUMMARY ORDER

RELIEF REQUESTED. The application requests the following relief in order to construct a one-story plus roof deck accessory garage in the rear yard of an existing, attached, two-story plus cellar, principal dwelling unit in the RF-1 zone:

- Special Exception from the lot occupancy requirements of Subtitle E § 210.1, pursuant to Subtitle E § 5201 and Subtitle X § 901.2 *(60% maximum permitted, 51.8% existing, 69.1% proposed)*

The zoning relief requested in this case was self-certified. (Exhibit 15.)

PARTIES. The parties to this case were the Applicant and Advisory Neighborhood Commission ("**ANC**") 1D, the "affected ANC" pursuant to Subtitle Y §§ 101.8 and 403.5(b) of the Zoning Regulations (Title 11 of the DCMR, Zoning Regulations of 2016, to which all references are made unless otherwise specified).

NOTICE OF THE APPLICATION AND PUBLIC HEARING. The Board of Zoning Adjustment (the "**Board**") referred the application to the appropriate agencies and provided proper and timely notice of the public hearing in accordance with Subtitle Y § 402.1.

ANC REPORT. ANC 1D did not submit an official report to the record for this application. Omar Parbhoo, ANC 1D Chair and Single Member District Commissioner for 1D-05, submitted a letter to the record on his own behalf. He expressed his support for the application and noted that the owners and their builder have engaged with the ANC on this project. (Exhibit 29.)

OFFICE OF PLANNING ("OP") REPORT. OP submitted two reports to the record:

- The original report, dated August 26, 2026, recommended approval of the application. (Exhibit 21.)
- The supplemental report, dated September 3, 2026, also recommended approval, but was revised to eliminate the original report's analysis of Subtitle E § 5003 relief no longer applicable under ZC Order No. 25-12. (Exhibit 27.)

DISTRICT DEPARTMENT OF TRANSPORTATION ("DDOT") REPORT. DDOT submitted a report indicating that it had no objection to the application because it concluded that the relief would not result in any adverse impacts to the District's transportation network. (Exhibit 22.)

PERSONS IN SUPPORT. The Board received five letters in the record from neighbors in support of the application. (Exhibits 20; 23-26.)

CONCLUSIONS

Pursuant to Subtitle Y § 604.3, the order of the Board may be in summary form where granting an application when there was no party in opposition. As a summary order, it does not constitute binding legal precedent on the Board and shall not be considered by the Board in evaluating future applications.

Based upon the record before the Board, and having given great weight to the appropriate reports and recommendations filed in this case, the Board concludes that the Applicant has met the burden of proof that the requested special exception relief can be granted because:

- It is in harmony with the general purpose and intent of the Zoning Regulations and Map;
- It will not tend to affect adversely the use of neighboring property; and
- Pursuant to Subtitle X § 901.2(c), the relief satisfies the specified conditions for special exception relief.

DECISION

Based on the case record and the testimony at the hearing, the Board concludes that the applicant has satisfied the burden of proof for the requested relief:

- Special Exception from the lot occupancy requirements of Subtitle E § 210.1, pursuant to Subtitle E § 5201 and Subtitle X § 901.2 *(60% maximum permitted, 51.8% existing, 69.1% proposed)*

Accordingly, it is **ORDERED** that the application is **GRANTED** consistent with the plans shown in Exhibit 13 of the record, as required under Subtitle Y §§ 604.9 and 604.10.

VOTE: **4-0-1** (Michelle Pourciau, Paul Goldstein, Robyn Jackson Wells, and Anthony J. Hood to APPROVE; Melissa Lindsjo not present, 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: September 15, 2026

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, AN APPLICATION FOR A BUILDING PERMIT FOR THE ERECTION OR ALTERATION APPROVED IS FILED WITH THE DEPARTMENT OF BUILDINGS FOR THE PURPOSE OF SECURING A BUILDING PERMIT, OR A REQUEST FOR A TIME EXTENSION PURSUANT TO SUBTITLE Y § 705 IS FILED PRIOR TO THE EXPIRATION OF THE TWO-YEAR PERIOD AND THE REQUEST IS GRANTED. PURSUANT TO SUBTITLE Y § 703.10, 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.

IN ACCORDANCE WITH THE D.C. HUMAN RIGHTS ACT OF 1977, AS AMENDED, D.C. OFFICIAL CODE § 2-1401.01 *ET SEQ.* (ACT), THE DISTRICT OF COLUMBIA DOES NOT DISCRIMINATE ON THE BASIS OF ACTUAL OR PERCEIVED: RACE, COLOR, RELIGION, NATIONAL ORIGIN, SEX, AGE, MARITAL STATUS, PERSONAL APPEARANCE, SEXUAL ORIENTATION, GENDER IDENTITY OR EXPRESSION, FAMILIAL STATUS, FAMILY RESPONSIBILITIES, MATRICULATION, POLITICAL AFFILIATION, GENETIC INFORMATION, DISABILITY, SOURCE OF INCOME, OR PLACE OF RESIDENCE OR BUSINESS. SEXUAL HARASSMENT IS A FORM OF SEX DISCRIMINATION WHICH IS PROHIBITED BY THE ACT. IN ADDITION, HARASSMENT BASED ON ANY OF THE ABOVE PROTECTED CATEGORIES IS PROHIBITED BY THE ACT. DISCRIMINATION IN VIOLATION OF THE ACT WILL NOT BE TOLERATED. VIOLATORS WILL BE SUBJECT TO DISCIPLINARY ACTION.

GOVERNMENT OF THE DISTRICT OF COLUMBIA
BOARD OF ZONING ADJUSTMENT

BZA Application No. 21481
Hunter Lowe, Estate Executor
4610 Verplanck Place, NW (Square 1555, Lot 847)

HEARING DATE: September 9, 2026
DECISION DATE: September 9, 2026

SUMMARY ORDER

RELIEF REQUESTED. The application requests the following relief in order to construct a one-story rear and side addition, to an existing, detached, two-story, principal dwelling unit in the R-1B zone:

- Special exception from the nonconforming side yard extension requirements of Subtitle D § 208.7, pursuant to Subtitle D § 5201 and Subtitle X § 901.2 (*8 feet minimum required, 1 foot existing and proposed)*

The application was accompanied by a memorandum from the Zoning Administrator, certifying the required relief. (Exhibit 3.)

PARTIES. The parties to this case were the Applicant and Advisory Neighborhood Commission ("**ANC**") 3E, the "affected ANC" pursuant to Subtitle Y §§ 101.8 and 403.5(b) of the Zoning Regulations (Title 11 of the DCMR, Zoning Regulations of 2016, to which all references are made unless otherwise specified).

NOTICE OF THE APPLICATION AND PUBLIC HEARING. The Board of Zoning Adjustment (the "**Board**") referred the application to the appropriate agencies and provided proper and timely notice of the public hearing in accordance with Subtitle Y § 402.1.

ANC REPORT. The ANC submitted a letter indicating that they did not have evidence to believe the application would unduly burden neighboring properties nor any specific issues or concerns. (Exhibit 24.) The letter noted they had not heard from neighboring properties and thus were neither in support nor opposition to the application.[1] The letter requested the Applicant install at least one rain barrel to mitigate the loss of permeable space. The Board did not adopt this as a condition of the order.

OFFICE OF PLANNING ("OP") REPORT. OP submitted a report recommending approval of the application. (Exhibit 20.)

[1] The letter did not meet the requirements to be afforded "great weight" under Subtitle Y § 406.2. The Board nonetheless considered the ANC's position on the application.

DISTRICT DEPARTMENT OF TRANSPORTATION ("DDOT") REPORT. DDOT did not submit a report to the record.

CONCLUSIONS

Pursuant to Subtitle Y § 604.3, the order of the Board may be in summary form where granting an application when there was no party in opposition. As a summary order, it does not constitute binding legal precedent on the Board and shall not be considered by the Board in evaluating future applications.

Based upon the record before the Board, and having given great weight to the appropriate reports and recommendations filed in this case, the Board concludes that the Applicant has met the burden of proof that the requested special exception relief can be granted because:

- It is in harmony with the general purpose and intent of the Zoning Regulations and Map;
- It will not tend to affect adversely the use of neighboring property; and
- Pursuant to Subtitle X § 901.2(c), the relief satisfies the specified conditions for special exception relief.

DECISION

Based on the case record and the testimony at the hearing, the Board concludes that the applicant has satisfied the burden of proof for the requested relief:

- Special exception from the nonconforming side yard extension requirements of Subtitle D § 208.7, pursuant to Subtitle D § 5201 and Subtitle X § 901.2 (*8 feet minimum required, 1 foot existing and proposed)*

Accordingly, it is **ORDERED** that the application is **GRANTED** consistent with the plans shown in Exhibit 7 of the record, as required under Subtitle Y §§ 604.9 and 604.10,

VOTE: **4-0-1** (Paul Goldstein, Anthony J. Hood, Michelle Pourciau, and Robyn Jackson Wells to APPROVE; Melissa Lindsjo not present, 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: September 15, 2026

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, AN APPLICATION FOR A BUILDING PERMIT FOR THE ERECTION OR ALTERATION APPROVED IS FILED WITH THE DEPARTMENT OF BUILDINGS FOR THE PURPOSE OF SECURING A BUILDING PERMIT, OR A REQUEST FOR A TIME EXTENSION PURSUANT TO SUBTITLE Y § 705 IS FILED PRIOR TO THE EXPIRATION OF THE TWO-YEAR PERIOD AND THE REQUEST IS GRANTED. PURSUANT TO SUBTITLE Y § 703.10, 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.

IN ACCORDANCE WITH THE D.C. HUMAN RIGHTS ACT OF 1977, AS AMENDED, D.C. OFFICIAL CODE § 2-1401.01 *ET SEQ.* (ACT), THE DISTRICT OF COLUMBIA DOES NOT DISCRIMINATE ON THE BASIS OF ACTUAL OR PERCEIVED: RACE, COLOR, RELIGION, NATIONAL ORIGIN, SEX, AGE, MARITAL STATUS, PERSONAL APPEARANCE, SEXUAL ORIENTATION, GENDER IDENTITY OR EXPRESSION, FAMILIAL STATUS, FAMILY RESPONSIBILITIES, MATRICULATION, POLITICAL AFFILIATION, GENETIC INFORMATION, DISABILITY, SOURCE OF INCOME, OR PLACE OF RESIDENCE OR BUSINESS. SEXUAL HARASSMENT IS A FORM OF SEX DISCRIMINATION WHICH IS PROHIBITED BY THE ACT. IN ADDITION, HARASSMENT BASED ON ANY OF THE ABOVE PROTECTED CATEGORIES IS PROHIBITED BY THE ACT. DISCRIMINATION IN VIOLATION OF THE ACT WILL NOT BE TOLERATED. VIOLATORS WILL BE SUBJECT TO DISCIPLINARY ACTION.

GOVERNMENT OF THE DISTRICT OF COLUMBIA
BOARD OF ZONING ADJUSTMENT

BZA Application No. 21489
BIG 1401 NY OWNER, LLC
1401 New York Avenue, N.W. (Square 222, Lot 24)

HEARING DATE: September 16, 2026
DECISION DATE: September 16, 2026

SUMMARY ORDER

RELIEF REQUESTED. The application requests the following relief in order to expand an existing habitable penthouse in the area around the White House (2,700 square feet of new interior habitable penthouse space including a tenant lounge and multipurpose room) of an existing 12-story commercial building (plus roof deck and below-grade parking) in the D-6 zone:

- Special Exception under the penthouse habitable space requirements of Subtitle C § 1501.1(e), pursuant to Subtitle X § 901.2

The zoning relief requested in this case was self-certified. (Exhibit 22 (Final Amended); Exhibit 4 (Original).)[1]

PARTIES. The parties to this case were the Applicant and Advisory Neighborhood Commission ("**ANC**") 2C, the "affected ANC" pursuant to Subtitle Y §§ 101.8 and 403.5(b) of the Zoning Regulations (Title 11 of the DCMR, Zoning Regulations of 2016, to which all references are made unless otherwise specified).

NOTICE OF THE APPLICATION AND PUBLIC HEARING. The Board of Zoning Adjustment (the "**Board**") referred the application to the appropriate agencies and provided proper and timely notice of the public hearing in accordance with Subtitle Y § 402.1.

ANC REPORT. The ANC's report indicated that at a regularly scheduled, properly noticed public meeting on April 14, 2026, at which a quorum was present, the ANC voted to support the application. (Exhibit 23.) The ANC report raised no issues or concerns.

OFFICE OF PLANNING ("OP") REPORT. OP submitted a report recommending approval of the application. (Exhibit 27.)

DISTRICT DEPARTMENT OF TRANSPORTATION ("DDOT") REPORT. DDOT did not submit a report to the record for this application.

[1] The application was amended to correct the citation for the requested relief from C-1501.1(*d*) to C-1501.1(*e*). (See Exhibit 22.)

OTHER PUBLIC INPUT. The Board received a letter from the U.S. Secret Service in support of the application. (Exhibit 13.)

CONCLUSIONS

Pursuant to Subtitle Y § 604.3, the order of the Board may be in summary form where granting an application when there was no party in opposition. As a summary order, it does not constitute binding legal precedent on the Board and shall not be considered by the Board in evaluating future applications.

Based upon the record before the Board, and having given great weight to the appropriate reports and recommendations filed in this case, the Board concludes that the Applicant has met the burden of proof that the requested special exception relief can be granted because:

- It is in harmony with the general purpose and intent of the Zoning Regulations and Map;
- It will not tend to affect adversely the use of neighboring property; and
- Pursuant to Subtitle X § 901.2(c), the relief satisfies the specified conditions for special exception relief.

DECISION

Based on the case record and the testimony at the hearing, the Board concludes that the applicant has satisfied the burden of proof for the requested relief:

- Special Exception under the penthouse habitable space requirements of Subtitle C § 1501.1(e), pursuant to Subtitle X § 901.2

Accordingly, it is **ORDERED** that the application is **GRANTED** consistent with the plans shown in Exhibit 10 of the record, as required under Subtitle Y §§ 604.9 and 604.10.

VOTE: **5-0-0** (Robert E. Miller, Melissa Lindsjo, Michelle Pourciau, Paul Goldstein, and Robyn Jackson Wells to APPROVE)

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: September 22, 2026

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, AN APPLICATION FOR A BUILDING PERMIT FOR THE ERECTION OR ALTERATION APPROVED IS FILED WITH THE DEPARTMENT OF BUILDINGS FOR THE PURPOSE OF SECURING A BUILDING PERMIT, OR A REQUEST FOR A TIME EXTENSION PURSUANT TO SUBTITLE Y § 705 IS FILED PRIOR TO THE EXPIRATION OF THE TWO-YEAR PERIOD AND THE REQUEST IS GRANTED. PURSUANT TO SUBTITLE Y § 703.10, 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.

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 FOR THE DISTRICT OF COLUMBIA
NOTICE OF CLOSED MEETING

TIME AND PLACE: **Tuesday, September 29, 2026 @ 2 p.m.**
Virtually via WebEx

CASES ON AGENDA:

1. Application No. 21497 of Anthony and Lindsey Hill
2. Application No. 21501 of Gohar Sedighi and Michael Donovan
3. Application No.21430 of 1365 Perry, LLC
4. Application No. 17429-B of St. Patrick's Episcopal Church and Day School

REASON(S) FOR HOLDING CLOSED MEETING (PER § 406 OF THE DISTRICT OF COLUMBIA ADMINISTRATIVE PROCEDURE ACT) (D.C. OFFICIAL CODE § 2-576): (CHECK ALL WHICH APPLY)

__X__ To receive legal advice from counsel on cases noted on the Board's agenda (listed above) for the above meeting to be held **September 29, 2026** – D.C. Official Code § 2-575(b)(4).

__X__ To deliberate upon, but not vote on, the contested cases noted on the Board's agenda (listed above) for the above meeting to be held **September 29, 2026**, for the reasons cited at D.C. Official Code § 2-575(b)(13).

BY THE BOARD OF ZONING ADJUSTMENT FOR THE DISTRICT OF COLUMBIA (Roll call vote taken at September 23, 2026 Public Hearing):

MICHELLE POURCIAU (CHAIR)	**X YES**	**NO**
PAUL GOLDSTEIN (VICE CHAIR)	**X YES**	**NO**
ROBYN WELLS, MAYORAL APPOINTEE	**X YES**	**NO**
MELISSA LINDSJO, NCPC REPRESENTATIVE	**X YES**	**NO**
CHRISTINE BRUINS, ROTATING ZONING COMMISSIONER	**X YES**	**NO**

KEARA MEHLERT, SECRETARY TO THE BOARD OF ZONING ADJUSTMENT FOR THE DISTRICT OF COLUMBIA.

OFFICE OF DOCUMENTS AND ADMINISTRATIVE ISSUANCES

DISTRICT OF COLUMBIA REGISTER
2026 AGENCY SUBMISSION DEADLINE SCHEDULE

The *District of Columbia Register* is published weekly on Fridays including on public holidays that fall on a Friday. The deadline for submitting notices for publication by District agencies, boards, commissions, and public charter schools is **THURSDAY**, noon of the **PREVIOUS** week. For example, the deadline for the January 16, 2026 *District of Columbia Register* is noon on Thursday January 8, 2026.

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 19, 2026 (Martin Luther King Jr. Day) is an official District of Columbia holiday therefore, the deadline for the January 23, 2026 *District of Columbia Register* is noon on Wednesday, January 14, 2026.

If an official government holiday falls on a Thursday, the deadline for submitting documents is WEDNESDAY. Because Thursday, January 1, 2026 is New Years Day, the deadline for the January 9, 2026 *District of Columbia Register* is noon on Wednesday, December 31, 2025.

Because Thursday, November 26, 2026 is Thanksgiving Day, the deadline for submitting documents for the December 4, 2026 *District of Columbia Register* is noon on Wednesday, November 25, 2026.

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 at https://dcregs.dc.gov:



Since the deadline changes for a Register to be published during a week that has an official District of Columbia Government holiday, the 2026 holiday schedule is provided here for your convenience.

2026 District of Columbia Government Holiday Schedule	
New Year's Day	Thursday, January 1, 2026
Dr. Martin Luther King, Jr.'s Birthday	Monday, January 19, 2026
Washington's Birthday	Monday, February 16, 2026
DC Emancipation Day	Thursday, April 16, 2026
Memorial Day	Monday, May 25, 2026
Juneteenth National Independence Day	Friday, June 19, 2026
Independence Day (Observed)	Friday, July 3, 2026
Labor Day	Monday, September 7, 2026
Indigenous Peoples' Day	Monday, October 12, 2026
Veterans Day	Wednesday, November 11, 2026
Thanksgiving Day	Thursday, November 26, 2026
Christmas Day	Friday, December 25, 2026

Below is the 2026 District of Columbia Register Submission Deadline schedule.

OFFICE OF DOCUMENTS AND ADMINSTRATIVE ISSUANCES
DISTRICT OF COLUMBIA REGISTER
2026 AGENCY SUBMISSION DEADLINE SCHEDULE

D.C. Register Issue		Submission Deadline	
Vol. 73/1	January 2, 2026*	Wednesday	December 24, 2025
Vol. 73/2	January 9, 2026	Wednesday	December 31, 2025
Vol. 73/3	January 16, 2026	Thursday	January 8, 2026
Vol. 73/4	January 23, 2026*	Wednesday	January 14, 2026
Vol. 73/5	January 30, 2026	Thursday	January 22, 2026
Vol. 73/6	February 6, 2026	Thursday	January 29, 2026
Vol. 73/7	February 13, 2026	Thursday	February 5, 2026
Vol. 73/8	February 20, 2026*	Wednesday	February 11, 2026
Vol. 73/9	February 27, 2026	Thursday	February 19, 2026
Vol. 73/10	March 6, 2026	Thursday	February 26, 2026
Vol. 73/11	March 13, 2026	Thursday	March 5, 2026
Vol. 73/12	March 20, 2026	Thursday	March 12, 2026
Vol. 73/13	March 27, 2026	Thursday	March 19, 2026
Vol. 73/14	April 3, 2026	Thursday	March 26, 2026
Vol. 73/15	April 10, 2026	Thursday	April 2, 2026
Vol. 73/16	April 17, 2026*	Wednesday	April 8, 2026
Vol. 73/17	April 24, 2026	Wednesday	April 15, 2026
Vol. 73/18	May 1, 2026	Thursday	April 23, 2026
Vol. 73/19	May 8, 2026	Thursday	April 30, 2026
Vol. 73/20	May 15, 2026	Thursday	May 7, 2026
Vol. 73/21	May 22, 2026	Thursday	May 14, 2026
Vol. 73/22	May 29, 2026 *	Wednesday	May 20, 2026
Vol. 73/23	June 5, 2026	Thursday	May 28, 2026
Vol. 73/24	June 12, 2026	Thursday	June 4, 2026
Vol. 73/25	June 19, 2026*	Wednesday	June 10, 2026
Vol. 73/26	June 26, 2026	Thursday	June 18, 2026
Vol. 73/27	July 3, 2026 *	Wednesday	June 24, 2026
Vol. 73/28	July 10, 2026	Thursday	July 2, 2026
Vol. 73/29	July 17, 2026	Thursday	July 9, 2026
Vol. 73/30	July 24, 2026	Thursday	July 16, 2026
Vol. 73/31	July 31, 2026	Thursday	July 23, 2026
Vol. 73/32	August 7, 2026	Thursday	July 30, 2026
Vol. 73/33	August 14, 2026	Thursday	August 6, 2026
Vol. 73/34	August 21, 2026	Thursday	August 13, 2026
Vol. 73/35	August 28, 2026	Thursday	August 20, 2026
Vol. 73/36	September 4, 2026	Thursday	August 27, 2026
Vol. 73/37	September 11, 2026*	Wednesday	September 2, 2026
Vol. 73/38	September 18, 2026	Thursday	September 10, 2026
Vol. 73/39	September 25, 2026	Thursday	September 17, 2026
Vol. 73/40	October 2, 2026	Thursday	September 24, 2026
Vol. 73/41	October 9, 2026	Thursday	October 1, 2026
Vol. 73/42	October 16, 2026*	Wednesday	October 7, 2026
Vol. 73/43	October 23, 2026	Thursday	October 15, 2026
Vol. 73/44	October 30, 2026	Thursday	October 22, 2026
Vol. 73/45	November 6, 2026	Thursday	October 29, 2026
Vol. 73/46	November 13, 2026*	Wednesday	November 4, 2026
Vol. 73/47	November 20, 2026	Thursday	November 12, 2026
Vol. 73/48	November 27, 2026*	Wednesday	November 18, 2026
Vol. 73/49	December 4, 2026	Wednesday	November 25, 2026
Vol. 73/50	December 11, 2026	Thursday	December 3, 2026
Vol. 73/51	December 18, 2026	Thursday	December 10, 2026
Vol. 73/52	December 25, 2026*	Wednesday	December 16, 2026
Vol. 74/1	January 1, 2027*	Wednesday	December 23, 2026

*Weeks with District of Columbia Government public holidays. Last Updated December 5, 2025